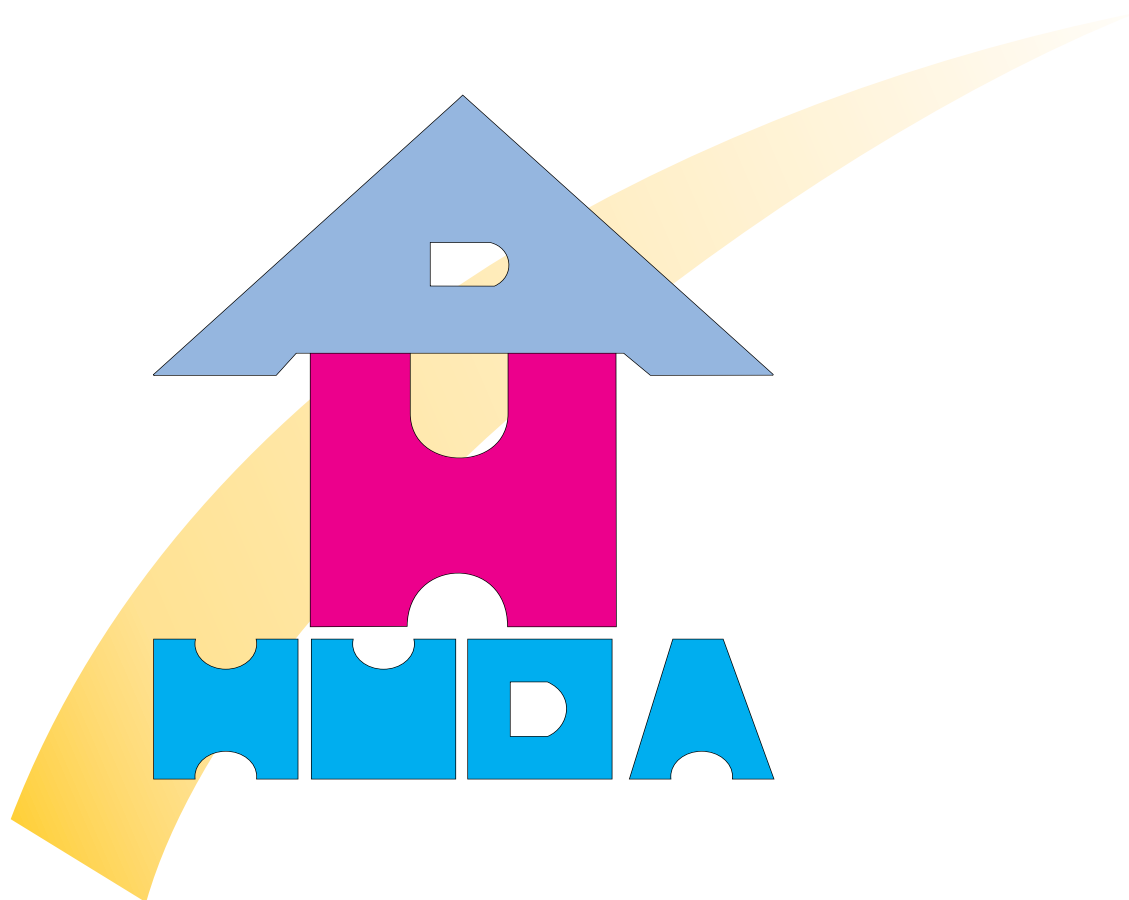


HUDA-Building a better future.



(HUDA Policies and Instructions)

HUDA (H.Q.): - C-3, Sector 6, Panchkula

Website: www.huda.gov.in

Compiled by: Monitoring Cell, HUDA (H.Q.)

Disclaimer

The HUDA compendium is for the information of HUDA 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.



Haryana, the birth place of Vedic heritage, is not only known for its cultural heritage but has also acquired a distinct name for its planned urban and industrial development.

This is a matter of satisfaction for me to present HUDA "Compendium". The main objective of any organization should be public service and welfare. HUDA is committed to these high ideals. This Compendium of HUDA is compilation of various rules and regulations, policies and procedures, and instructions of HUDA for the benefit of allottees/public in general but the officers/officials of HUDA in particular.

I hope that this Compendium would benefit one and all.

A handwritten signature in black ink, appearing to be 'T. C. Gupta'.

T. C. Gupta, IAS
Principal Secretary to Govt.
Haryana Town & Country Planning
Department, Haryana



The Haryana Urban Development Authority has pioneered planned & holistic urban development in the State. Prior to formation of HUDA in 1977, the Urban Estates Department was entrusted with the Urban Development in the State. The Urban Estates Department had to rely on different government departments for executing its development works. There was lack of proper co-ordination and lot of hurdles were faced which hampered the achievement of the desired pace & quality of urban development. In order to overcome these difficulties and to achieve expeditious development of the Urban Estates, the government of the day and the State legislature approved the creation of the Haryana Urban Development Authority in 1977.

Policies & guidelines governing and defining the working of *HUDA* have changed from time to time responding in the best possible way to the demands of development. As a ready reference manual & source book for all stakeholders, this “Compendium” containing the rules, regulations, policies and instructions, as amended from time to time, has been prepared.

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

A handwritten signature in black ink, appearing to read 'A. K. Singh' with a stylized flourish at the end.

A. K. Singh, IAS
Chief Administrator,
Haryana Urban Development Authority



PREFACE

Dear All

It is my privilege to introduce to you this booklet containing compilation of various policies/ instructions/guidelines framed for proper implementation of the provisions of HUDA Act, 1977 and Rules and Regulations thereunder and issued from time to time in furtherance of the objectives enshrined under the HUDA Act, 1977. As is well aware, HUDA is an urban development authority which is helping people built shelter over their head. HUDA has different wings performing different functions to fulfil the duties and responsibilities cast under the HUDA Act, 1977. In order to ensure proper and appropriate working of these wings, various policies/ instructions/ guidelines, has been framed. It has always been the endeavour of HUDA to create and build healthy relationship with its allottees and to mitigate its sufferings by ensuring better customer services. HUDA is taking various steps at regular intervals e.g. online payment, sms service. However, it has been observed that public may not always be aware of these policies/ instructions/ guidelines. Therefore, in order to ensure more transparency and better customer satisfaction, this compilation is being issued. I sincerely believe that this booklet will prove to be highly useful to the allottees, to gain first hand knowledge and insight into the basis of decision in respect to different issues affecting their properties. This booklet will in addition also prove highly useful to the HUDA officers and other staff, who will be in a position to serve better, the allottees as regards different aspects concerning the plots. I hope and wish that people will appreciate this effort of Authority, which will farther the motto of HUDA of betterment of future.

I seek kind cooperation and blessings of all concerned.

A handwritten signature in black ink, appearing to be 'S. Brar'.

With Regards

Sharandeep Kaur Brar, IAS,

Administrator, HUDA, HQ,

Panchkula

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10. -URBAN BRANCH

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367	Fixation of rates of renting the community Centers / parks built up by HUDA for the functions to be organized by HUDA employees.	30337	13.11.2001	798
368	Fixation of rates for renting the Community Centers built up by HUDA in the Urban Estates	16902-16930	10.07.2002	799
369	Allotment of residential plots.	16931-52	10.07.2002	800
370	Terms and conditions for auction of College sites.	30894-919	30.10.2002	801-802
371	Allotment of milk booth sites to Haryana. Dairy Development Coop. Federation Ltd.	6398-6417	11.03.2003	803
372	Policy regarding allotment of Petrol Pumps sites-amendment thereof.	8835-60	03.04.2003	804
373	Fixation of rates of renting the Community Centers built up by HUDA in the Urban Estates	12210-49	12.05.2003	805
374	Mortgage permission in respect of Institutional Plots.	21050 -51	04.07.2003	806
375	Issue of Completion Certificate and waving off extension fee thereof.	18664-92	23.04.2004	807
376	Policy for allotment of land cremation ground,muslim/ Christian burial ground etc, in the Urban Estates developed by HUDA.	23855 -62	25.06.2004	808
377	Policy for allotment of old age home/ereche in the Urban Estates of HUDA.	23881 -88	25.06.2004	809
378	Regarding charging of interest on the increased area from the allottees.	24154-82	29.06.2004	810
379	Allotment of land/building for Ex-Servicemen Contributory Health Scheme (ECHS), in various Urban Estates-Fixation of rates, terms & conditions of allotment.	18471-92	1.08.2005	811-812

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380	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 CWP No.552 of 1997 titled as IMA V/s State of Hry. & Ors- Formulation of policy thereof.	27527-61	21.10.2005	813-814
381	Guidelines with regard to the auction of commercial sites.	19748-76	31.05.2006	815-817
382	Policy guidelines for allotment of land for CNG & PNG stations in Urban Estates developed by HUDA.	20942-71	07.06.2006	818-819
383	Regarding transfer of ownership of school sites disposed off through open auction.	22666-94	26.06.2006	820
384	Policy guidelines for allotment of Grid Sub Station sites carved out in the Urban Estates, developed by HUDA in favour of HVPN.	6237-59	20.02.2007	821
385	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.	7179-7208	26.02.2007	822-823
386	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.	10218-48	20.03.2007	824
387	Policy Regarding allotment of sites for LPG Godowns in various Urban Estates of HUDA.	14794-14829	18.04.2007	825-826
388	Implementation of announcements of Hon'ble Chief Minister, Haryana regarding transfer of ownership of Indl. Plot which have been constructed and commercial production is going on for the last five years w.e.f. 01.01.2013.	12088-93	02.04.2008	827
389	Policy for regularization of Nursing Homes running from residential premises.	26053-106	21.07.2008	828-830
390	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.	26107 -108	21.07.2008	831-832
391	Allotment of Nursing Home and Clinic Sites through auction-modification therein.	26367-75	23.07.2008	833
392	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.	27510	01.08.2008	834
393	Policy regarding installation of Statues, naming of Permanent Assets, Rotaries and Chowks in HUDA area and maintenance thereof.	27771-94	06.08.2008	835-836
394	Allotment of Petrol Pump sites-Partial modification in the policy guidelines thereof.	28879-911	12.08.2008	837
395	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.	29630-29119	13.08.2008	838-839

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396	Formulation of policy guidelines regarding taking over possession of resumed plots or built-up sites.	29135-67	13.08.2008	840
397	Policy regarding utilization of pockets earmarked as HUDA land to be planned later on or open space.	39838-68	26.11.2008	841
398	Policy guidelines for offer of possession to the allottees of HUDA plots.	39995-40005	27.11.2008	842
399	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.	40089-40122	28.11.2008	843-844
400	Guidelines for allotment of sites to the Social/Religious/Charitable Trust/ Institutions for construction of place of worship/Dharmashala/Janjghar Community Centre etc.	40181 -88	01.12.2008	845-846
401	Policy guidelines for leasing out of Crech/School Buildings constructed by HUDA in various Urban Estates and Community Centre buildings constructed by HUDA in villages within HUDA Sectors.	4611-4666	20.02.2009	847-848
402	Allotment of institutional plots for setting up, Hospital, Nursing Home, Clinic and amendment in the terms and conditions thereof.	5104-26	26.02.2009	849
403	Regarding clear Identification/Demarcation of un-allotted commercial sites by construction of 9' high boundary wall.	6032-70	06.03.2009	850
404	Guidelines regarding registration of 'Independent Floors.	6552-91	13.03.2009	851-854
405	Policy guidelines for allotment of plots in Transport Nagars & Auto Markets developed by HUDA in the State.	8400-8454	24.03.2009	855-857
406	Regarding handing over of possession of plots.	11563-97	16.04.2009	858-860
407	Regarding increase in Malba Security / Fee.	11775-11816	17.04.2009	861-862
408	CWP No.3199 of 2008- Formulation of policy under Section 43 of the Persons with Disabilities Act 1995.	21403-33	11.06.2009	863-864
409	Allotment of land for Gas Godowns-Modification in policy.	22588-22629	23.06.2009	865-866
410	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.	27026-60	27.07.2009	867
411	Policy guidelines for offer of possession to the allottees of HUDA plots.	28161-83	05.08.2009	868
412	Allotment of land to Special School Institutions, Special Old age Home and Children Homes.	29493-511	21.08.2009	869-870
413	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.	547-622	04.01.2010	871
414	Policy guidelines for granting permission to erect safety gates in the HUDA Sectors.	1767-1840	11.01.2010	872

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415	Regarding framing a policy for regularization of unauthorized religious construction on public places.	13068-13132	30.03.2010	873-875
416	Guidelines regarding providing space for opening of liquor vends.	27000-27040	11.08.2011	876-877
417	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.	1082-1104	10.01.2012	878
418	Policy guidelines for allotment of ear-marked for shuttering business.	7576-95.	29.02.2012	879
419	Instructions regarding resumption of plot.	12969-70	06.04.2012	880
420	Regarding acceptance of 15% payment in respect of fresh allotment after draw of lots.	15704	26.04.2012	881
421	Allotment letters of flats under Ashiana Scheme in death cases.	15764-72	27.04.2012	882
422	Regarding clear identification/Demarcation of unallotted residential / commercial / industrial / institutional sites by construction of 9" high boundary wall	36319-41	02.09.2013	883-884

7. SURRENDER OF PLOT

423	Policy regarding surrender of commercial plot.	4091-101	12.02.1985	885
424	Acceptance of surrender of residential sites in various Urban Estates in the state.	2975-76	08.02.1994	886
425	Acceptance of surrender of residential sites in various Urban Estates of HUDA.	33924-55	14.12.1995	887
426	Acceptance of surrender of residential sites in various Urban Estates of HUDA.	3840-67	06.02.1996	888
427	Acceptance of surrender of residential sites in various Urban Estates of HUDA.	34419-446	17.10.1997	889
428	Policy regarding acceptance of surrender of commercial/residential plots.	16145-67	07.05.1999	890
429	Surrender of plots allotted to M/S Indian Oil Corporation Limited in Urban Estates Karnal and policy decision thereof.	34815-39	18.11.1999	891
430	Policy regarding surrender of industrial plots.	34749-87	22.12.2000	892-893
431	Formulation of policy guidelines regarding resumption of built up commercial sites.	17809-35	27.07.2005	894

8. GSRQ ALLOTMENT

432	Eligibility for the allotment of residential plots reserved for allotment of Haryana Govt. servants & employees of all Boards/Corporations under the Haryana Govt.	15187	02.07.1985	895
433	Reservation of residential plot for various categories.	6710-30	26.05.1994	896
434	Draw of lots from GSRQ category in Sector-26, Panchkula.	15870	19.06.1995	897
435	Reservation of residential plot for various categories-Amendment in eligibility criteria.	10483-508	08.05.2000	898

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436	Allotment of residential plot under GSRQ-Removal of integrity certificate thereof.	11006-007	24.04.2001	899
437	Allotment of plots under GSRQ-Clarification regarding eligibility criteria.	3708 -09	19.02.2002	900
438	Allotment of plots under GSRQ-Clarification regarding eligibility criteria.	10876-97	13.05.2002	901
439	Eligibility of employees of Haryana Board of School Education Bhiwani in GSRQ category.	28149-50	25.08.2003	902
9. Condonation of Delay				
440	Relaxation of period in payment of 15% price in case of residential, commercial and industrial plots/sheds.	23298-99	12.11.1991	903
441	Relaxation of period in payment of 15 % price in case of residential, commercial and industrial plots/sheds.	608-09	26.08.1994	904
442	Policy for condonation of delay in depositing 15 % amount in case of residential / commercial/ institutional/ industrial sites-amendment thereof.	12703-12741	09.04.1999	905-906
443	Policy for condonation of delay in depositing 15 % amount in case of residential/commercial/institutional/ industrial sites, beyond stipulated period of 30 days.	17836-62	27.07.2005	907-908
444	Policy for condonation of delay in depositing 15 % amount in case of residential/commercial/ institutional/ industrial sites, beyond stipulated period of 30 days.	23289-317	12.09.2005	909
445	Policy for condonation of delay in depositing 15 % amount in case of residential, commercial, institutional, industrial sites, beyond stipulated period of 30 days.	10182-217	20.03.2007	910-912
446	Policy for condonation of delay in depositing 15 % amount in case of residential, commercial, institutional, industrial sites, beyond stipulated period of 30 days.	27604-644	03.08.2007	913-915
447	Regarding condonation of delay in depositing first installment in case of EWS residential plots beyond stipulated period of 30 days.	15712-56	10.05.2011	916

10. TRANSFER OF PLOTS

448	Transfer of disputed plots.	9023-40	10.04.1992	917
449	Change in policy of allotment of residential plot in Urban Estates developed by HUDA.	24361-85	15.09.1995	918
450	Transfer policy of Residential/Commercial plots.	4959-5000	08.03.2000	919-920
451	Regarding transfer of residential/commercial plots-Family Transfer.	26823-43	10.10.2000	921
452	Allotment of plot under EWS Scheme-Waiving of condition of domicile certificate of the particular District.	369-99	05.01.2001	922
453	Transfer of immovable property through gift deed within a family.	10951-10972	14.05.2002	923
454	Transfer policy of Residential/Commercial plots-Family transfer.	23702-40	04.09.2002	924

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455	HUDA policy for allotment of residential plots-Ban imposed to acquire more than-one plot in an Urban Estate.	23278-301	29.06.2006	925
456	HUDA policy for allotment of residential plots-ban imposed to inquire more than one plot in an Urban Estate-modification thereof.	27823-45	31.07.2009	926
457	Press Clipping letter as “REGISTRY KE BAAD HUDA ME HAZRI KO LEKAR BAWAL”.	1182-1215	12.01.2011	927
458	Policy regarding mode of transfer of immovable property to the legal heir(s)/legatee after death of the allottee/re-allottee.	26866-688.	03.06.2013	928-929

HUDA - PRESENT, PAST AND FUTURE

The Haryana Urban Development Authority, a statutory body of Haryana Government, was constituted under the Haryana Urban Development Authority Act, 1977.

HUDA, as an organization, has built cities on modern town planning concepts, fulfilling dreams of millions and emerged as an organization that others envy and copy while Haryana takes pride. HUDA can take pride in its becoming an organization which has a social face and which enjoys tremendous credibility and respect not only in Haryana but all over India.

HUDA has 32 urban estates (townships) in Haryana. The main functions of the Authority are to promote and secure development of urban areas by acquiring undeveloped land. It develops and disposes off land for residential, industrial, institutional and commercial purposes. It develops world class physical infrastructure for its townships like roads & bridges, water supply and sewerage systems, storm water drainage systems and horticulture works. HUDA has also been providing the basic infrastructure facilities for health care, education, recreation, environment, industry and community development.

The Authority also undertakes development in the National Capital Region thereby ensuring proper coordination with the Central and other State Governments.

Another job of HUDA is to utilize the surplus Government land thereby generating additional resources for the state exchequer.

Built upon a tradition of integrity and professionalism, HUDA is committed to make a difference in all that it undertake engineering innovative solutions, providing services par excellence, and delivering projects of exceptional design and quality.

BROAD WORKING OF THE ORGANISATION

The Haryana Urban Development Authority (HUDA), a statutory body of Haryana Govt. was constituted under the Haryana Urban Development Authority Act, 1977. Before the constitution of HUDA, the Deptt. of Urban Estates used to look after the work concerning planned development of Urban Areas. The functioning of the Urban Estates Deptt. was earlier regulated by the Punjab Urban Estates (Development & Regulation) Act, 1963 and rules made thereunder and the various development activities used to be carried out by different departments of the State Govt. such as P.W.D (B&R), Public Health, HSEB etc. But it was observed that the involvement of several agencies in the development of Urban Estates at various places had given rise to problems of coordination, with the result that the growth of most of Urban Estates became slow and caused unnecessary dissatisfaction among the plot-holders in particular and public in general. Besides, as the department had to follow the financial rules and regulations of Govt., the arrangement of finance and sanction of estimates took a long time and the development works had not kept pace with the required standards of physical development. It was also considered that being Govt. department, it was unable to raise resources from various lending institutions although there were various financial institutions in the country to finance Urban Development programmes which could be availed of. Thus, in order to overcome all these difficulties and to achieve the expeditious development of the Urban Estates, it was felt that the Deptt. of Urban Estates should be converted into such a body which could take up all the developmental activities itself and provide various facilities in the Urban Estates expeditiously. Accordingly, the Authority has taken over work which was being handled by individual departments. The main functions of Haryana Urban Development Authority are:-

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

ADMINISTRATIVE SET UP OF HUDA

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 HUDA 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 functions of the Authority, assisted by five zonal Administrators, posted at Faridabad, Gurgaon, Hisar, Panchkula, Rohtak and one Administrator at H.Q. The Chief Administrator is guided by the policies framed by the Authority. Under Section-8 of the HUDA Act, 1977, the Authority is competent to appoint one or more committee 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 HUDA

(i) ZONAL ADMINISTRATION:

The entire state is divided into 31 Urban Estates. The work of these Urban Estates is being looked 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. These Estate Officers are also responsible for pursuing the matters relating to the construction activities within the frame work of construction and building rules applicable thereto. The Administrators act as co-ordinators between various wings engaged in the planned urban development of the respective areas and are responsible for the implementation of various schemes/projects being executed in these areas. The zonal Administrators are located at following places:

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

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

E-mail address:- adminfbdhuda@gmail.com

Administrator, HUDA, Gurgaon, HUDA Complex, Sector 14, Gurgaon. Ph. 0124-2321650 (0), Tel.fax. 0124-2323211

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

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

Ph. 01662-245385 (0), Tel.fax. 01662-245140

E-mail address:-admhsrhuda@gmail.com

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

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

E-mail address:-admhsrpklhuda@gmail.com

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

Ph. 01262-295786 (0), Tel.fax. 01292-292786

E-mail address:- admrtkhuda@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 and his staff for preparation of Architectural controls and Architectural designs of all buildings constructed by HUDA. There is a Senior Landscape Architect also for designing parks, open spaces and gardens.

2. ENGINEERING WING

Engineering Wing is headed by Chief Engineer and the works at head office level are distributed between Chief Engineer & Chief Engineer-I. They are assisted at Head Quarter by Superintending Engineer & 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 Circles

The entire state is divided into 8 Circles & 24 Divisions headed by Superintending Engineers and Executive Engineers respectively. The civil circles are located one each at Panchkula, Karnal, Faridabad, Rohtak, Hisar, RGECP Circle Sonipat and two at Gurgaon. An Additional Chief Engineer at Sonipat has jurisdiction over the circles at Rohtak & Sonipat.

Electrical Circle

The electrical works in the state are being looked after by four electrical Divisions located at Panchkula, Gurgaon, Rohtak & Hisar.

Horticulture Circle

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

3. ESTABLISHMENT WING

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

- Recruitment of new staff for HUDA
- Trainings of HUDA staff
- Management of all Employee related details
- Preparation and circulation of Agenda for meeting of authority and personnel committee

4. 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 HUDA 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 HUDA 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 (copy enclosed), 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.

5. FINANCE WING

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

1. Sources of inflow of funds:

- i. The main source of inflow of funds in HUDA 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. The other source of receipt is External Development Charges (EDC) from colonizers/release of land. The EDC is charged from the colonizers who obtains the license from the Govt. of Haryana for development of land in Urban Estates developed by HUDA and use/requires the services like W/S, SEW, SWD, Roads and other town level facilities provided by HUDA. Similarly development charges are charged from those land owners whose land is released from acquisition proceedings and they intend to use the facilities of external services laid by HUDA.
- iii. Loans have also been given by NCRPB for carrying out development in the NCR Towns/Counter Magnet Area of NCR.

2. Application/Out flow of funds:

- i. Investment of funds in acquisition of lands enabling HUDA to generate more plots for public.
- ii. Deployment of funds for development activities (External/internal) being carried out by Engineering Wing of HUDA.
- iii. Administrative Expenditure.
- iv. Repayment of loans taken from NCR.

Functions:

1. Land Acquisitions

The funds are made available to all the LAO's in Haryana viz. LAO Faridabad, Gurgaon Rohtak, Hissar and Panchkula for acquisition of lands 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 authorizations. Cheque book is handed over to him for issue to land owners. The cheques are honoured by the bank upto the fixed amount of award. The funds are given to the banks as and when the cheques are received by banks for payment. Proper accounts are maintained in the books of accounts of HUDA (HQ) and monthly reconciliation is carried out of these accounts.

2. Price Fixation

i) Residential:

The residential plots are sold through draw of lots and the price is fixed on the basis of land acquisition cost, development cost (supplied by the Engineering Wing) after adding indirect charges such as Administrative Charges, escalation, unforeseen charges & Govt. Charges. The copy of price fixation formula is attached at Annexure 'A'. The price is fixed as per approved formula of the Authority on No Profit No Loss basis.

The price of EWS plots is kept at subsidized rates as under :-

Gurgaon, Panchkula	Rs.500/- per Sq.yd.
Ambala, Karnal, Panipat and Sonapat	Rs.400/- per Sq.yd.
For rest of Urban Estates	Rs.300/- per Sq.yd.

The loss on accounts of subsidized rates is loaded in the price to be charged from the general public.

The price of left out residential plots is fixed on the basis of demand of plots and after adding the holder costs in the Urban Estates.

The price so worked out is placed before the price fixation committee headed by Chief Administrator, HUDA with its members, Administrator (HQ), Zonal Administrator concerned, CCF HUDA, CE HUDA, CTP Haryana and CTP HUDA. The recommendations of the price fixation committee are submitted to the Chairman, HUDA for approval after which the plots are allotted for sale at the approved rates.

ii) Commercial:

The commercial plots are sold through auction and the reserve price of commercial sites put to auction for the first time is calculated by finance wing as per the approved formula of the Authority which is an indicative price. The recommendations of the Zonal Administrator concerned are also obtained and the reserve price is approved by Chief Administrator.

The reserve price of commercial sites put to auction subsequently is fixed/approved by the Zonal Administrators on the basis of average auction price fetched in the previous auction on sector to sector and site to site basis.

The prices of institutional sites are worked out uniformly for a particular Urban Estate and got approved from the Authority.

The prices of Industrial sites are worked out for a particular sector of Urban Estate and got approved from the Authority.

The prices of religious sites are kept at 15% and Charitable sites at 50% of the price of Institutional sites.

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 HUDA. However in order to facilitate the public, the enhanced compensation are also allowed to be paid in installments along with interest @15% p.a. as per policy.

3. Administrative approval of R/C/E of development works:

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

- i. The R/C/E upto 50.00 lacs at the level of Zonal Administrator.
- ii. The R/C/E more than Rs.50.00 lacs and upto Rs.4.00 crores are approved by the Chief Administrator, HUDA.
- iii. The R/C/E more than Rs.4.00 crores and upto Rs.10.00 crores are approved by the Chairman.
- iv. The R/C/E more than Rs.10.00 crores are approved by The Sub-Committee headed by Chairman, HUDA with its members FC(F), FCTCP, CA., HUDA., EIC PH, EIC B & R.

After approval by the respective authorities at sr.no. ii, iii and iv above as the case may be, administrative approval is issued for taking further action by the Engineering wing of HUDA for execution of work. Separate estimates are approved for each work /EDC works.

4. Budget:

Budget of the Authority is prepared annually to monitor and plan the receipt from the sale of plots and expenditure on the development works. The budget of receipts heads is prepared by the Estate Offices and budget of development expenditure is prepared by the Engineering wing of HUDA. The consolidated budget is examined by Finance Wing and gets approval from Chief Administrator/ FCTCP/ 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:-

- i. 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 new recovery of enhanced compensation in the current years. The project target of receipt of earnest money for floatation of new sectors in the current year and similarly targets of refund of earnest money for the plot floated in the previous year /current year are fixed.
- ii. The budget of development expenditure is fixed in accordance with the estimates of continuing works, new orks 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 exp. on monthly basis as per approved budget and as per requisition received from all the field offices of HUDA.

5. Enhanced Compensation:

The enhanced compensation awarded by the competent Courts are paid to the land owners by the office of Zonal Administrators for which requisite funds are provided by the Finance Wing of HUDA. The payment so made are to be recovered from the allottees , the rate of which is calculated by the finance wing as per price fixation formula and after getting it approved from C.A, HUDA the same is conveyed to the respective E.O's for recovery from the allottees. Separate accounts are maintained for payment and recoveries of E.C. in field offices as well as Head office.

6. Scheme Accounts:

The residential plots 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 HUDA (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 with AT Par facility of clearing of cheques in various branches of the authorized banks. The validity of the cheques are kept for 3 months for which funds are provided to the authorized bank to honour the cheques. Separate accounts of collection and refund of earnest money is kept in the finance wing and proper reconciliation is carried out.

7. Audit:

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

i)	Concurrent Audit	Conducted on quarterly basis of the current financial year. Done by private Firms of Chartered Accountants.
ii)	Proprietary Audit	After the expiry of financial year. Done by A.G.
iii)	Special Audit	On need basis

6. (I.T.CELL)

The IT Wing of HUDA was established in the year 2006 with the aim to provide online and efficient services to the allottees.

HUDA has implemented Plot & Property Management System wherein about 2.73 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. HUDA is also in the process of automating various other processes to bring efficiency & effectiveness in the public services.

HUDA has been awarded National E- governance award from the Government of India for the year 2008-09 & Best IT Enabled PSU award in the year 2010.

7. LEGAL CELL

The HUDA 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.

8. 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.

9. PLANNING WING

The Town Planning Wing has been established at the Head Quarters to look after the work of perspective planning for establishment of new Urban Estates, planning of commercial areas and research/development of zoning regulations. The wing is headed by a Chief Town Planner (HUDA) who is assisted by Senior Town Planner, District Town Planners, and Assistant Town Planner. The Town Planning Wing has also been entrusted with the job of designing and issue of advertisements in the newspapers regarding floatation of residential/industrial/ institutional sectors in all the Urban Estates, as well as work relating to Group Housing Schemes, Govt. land Schemes and Mandi Townships.

Haryana Urban Development Authority 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 the same is acquired by the Govt. of Haryana through its Urban Estates department for specific land uses, like residential, Commercial and Industrial 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.

After acquisition of land, a layout plan is prepared on the basis of a plane table survey of the acquired land, and in accordance with the norms & standards evolved by HUDA for providing a congenial living environment.

For the purpose of ensuring health and safety of the allottees and for proper aesthetics Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 have been framed, which besides other design / Structural requirements, specify 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.

10. URBAN BRANCH

Administrator posted at H.Q. is overall incharge and responsible for coordination among different wings of the Authority. All the matters relating to policy matters and allotment of land to various institutions and Govt. departments are also dealt by this branch.

ARCHITECTURE WING

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

Date: 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

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 24.10.03.

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.

Endst. No. 4513-19

dated 24.10.03.

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 24.10.03.

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

-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 29.07.05.

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 29.07.05

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 29.07.05

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					
i)	Booth/Kiosk	Potential Zone				50% of the rate shall be charged if constructed as per plan.
		Hyper	High	Medium	Low	
	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. i)	TOILETS. (Minor violations) Roof is not laid at lower level at first floor because toilets are shifted at rear side (Relates to sunken floors of toilets)	Ignored				Provided light/ventilation is maintained as per bye –laws.	
	ii)	Roof is laid over open to sky (shaft) above 3'-0" height and light is given from sides.	Ignored				Provided light/ventilation is maintained as per bye –laws.
	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	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
		600/- (Per Sq. ft.)	500/- (Per Sq. ft.)	375/- (Per Sq. ft.)	250/- (Per Sq. ft.)	
		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 (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 : 8.2.06

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 8.2.06

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.

HARYANA URBAN DEVELOPMENT AUTHORITY

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.RS.-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-Ballabgarh 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 ALONG WITH 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.

**(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

-sd/-
**Chief Administrator,
HUDA, Panchkula**

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

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: 8-6-09

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).

-sd/-

DA/ As above.

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

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

Dated: 8-6-09

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: 8-6-09

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				
	Cantilever cupboard/bay window	To be counted in Covered area violation.			
a)	Covered area beyond zoning line but within permissible limits.	Compoundable upto maximum limit of 10% of setback to be compounded @ 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. <u>Actual violation in sq.m</u>	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>(Up to 5 %)</u>				
	Floor	Front	Rear	Side	
	GF				
	FF				
	SF				
	Basement				
	<u>Up to 10 %</u>				
	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 jn (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 mumty) where no farme control is applicable.				
i)	Up to 50 cm	Nil			
ii)	Above 50 cm to 1m.	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.	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.			
	a) Projection up to frame line.				
	b) Increase in projection due to cladding (beyond 1m)				
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)

SDE(B)

Name:
J.E. O/o _____

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/Sonepat/Jagadhari.
3. The Assistant Estate Officers,
HUDA, Panipat/Kurukshetra/Jind/Ambala/Bahadurgarh.
Memo no/ 6958-75

Date: 07.08.98.

Subject: Auction of 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.

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 14.1.99

Subject:- Provision of basement in booth sites

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.

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 15.03.99

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.

Endst. No. 519

dated 15.03.99

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

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

Endst No.

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

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.

Endst. No. 2078-2109

dated: 02.12.05.

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

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

To

All Distt. Town Planners,
Haryana.

Memo no SA/HUDA/06/ 173-205

Date:08.02.06.

Sub: Decision regarding provision of basements under the corridors of commercial sites 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 08.02.06.

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

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.

From

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

To

All the Estate Officers,
HUDA, Ambala, Bahadurgarh, Bhiwani, Faridabad, Gurgaon-1 & 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.

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

Dated: 22-2-2013

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.

ENGINEERING WING

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/

Dated:- 13.7.1999

Subject:- 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:- 13-7-1999

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

OFFICE ORDER

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 flurther 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.

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

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

NOTIFICATION**HARYANA URBAN DEVELOPMENT AUTHORITY**

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 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:- 28/11/01

Subject:-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

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

Subject:- 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

Dated:- 29/11/2001

Endst. No. CE-HUDA-2001-M/9946

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

HARYANA GOVERNEMENT
HARYANA URBAN DEVELOPMENT AUTHORITY
NOTIFICATION

The 31st October, 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

**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

**Subject:-Roof top Rain water Harvesting- Conversation and Artificial Re-Charge of Ground water. Areas/
Urban state 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: 7-12-2001

-sd/-
(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/Gurgaon/
Hisar & Faridabd
2. The Superintending Engineer,
HUDA, Circle, Panchkula/Karnal/
Faridabad/Rohtak/Gurgaon/Hisar.
Memo No.9166

Dated:- 19.8.2002

Subject:- 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 26.2.2002 and approved.

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

Subject:- 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 I 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 proceedings 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 mare than 5% slow.
 - ii) It is found on inspection to have been damaged or tempered 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 then 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 lived 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 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 : 5.12.2003

Subject:-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 perview 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, 27TH August, 2003

O. 979 (E) - Whereas a draft of certain amendments to the Government of India in the Ministry of Environment and Forest 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 2 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rule, 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 hereby before the expiry of sixty days from the date of 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 the 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) Rule, 1986, the Central Government hereby makes the following amendments to the said notification namely:-

AMENDMENTS

1. In the said notification, the preamble for the words “fifty kilometres”, the word “one hundred kilometres” shall be substituted.
2. In the said notification, in paragraph 1.
 - a) in sub-paragraph (1), for the words “Fifty Kilometres” 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 building 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 brick or cement fly ash bricks or blocks or similar products or a combination of 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 percent by 31st August, 2004
- ii) 50 percent by 31st August, 2005
- iii) 75 percent by 31st August, 2006: and
- iv) 100 percent by 31st August 2007

In respect of construction of buildings within a radius of 50 kilometres from coal or lignite based thermal power plant the following minimum percentage (by volume) of use of bricks, blocks and tiles shall apply:-

- i) 50 percent by 31st August 2004
- ii) 100 percent by 31st August, 2005

ख सड़क या फलई ओवर तटबन्धों, जो भारतीय सड़क कांग्रेस: आई आ सी: द्वारा अधिकथित विनिदेशों के अन्तर्गत नहीं आते हैं के लिए आवश्यक विनिर्देश/मार्गदर्शी सिद्धांत बनाएंगे।

फा सं 16:2/95 एच एस एम डी:

डॉ वी राजगोपालन संयुक्त सचिव

टिप्पणी: मूल अधिसूचना, भारत का राजपत्र असाधारण भाग पप खण्ड 3, उपखण्ड:11 में का, आ 763 दिनांक 14-9-1999 द्वारा प्रकाशित की गई है।

- (1B) The provision of sub-paragraph (1A) shall be applicable to all construction agencies such as Housing Boards and those in the private sector.
- (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 percent 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.
- (3D) 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 letter “(AIBTMF)”, the words “or a representative of local brick kiln owners association, federation, group,”s 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 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 the 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;
- e) after sub-paragraph (3), the following sub-paragraphs shall be inserted, namely:-

(3A) 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 thirty days from the date of receipt of application by it.

- b) for the opening words, “All coal or lignite based thermal power plants utilize 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 utilization 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.

Specification No. SP : 58 of 2001. Any deviation from this direction can only be agreed to on technical reason 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.”

In the said notification in paragraph 2.

- a) for the marginal heading “**Utilization of ash by Thermal Power Plants**”. The marginal heading “**Responsibilities of Thermal Power Plants**” shall be substituted;
- b) All agencies undertaking construction of roads or fly over bridges, including Ministry of Road Transport and Highways (MORTH), National Highway Authority of India (NHAI), Central Public Works Department (CPWD), State Public Works Department 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 soil borrow area or pit as per sub-paragraph (7) of paragraph 1; and.
- b) make necessary specification / 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.RAJAGOPLAN, Jt. Secy.

Footnote :-The principal notification published in the Gazette of India, Part II Section3, sub-section (ii) vide S:O:763 (E) dated 14.9.1999.

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 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

Subject:- 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

**ADDENDA 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.

ADDENDA 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. 29 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 THE CHIEF ADMINISTRATOR, HUDA C-3, SECTOR-6, PANCHKULA

To

The Estate Officer,

HUDA

Memo. No.3293

Dated 26.4.2005

Subject: 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 form 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 form 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 conform 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.”

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-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 6.6.2005

Subject: 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 28.3.2004

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

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 7.6.2005

Subject: 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. © 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-3, SEC-6, PANCHKULA

To

The Administrator,HUDA, Panchkula / Hissar/ Gurgaon / Faridabad.

Memo. No.4667-71

Dated 24.4.2006

Subject: Earthquake resistant – construction of building and structures in State of Haryana.

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 Gzette 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 hazaqrds. 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 CHIEF ADMINISTRATOR HUDA, PANCHKULA

To

All the Superintending Engineers

HUDA

Memo. No.8121-29

Dated 26.7.2006

Subject: 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

Dated 26/7/2006

Endst. No.8130-34

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 ENGINEER-IN-CHIEF HUDA C-3, SEC-6, PANCHKULA

To

All the S.E.'s of HUDA

Memo. No.12960

Dated 4.12.2006

Subject: 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 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: 19.12.06

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, SECTOR-6, PANCHKULA

To

1. All the Superintending Engineers in HUDA
2. All the Executive Engineers in HUDA

Memo No. /3566

Dated: 16.03.07

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 ENGINEER-IN-CHIEF, HUDA, C-3, SECTOR-6, PANCHKULA.

To

All the Superintending Engineers.

Memo No: 7132

Dated: 28.5.2007

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, Haryana,
Panchkula.

Dated: 28.5.2007

Endst. No: 7133

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, Haryana,
Panchkula.

Dated: 28.5.2007

Endst. No: 7134

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: 13-4-07

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 2.11.2006.
- 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 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 Sonepat.
- 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)
ForChief 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),
ForChief Administrator, HUDA,
Panchkula

OFFICE ORDER

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 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	L a s t 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 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: 10.8.2007

Subject: 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.

-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:

Subject: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.

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 on 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 as 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 abided 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

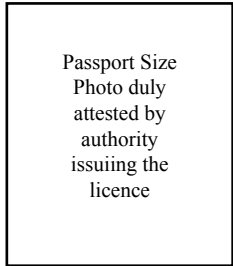
Verified that my above statement is true and correct to the best of my knowledge and belief and nothing has been concealed therein

Place:

Dated:

DEPONENT

ANNEXURE – ‘C’



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

The Superintending Engineers,
HUDA Circle, Panchkula / Elect. Panchkula / Hort. Panchkula / Karnal / Faridabad /
Gurgaon-I & II / Hissar / Rohtak.

Memo no. 12034-42

dated 30.8.2007

Sub:-Enlistment of contractors – Prospectus for guidelines.

Please refer to this office memo no.11295-303 dated 10.8.2007 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

- 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 18.9.2007

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 CHIEF ENGINEER, HUDA, PANCHKULA

To

All the Superintending Engineer,
HUDA, PKL/GGN-I & II/GBD/KNL/RTK/HSR
Memo No.16074-80

dated 8.11.2007

Subject:-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.

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

**Subject:-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.

(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.

(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 of 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 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: 5.6.2008

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: 5.6.2008

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

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

Subject: 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 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 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/Hisar/Rohtak/Knl/pkl

Memo no-CE-HUDA/E.E(W)CHD(G)16200-19

dated 07.10.08

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 CHAIRMANSHIP 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 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 : 19.11.09

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	
d) Street Light I. Fixing of Fitting/ Luminaries II. Working of Lights III. Earthing	Ok/ Not Ok/ Not Ok/ Not	

Description	Remarks	Corrective Measure Suggested
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
<p>d) Tree Guards</p> <p>I. Weight (in case material is steel)</p> <p>II. Quality (in case of SFRC)</p> <p>III. Dimensions</p> <p>IV. Erection</p>	<p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p>	
<p>e) Parks</p> <p>I. Boundary wall</p> <p>i) Workmanship</p> <p>ii) Weight of Grill</p> <p>iii) Curing</p> <p>II. Walking Path</p> <p>i) Workmanship</p> <p>ii) Curing</p> <p>III. Benches</p> <p>i) Specification</p> <p>ii) Fixing</p>	<p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p> <p>Ok/ Not</p>	

Signature of Inspecting Officer.

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

SUBJECT: 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:

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.

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 additional 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.

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 09/06/11

**Subject:- 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.

(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

(S.P.Singh)
Executive Engineer (HQ),
for Chief Administrator, HUDA,
Panchkula

HARAYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

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

(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 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 14/5/12

Sub: Revision of instructions on 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.

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: 6.6.2012

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: 6.6.2012

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-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).

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.

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)/15269-31

Dated: 9.11.2012

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:-	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. 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 . 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.	

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.

Dated: 9.11.2012

Endst. No:CE/EE(M)/SDE(W)/15313-21

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.

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.

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 19/12/12

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.

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.

**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 approx. 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.

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 08/01/13

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:

1) 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, 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: 22.7.2013

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.

IMPORTANT

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

Sub: Implementation of E-tendering system in HUDA.

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 Code 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.

ESTABLISHMENT WING

**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

-sd/-

T.C.Gupta, I.A.S

Chief Administrator, HUDA, Panchkula

Endst. No. EA-3-2007/16033-113

Dated: 11.05.2007

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/-

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

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

T.C.Gupta, I.A.S
CHIEF ADMINISTRATOR,
HUDA Panchkula

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

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 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

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

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

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

**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

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

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.

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:

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: -GRANT OF 1ST AND 2ND ACP SCALES TO THE S.D.Es.

Your attention is invited to Headquarters Memo No EA-2-200/7809-68 dated 6.4.2000 whereby it is clarified that the revised pay scale has been adopted with effect from 1-1-1996 at par with the Government Department. As per provisions of the Haryana Civil Services (Assured Career Progression) Rules, 1998, the 1st and 2nd ACP scales are to be based on the functional pay scale of the post as on 31.12.1995 on which the employee was recruited as a direct recruit fresh entrant. Accordingly the SDEs of HUDA who were promoted from the lower cadre posts of Junior Engineer/Draftsman are not eligible for the pay scale of Rs. 10000-13900 (after 5 years of regular satisfactory service in the cadre) and the pay scale of Rs. 12000-16500 (after 11 years of regular satisfactory service in the cadre) –limited to 20% of the posts in the cadre of the Sub Divisional Engineer. It was directed to make recovery of excess payment, if any, in case of wrong fixation of the pay from the concerned SDEs under intimation to Headquarters. But no follow up action taken by you has been intimated so far.

You are therefore once again requested to withdraw such wrong fixation of pay scale as stated above, which was earlier granted to any officer. However, before withdrawing any such benefit, the DDO who has wrongly granted the scale, should give a show cause notice to the officer concerned.

These instructions may be brought into the notice of all concerned and be followed meticulously in letter and spirit. The action taken in this regard may be intimated to the Headquarter within fortnightly positively.

-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 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.

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

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

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

In the interest of speedy disposal of work, Smt. Prem Kanta, Superintendent (Estt.) is hereby designated as SPIO and Sh. Dharam Pal, Dy. Superintendent (Estt.) is designated as ASPIO to provide information under RTI Act, 2005 to the applicant and to file reply before the State Information Commission and also to attend hearing before the State Information Commission as well as 1st Appellate Authority.

Further, Sh. Bharat Bhushan Taneja, Dy. Superintendent, Authority Branch, HUDA is also designated as SPIO to provide information under RTI Act, 2005 to the applicant and to file reply before the State Information Commission and also to attend hearing before the State Information Commission as well as 1st Appellate Authority relating to Authority Branch, HUDA (HQ), Panchkula.

29th January, 2013

(D.P.S.Nagal, IAS)
Chief Administrator, HUDA,
Panchkula

Endst. No. EA-7-2013/6732-6816

Dated: 05.02.2013

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

1. All the Field offices of HUDA in the State.
2. All the head of the Branches of HUDA (HQ), Panchkula.
3. Officers concerned.

-sd/-
Secretary,
for Chief Administrator, HUDA
Panchkula

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.

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

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.

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

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

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.

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

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

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

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

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 CWPs/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. 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 of 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.

**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.

FINANCE WING

HARYANA URBAN DEVELOPMENT AUTHORITY, CHANDIGARH

NO. HUDA-Acctts.-85/5707

Dated: 2.3.1985

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)

Subject:Rate of Interest.

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,

HARYANA URBAN DEVELOPMENT AUTHORITY, SCO NO 841, MANINAJRA

NO. HUDA-Acctts. 07/1398-1408

Dated: 15.1.1987

To

All the Estate Officers

HUDA (In the State)

Subject: Revised rates of interest on installments of plots holders.

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 chanced 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 Administrator HUDA (In the state) for information & necessary action please.

HARYANA URBAN DEVELOPMENT AUTHORITY

NO. HUDA-Acctts. S.O-I-91/23860

Dated: 18.11.1991

To

All the Subordinate Offices of HUDA (In the State)

Subject: Increase in the rate of interest.

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

NO. HUDA-Acctts-S.O-I-2000/24564-84

Dated: 22.9.2000

To

1. All the Administrators,
HUDA (In the State)
2. All the Estate Officers,
HUDA (In the State)

Subject: Policy regarding charging of interest on delayed payment.

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, SECTOR-6, PANCHKULA
NO. HUDA-ACCTS. ACCTT-I-2002/- 35240-65 DATED: 17.12.2002

To

1. All the Administrators,
HUDA (In the State)
2. All the Estate Officer's,
HUDA, (In the State)
3. The Engineer-In-Chief
HUDA, Panchkula
4. The Chief Engineer
HUDA, Panchkula
5. The Chief Town Planner,
HUDA, Panchkula

Subject: Revision of rate of interest.

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, 0agreements, updatation 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
HUIDA 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

No.HUDA-ACCTTS-SO-I-2005/22302

Dated: 02.09.2005

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).

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.

HARYANA URBAN DEVELOPMENT AUTHORITY

No. HUDA-Acctts-Acctt-I-2006/ 2408-27

Dated: 23.1.2006

To

1. All the Administrators,
HUDA (In the State)
2. All the Estate Officers,
HUDA (In the State)

Subject:Revision of Rate of Interest.

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

Dated 23.1.2006

Endst No HUDA Acctts.Acctt-1-2006/2428-33

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

No. HUDA-Acctts-Acctt-I-2006 /2381-2401

Dated: 27.1.2006

To

1. All the Administrators,
HUDA (In the State).
2. All the Estate Officers,
HUDA (In the State)

Subject: Revision of Rate of Interest.

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, SEC-6, PANCHKULA

NO.HUDA.CCF.ACCTT-I-2009/7092-7120

DATED: 17.3.09

To

1. All the Administrators, HUDA, (in the State).
2. All the Estate Officers, HUDA (In the State).

Subject:- Revision in the rate of interest.

Please refer to this office memo.no.2408-27 date d 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 2 % (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, SECTOR-6, PANCHKULA.

No.HUDA-ACCTTS-SO-I-2005/22302

Dated: 02.09.2005

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).

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.

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA

No.HUDA-CCF-Acctt-I-2008/36457-79

Dated: 25.10.08

To

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

Subject: Civil Appeal No.4436 of 2008 (Arising out of the Special Leave Petition No.13644 of 2005) HUDA V/s Raj Singh Rana (Memo No.426 dated 16.2.2005, Plot No.833/13, Karnal).

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/

Dated:

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, PANCHKULA.

No. HUDA-CCF-Acctt-I-2009/15695-717

Dated:5-5-2009

To

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

Subject: Comprehensive policy in respect of interest on the delayed payment of enhancement of 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
	%	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 harma 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 o.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, PANCHKULA

No. HUDA-Accts-2007/5903

Dated: 04.09.2007

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 installment.

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 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 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.

-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

State of Haryana through the Commissioner and Secretary to Govt. of Haryana, Town and Country Planning Deptt. Haryana.

1. The Administrator, HUDA Sector 6, Panchkula
2. The Chief Administrator HUDA Sector 6, Panchkula
3. The Estate Officer HUDA, Sector 6, Panchkula

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.)

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 (C) 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)

1.Mr. Ravindra Sana, Adv. 2.Mr. Pardeep Gupta, Adv.3.

Mr. K.K. Mohan, Adv.4.Mr. Sureh Bharati, Adv. 5.Mr. S.K.

Sabharwal, Adv.6.Mr. Sanjeev K. Pabbi, Adv.7.Ms. Shikha Ray

Pabbi, Adv. 8.Mr. Chander Shekhar Ashri, 9.Adv.Mr. Bimal Roy

Jad, 10. Adv.Mr. Ajay Jain, Adv.11. Mr. Jinendra Jain, Adv. 12.

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.VRAMANA)

(VEERA VERMA)

Court Master

Court Master

THE HON'BLE 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.

2. 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?

3. 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.

4. 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.

5. 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 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% is chargeable in accordance with the policy of the petitioner.

That this Hon'ble Court has recently held that enhanced rate of interest is chargeable from the date of the decision/ amendment. A copy of the judgment reported as 2003(3) SCC 125 is annexed with this petition.

That the purpose of new policy was not to charge more interest but to compel defaulter to pay installments in time so that the petitioner which is a non-profit organization should not have scarcity of funds required for the development work.

That the new policy of the petitioner is applicable to all the defaulters without any discrimination whatsoever.

6. GROUNDS FOR INTERIM RELIEF:

That the petitioner will suffer irreparable loss and injury incase the Operation of the impugned order dated 01.12.2003 is not stayed.

- (a). That the balance of the convenience also lies in favour of the petitioner: and
(b.) That the petitioner has a good case on merits and hope to succeed in the matter.

7. MAIN PRAYER:

It is, therefore, most respectfully prayed that this Hon'ble Court may Graciously be pleased to:

- (a.) Grant Special Leave to Appeal under Article 136 of the Constitution of India against 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; and
(b.) Pass such other further Order or Orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice.

8. PRAYER FOR INTERIM RELIEF:

It is, therefore, most respectfully prayed that this Hon'ble Court may Graciously be pleased to:

- (a.) Grant ad-interim Ex-parte stay operation of Impugned final judgment and order date 01.12.2003 passed in CWP No. 19098 of 2002; and
(b.) Pass such other further Order or Orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice.

AND FOR THIS ACT OF KINDNESS, YOUR HUMBLE PETITIONER AS IS DUTY BOUND SHALL EVER PRAY.

Drawn by:

D.P. Singh, Advocate

Drawn on: 19.2.2004

Filed on: 9.3.2004

Filed by

(SANJAY JAIN)

Advocate for the Petitioner

**HARYANA URBAN DEVELOPMENT AUTHORITY,
C-3 SECTOR-6 PANCHKULA**

No. HUDA-Acctts-Acctt-I-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 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, Shiwalik Enclave NAC Manimajra, Chandigarh

India

Phone & Facsimile +91-172-2735187 Phone +91-98140-17328

Mail: sanjeevsharma@lawyer.com

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.

12. 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.....O

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.

- 17 “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 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 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 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 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.

Endst. No. 8617

-sd/-
Estate Officer,
HUDA, Panchkula,
Dated 9.6.95.”

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 Charatterjee, 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.

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.

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:-

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]

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.”

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 Honorable 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.

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.

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) 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

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, j.* 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 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 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 HUDA 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

No.HUDA-Acctts-Acctt-I-2007/ 2912-47

Dated: 25.1.2007

To

1. All the Administrators, HUDA (In the State).
2. All the Estate Officers, HUDA (In the State)

Subject: Amendment in the HUDA policy for the allotment of plots/payment of interest on the deposit amount.

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.

Dated :25.1.2007

Endst.No.HUDA-Acctts-Acctt-I-2007/2912-47

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.

HARYANA URBAN DEVELOPMENT AUTHORITY

NO. HUDA.CCF.ACCTT-I-2010-27000-27022

Dated 2.7.2010

To

1. All the Administrators
HUDA (In the state)
2. All the Estate Officers
HUDA (In the state)

Subject: Amendment in the HUDA policy for the allotment of plots/payment of interest on the deposited amount.

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
dated 2.7.2010

Enrst No. CCF Acct-I 27023-27065

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.

No.HUDA-CCF-Acctt-I-2012/12471-92

Dated :3.4.2012

To

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

Subject:- Recovery from petrol pump sites-definition of filling point.

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 pup 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%.

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 by 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.

Taking cognigent 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.

5. However 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".

6. 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

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. 1 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

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

Endst.No.HUDA-CCF-ACCTT-II/2008/17069-109

Dated: 14.05.1999

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).

Subject:-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.

HARYANA URBAN DEVELOPMENT AUTHORITY

NO. HUDA-Acctts-96/22860-72

Dated: 14.8.1996

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)

Subject: Fixation of development charges of released land and cases of change of land use in the Urban Estate/ Controlled area of the state

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

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.

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'

Statement regarding fixation of development charges for released land and cases for change of land use in the urban estate/controlled area of the Haryana State (for residential area) upto 31.12.1996

(For 100 PPA Density)

(Rs. In Lacs per gross acre)

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 EXT.	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.
			8.80	13.20	22.00	8.80	11.88	20.68	8.80	10.56	19.36	8.80	9.90	18.70	
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. No	Name Estate	of	Urban	Date floatation	of	Up date Dev. Charges by			
						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 Hissar	Estate	II	3.4.1975		4.37			
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 Panipat			4/1985		7.38			
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		

HARYANA URBAN DEVELOPMENT AUTHORITY

No. HUDA-Acctts. SO-I-2002/- 851-76

Dated: 15.1.2002

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

Subject: Fixation of EDC in cases of released /change of land use.

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 Industrial 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,
HUID, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY
C-3 SECTOR-6 PANCHKULA

No. HUDA-Acctts-Acctt-I 2002/-16493-16518

Dated: 8.7.2002

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

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.
2. 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.
3. Mode of recovery of external development charges in the case of change of land use only.

15 cases 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

4. 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

NO. HUDA.ACCTT-1-2011/33580-608

DATED 25.9.09

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, Engineer
- 5 The Chief Engineer-I
HUDA, Panchkula
- 6 The Chief Town Planner
Haryana, Chandigarh
- 7 The Chief Town Planner
HUDA, Panchkula

Subject:- Fixation of External Development Charges in cases of released land.

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 yd	In all three zones	Rs. 160/- per sqr yd	Rs. 170/- per sqrd yd
2	Form 75 sqr yds to 500 sqr 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 yds. Rs. 200/- per sqr yd	Rs 415/- per sqr yd Rs330/- per sqr yd Rs. 275/- per sqr yds. Rs. 220/- per sqr yd
3	More than 500 sqr yd	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 yds. Rs. 300/- per sqr yds	Rs. 550/- per sqr yd Rs. 440/- per sqr yd Rs. 385/- per sqr yds. Rs. 330/- per sqr yds

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 Offices
for Chief Controller of Finance
HUDA, Panchkula

HARYANA URBAN DEVELOPMENT AUTHORITY, MANIMAJRA

No.HUDA-Acctts-87/ 9660-73

Dated: 2.4.1987

To

All the Estate Officer,
HUDA (In the State).

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 this regard for recovering the amount of enhanced compensation in some suitable installments. After due consideration of the matter, it has been decided to recover the enhanced compensation from the plot holders in installments 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 12% 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 the 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 the 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 instructions 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 & necessary action.
2. Secretary HUDA for information.
3. DA/HUDA

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.

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.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

Endst.No.-CCF-ACCTT-II/2004/9856-59

Dated: 12.03.2004

To

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

Subject:- Payment of Enhancement Compensation.

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.

HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6, PANCHKULA.

Endst.No.-CCF-ACCTT-II/2005/13784-87

Dated: 20.06.2005

To

All the Administrators,
HUDA, (In the State).

Subject:- Payment of Enhancement Compensation.

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.

Endst.No.-CCF-ACCTT-II/2006/37920-24

Dated: 19.10.2006

To

All the Administrators,
HUDA, (In the State).

Subject:-Payment of Enhancement Compensation.

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.

No.HUDA-Acctts-Acctt-II-2006/44451-55

Dated: 21.12.2006

To

All the Administrators,
HUDA (in the State).

Subject:Payment of Enhanced Compensation.

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 on 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.

Endst.No.-CCF-ACCTT-II/2007/6499-6503

Dated: 22.02.2007

To

All the Administrators,
HUDA, (In the State).

Subject:- Payment of Enhancement Compensation in Land Acquisition 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 approach 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.

Endst.No.-CCF-ACCTT-II/2008/43020-21

Dated: 18.12.2008

To

The Land Acquisition Officer,
Faridabad.

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:

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, SEC-6, PANCHKULA.

No. HUDA-CCF-Acctt-I-2008/43065-90

Dated: 18.12.08

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.

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, SECTOR-6, PANCHKULA.

Endst.No.-CCF-ACCTT-II/2010/38914

Dated: 29.09.2010

To

1. All the Administrators,
HUDA (in the State).
2. All the land Acquisition officers,
(in the State).

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.

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.

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

No.HUDA-Acctts-Acctt-I-2002/17745-48

Dated 16.7.2002

To

All the Administrators,
HUDA (in the State)

Subject : Delegation of Powers to Administrators in HUDA.

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 Acctts-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 Acctts-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 HUDAAcctts 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

Endst No HUDA Acctts-Acctt-I 2002/17745-48

Dated:-

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

HARYANA URBAN DEVELOPMENT AUTHORITY

To

All the Administrators,
HUDA (In the State)

Subject: Delegation of powers to the Administrators in HUDA.

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.Acctts.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, PANCHKULA.

No.HUDA-Acctts-Acctt-I-2007/3111-15

Dated : 25.01.2007

To

All the Administrators
HUDA (In the State).

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.

Endst.No.HUDA-Acctts-Acctt-I-2007/3116-75

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 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.

Subject: Policies regarding fixation of reserve price of commercial sites in respect of HUDA.

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-1 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.

HARYANA URBAN DEVELOPMENT AUTHORITIES

NO. HUDA-ACCTT.SO-I-99/-23194-200

DATED 07.07.1999

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

Subject: - Review of policy for fixation of Reserve price of commercial sites in various urban estate of HUDA

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

HARYANA URBAN DEVELOPMENT AUTHORITIES

NO. HUDA-ACCTT.SO-I-99/-29341-63

DATED 19.8.09

To

1. All the Administrators
HUDA, (in the state)
2. The Estate Officers,
HUDA (in the state)

Subject: - Fixation of reserve price of sites to be sold by way of auction.

Please refer to this office memo HUDA Acctt. SO-I-9/23194-200 dated 07.09.09 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

Enrst No. HUDA.CCFACctt-I-2009/- 29364-68

Dated 19.8.09

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 AUTHORITY, PANCHKULA
OFFICE ORDER

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.

HARYANA URBAN DEVELOPMENT AUTHORITY, PANCHKULA
OFFICE ORDER

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.

IT WING

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.

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

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.

sd-
General Manager (IT)
For Chief Administrator,
HUDA, Panchkula
Dated: 3-5-2012

Endst. No. GM(IT)/HUDA/2013/16533

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

Subject: PPM Data Correction System.

As you aware of the fact that the plot files transaction are handled through PPM application throughout the state in online mode. During the process of handling the files various errors are noticed in the historical data & the current data due to which the entire processing of data stops. All such issues are sent through e-mail by the Estate officer's id at the Head office for the correction of the data. At times multiple mails for the same request comes which becomes very difficult to track. Also at times due to oversight some of the issues get skipped & matter remains unresolved. To address all such issues & to expedite the process of correction of data new software has been developed & hosted on a link in PPM application with the name "**PPM Data Correction System**". This link will open from the **ID of the Estate officer only** from where all such errors will be raised & shall be corrected at Head office. A brief about the existing error & proposed recommendations are to be added in the software. **This will be the official link** for raising such issues from the user ID of the concerned Estate officer. All such corrections shall be assumed to have been raised by the concerned Estate officer. This will also helps in tracking the complete history of the case and various reports regarding pendency of the issue at field offices & Head office. All such data correction leads to financial implications and legal repercussions. Hence forth the concerned Estate officer concerned and IT professional at H.Q. will be responsible for all such changes in the data. No other mode of communication may be entertained in future.

User-manual for the same is also placed below. In case of any help Data Base Administrator (dbahuda@gmail.com) shall be contacted.

Dated – 2-7-2012

-sd/-
D. P. S Nagal, I.A.S.
Chief Administrator
HUDA



**HARYANA URBAN DEVELOPMENT AUTHORITY
(HUDA)
PPM DATA CORRECTION SYSTEM
USER MANUAL
VERSION 1.0**

DOCUMENT RELEASE NOTICE

Notice No.: 01

Customer: Haryana Urban Development Authority

Project: Haryana Urban Development Authority (HUDA)

Document Details:

Name	Version No.	Description
HUDA User Manual	1.0	User manual for the Haryana Urban Development Authority (HUDA) application.

Revision Details:

Action taken (add/del/chg)	Preceding Page No.	New Page No.	Revision Description

Change Register serial numbers covered:

The documents or revised pages are subject to document control.

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Approved by: _____ Date: _____

Authorized by: _____ Date: _____

PREFACE

Purpose of the Document

This user manual aims to familiarize you with the workflow of the PPM Data Correction System application.

Intended Audience

The document is intended for estate officers of HUDA. It will enable them to understand all aspects of the application in detail.

Acronyms and Abbreviations

The following acronyms and abbreviations have been used in this document:

Abbreviation	Description
FAS	Financial Accounting System
HUDA	Haryana Urban Development Authority
PPM	Plot and Property Management

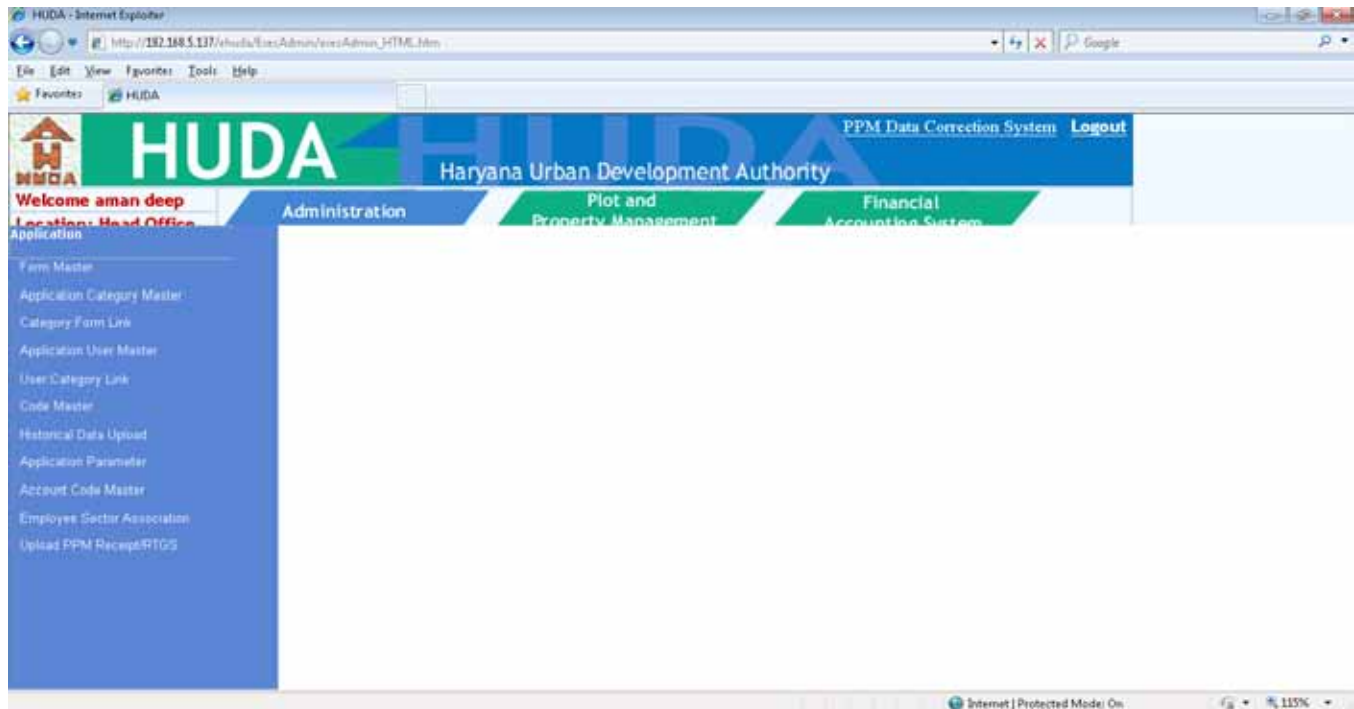
Introduction:

The PPM Data Correction system is an application for logging and tracking of issues that arise in ehuda application (PPM). The PPM Data Correction system can be accessed by Estate Officers or IT coordinators with the same ID that they use in ehuda application. To log into this system, the user must first be logged into the ehuda application. Click on the link named “PPM Data Correction system” to access it.

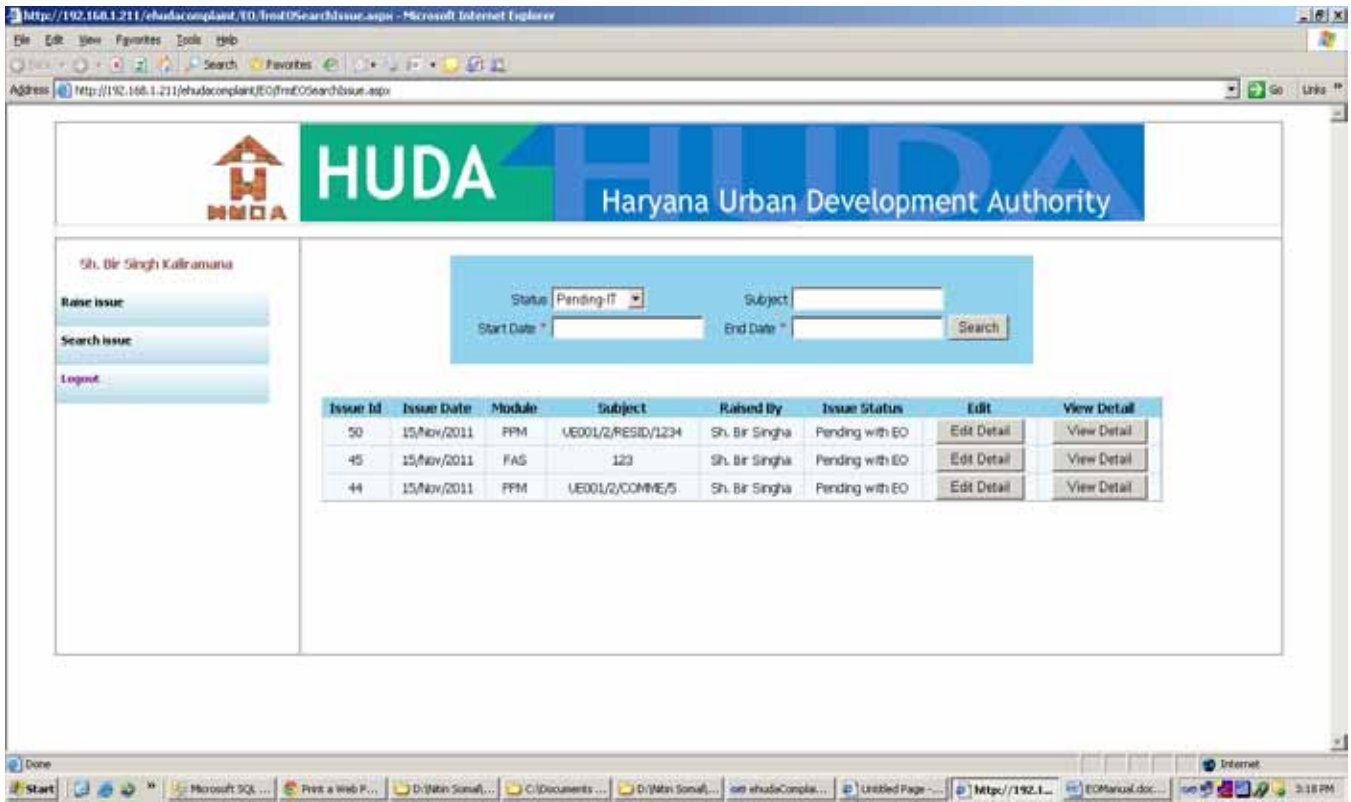
Workflow:

The workflow of this application is as follows:

1. Estate Officer and IT coordinators can access the PPM Data Correction system. To access the application, click on the link as shown below:

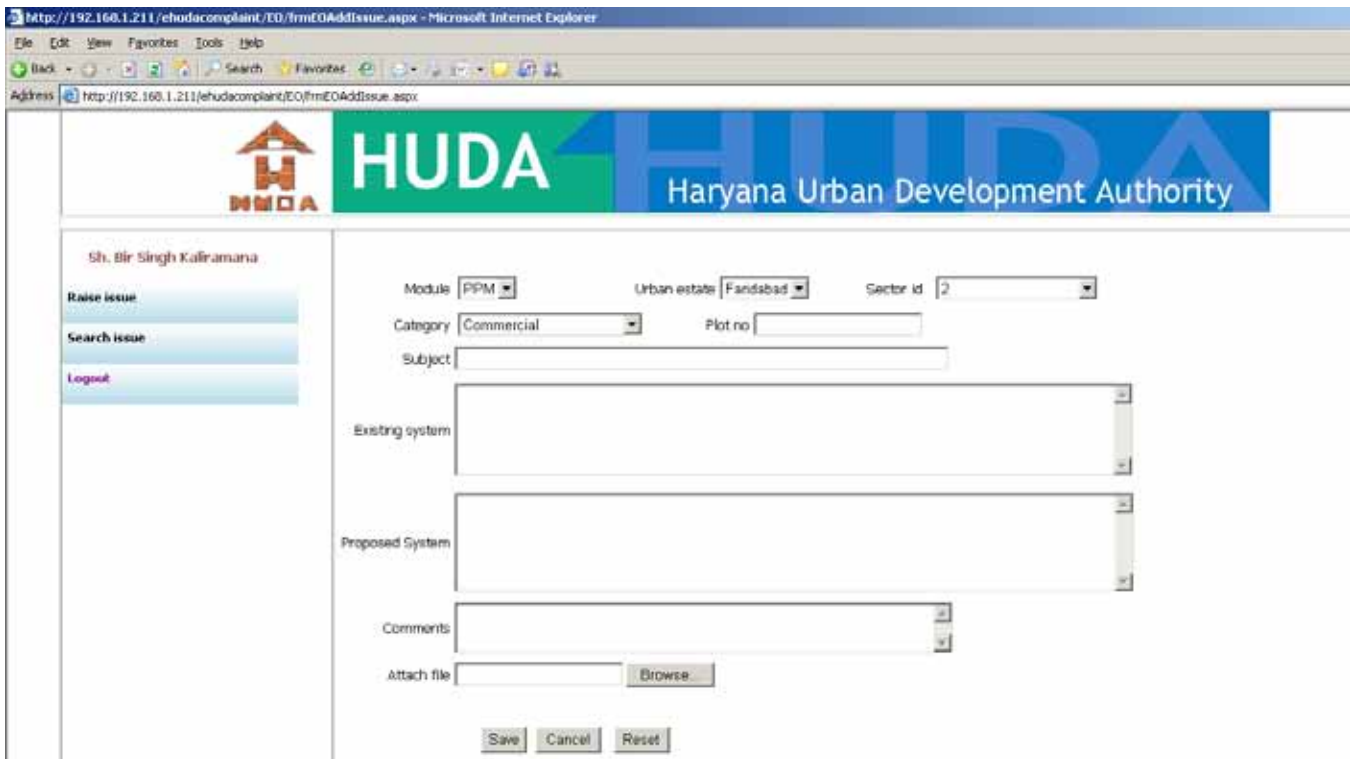


2. An issue can be raised only by an Estate Officer. To raise the issue, click on raise issue.



3. A new screen opens for raising the issue. Enter the details of the issue in the screen.

4. To save the issue, click the Save. Once an issue is raised, it goes to the IT coordinator.



5. To view issue detail, attachment and comments against issue:



6. If the issue is in IT coordinator account then Estate Officer can only view comment, attachment and issue detail

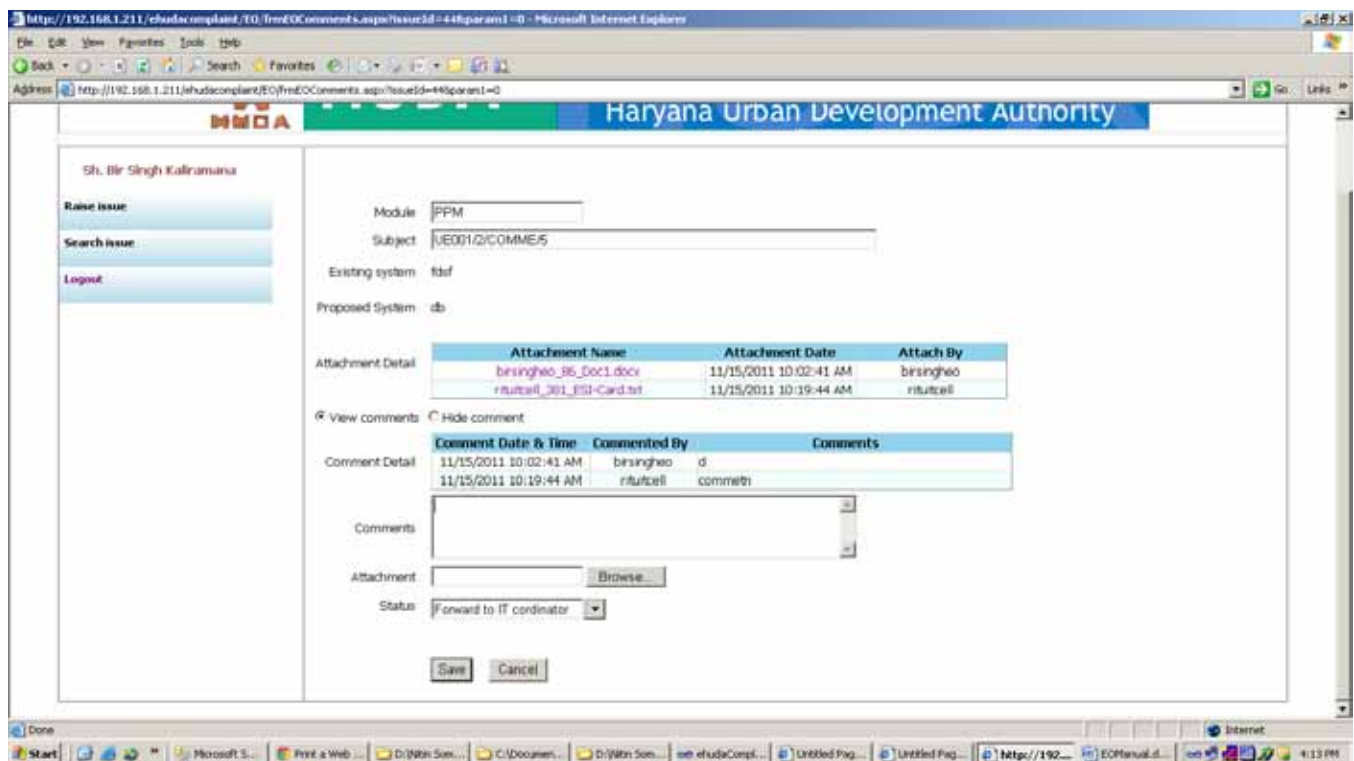


7. The IT coordinator can resolve the issue, add the comments and attachment to the issue and forward it to Estate Officer.

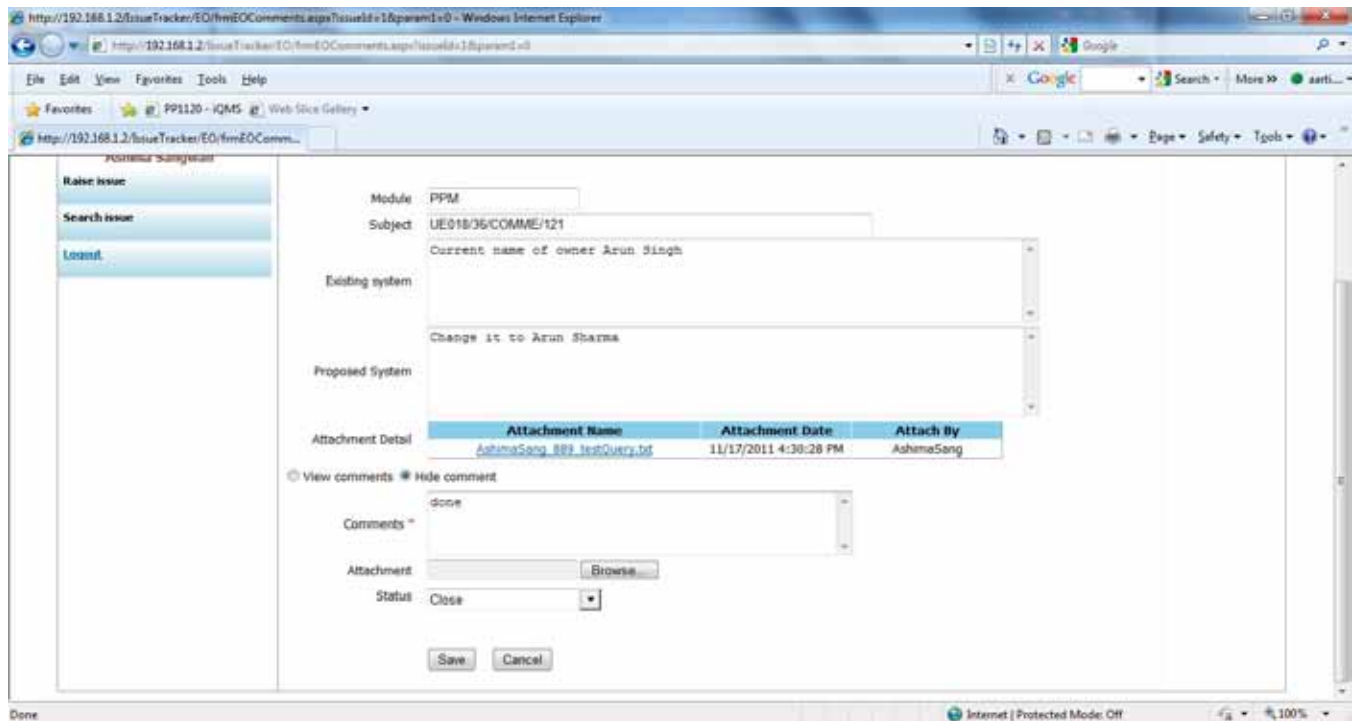
8. Once the issue is in Estate Officers' account, then he can either send it back to IT coordinator or can close it.



9. To Forward to IT coordinator, select Forward to IT coordinator and click Save.



10. To close the issue, select Close and click Save.



Subject: To streamline the process for dispatch of System Generated Demand Letters/Allotment Letters & Correction of Data.

Initiating the discussions, General Manager (IT) informed that due to implementation of Plot & Property Management (PPM) module in all the Estate offices it becomes mandatory to dispatch the Demand notices and Allotment letters immediately because system calculates the dues and make them effective from the date of printing. This practice is not taking place and lot of time is being taken in the signing and dispatch of the letters. By the time these letters are received by the allottees the due date is already over. This causes lot of confusion in minds of the allottees and thereby various requests are received for the re-scheduling of payment schedule. This re-scheduling involves back-end entry in the financial data and also requires huge efforts.

It was further informed that various requests are received from different field offices for the correction/ modification of the data. These modifications have financial and legal implications and are not authenticated by the concerned Estate officer; therefore, the process needs to be streamlined.

After detailed deliberations following decisions were taken:-

1. The effective date for calculating interest for delay in payment of enhancements be taken 10 days after the date printed on the notices generated by the system. The date of printing shall also be mentioned on the Allotment letters. The Estate officers shall ensure the dispatch of letters before the date of allotment/effective date of Enhancement compensation. In case of further delay in dispatch of letters strict action shall be initiated against the concerned officials.
2. All corrections shall come through the E-mail id of the concerned Estate officer with copy to the concerned Zonal Administrator along with the scanned copy of documents/Approval. (Annexure 'C')

-sd/-
(D.P.S. Nagal, IAS)
Chief Administrator, HUDA.

Dated- 19.12.2011

(Circulatd to all the Administrator and Estate Officer of HUDA vide e-mail date: 2-1-2012.)

DATA CORRECTION FORMAT

Urban Estate : _____
 Sector : _____
 Plot Number : _____
 Sub Category Code : _____

Change:

Existing:

 _____.

Proposed:

 _____.

-sd/-

Estate Officer
HUDA

Attach Scan Documents:

Change of Allotment date	----- Allotment Letter/Re-allotment Letter
Change of Offer of Possession	---- Offer of Possession Letter/Development Report with approval of competent authority
Change the Area of the plot	----- Demarcation plan approved by Chief Administrator, HUDA (Memo No. and Date)
Change of data in Plot Details (PD) OC issue date)	----- Relevant document (e.g. Copy of Occupation certificate for entering

Subject: Online Approval of Building Plan.

1. The application software will be available on HUDA's portal which will be accessed by the empanelled Architects of HUDA through User ID and Password allotted by HUDA.
2. Public Health Engineering oriented parameters and structural Engineering stability parameters will be certified by the concerned architect as per HUDA regulations and wherever HUDA regulations are silent, the provision of National Building code norms shall be followed.
3. The Architects will upload the building plan in the required format. Current outstanding dues will be checked with PPM before the submission of plan by the architect. In case there are outstanding dues then the architect has the option to pay the dues and scrutiny fee online/offline mode.
4. If the plan is technically okayed by the AutoDCR (Automatic Development Control Rule), printout of the plan having the signatures of Architect and the owner of the plot along with the required documents will be submitted at Single window of the concerned Estate office.
5. The ownership of the plot will be checked by the record keeper from the PPM application & the plot file. The record keeper will enter his comments on the application and forward the same to concerned JE.
6. The uploaded building plan will be reflected on the PPM application window of concerned JE, SDO (Survey) & EO. The JE will visit the site within 3 working days and submit the report to Estate officer through SDO (Survey). In the absence of concerned JE, SDO (survey) will have the power to assign this job to some other JE.
7. On receipt of report of the JE/SDO (Survey) the Estate officer has the option to accept or reject the plan. In case of rejection, the Estate officer shall record the reasons for the same on the PPM application. The status of the plan will be sent to the allottee through an SMS automatically triggered from the PPM application on the registered mobile number of the allottee. In case of approval of the building plan, printout of the approval letter will be generated simultaneously through the system and dispatched on the address of the allottee. Both the documents i.e. sanction letter & approved building plan will be available on the property account of the allottee.

-sd/-
(D.P.S. Nagal, IAS)
Chief Administrator, HUDA
Dated- 20.6.2013

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

(Circulatd to all the Administrator and Estate Officer of HUDA vide e-mail date: 5-6-2013.)

LEGAL WING

From

The Chief Administrator,
HUDA, Panchkula.

To

Sh. Arun Walia, Advocate,
Kothi No. 1572, Sector-34,
Chandigarh.

Memo No. DDA-1-07/99

Dated: 04.01.2007

Subject: Terms and Conditions regarding payment of legal fee as standing Counsel.

Please refer to Advocate General Haryana D.O. No. 278 dated 30.05.2006 on the subject cited above.

It has been decided with the approval of Hon'ble Chief Minister, Haryana (Chairman HUDA) that you will be paid a sum of Rs. 16500/- per case and amount @ 25% will be payable for each additional case in bunch matters. You will be entitled for actual Misc. office expenses also. You will also be paid the retainership of Rs. 10,000/- per month. The Counsel assisting you in the cases will be paid as per norms/ fee paid to penal Counsels. These conditions will be applicable from 03.01.2006.

-sd/-

Dy. District Attorney
For Chief Administrator, HUDA
Panchkula

Dated: 04.01.2007

Endst No. DDA-1-2007/132

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

1. ADA-3 of Legal Cell, HUDA (HQ), Panchkula.
2. S.O. O/o E.O., HUDA, Panchkula.
3. DS-I & DS-II of legal cell, HUDA, (HQ), Panchkula
4. Assistant and all clerk of Legal Cell, HUDA, (HQ), Panchkula.

-sd/-

Dy. District Attorney
For Chief Administrator, HUDA
Panchkula

Subject: Payment of 50% fee bill in favour of Sh. Arun Walia, Sr. Advocate alongwith Counsel assisting in C.W.P. No.

Titled as _____.

As per approval of Hon'ble Chief Minister, Haryana (Chairman, HUDA, and this office letter No. DDA-II-07/99 dated 04.01.2007 seen at flag "M" (photocopy) was entitled to be paid at the rate of Rs. 16500/- in the main case and amount @ 25% will be payable for each additional case in bunch matter and actual Misc. expenses also per case in the case entrusted to him by HUDA. In this case Sh. Arun Walia, Sr. Advocate was engaged vide engagement letter No. _____ dated _____ (flag 'A') as per record he has not been paid amount in this case.

Reply has been filed flag B.

Counsel has requested for payment of 50% fee bill which is as under:-

1. Counsel fee
2. Junior/ Assisting Counsel fee
3. Misc. office expenses

Total Rs. _____

(Rupees _____ only)

If approved, Rs. _____ may please be got sanctioned W/LR HUDA in favour of Sh. Arun Walia, Sr. Advocate alongwith assisting Counsel.

-sd/-

Dealing Clerk/ Assistant/ Dy. Suptd.

S.O.

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.

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.
Dated : 28.05.2007

Endst. No.3180

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:- Procedure for defence of complaints/court cases in HUDA.

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, MRTTP 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

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

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

**HARYANA URBAN DEVELOPMENT AUTHORITY,
PLOT NO. C-3, SECTOR-6, PANCHKULA-134109
ORDER**

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

-sd/-
(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,
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.

Sub: - Preparation of Replies/Written Statements to be filed on behalf of HUDA.

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. III 2006 (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-Acctts-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 II (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.

Encl: as above
All Advocates on the panel of HUDA

-sd/-
Yours sincerely,
(T.C. GUPTA, I.A.S.)

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.

(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, Hisar 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 with in 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’bie 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’bie 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, Shivalik 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 filling 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.

Endst. No. 8617

-sd/-
Estate Officer,
HUDA, Panchkula,
Dated 9.6.1995

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-Acctts-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 ease 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) limitation 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'bie 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

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 his 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. Talcing 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

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.

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)
District 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 vary 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

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

SPEAKING ORDER

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, Sneha 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 the 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
Dated: 16.04.2009

Endst No. 6397

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 Sneha 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 installment/ 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 ease 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 under taken 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 out rightly 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

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 regarding Court Cases.

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 ‘1’ 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 settles 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)	

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

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.

-sd/-

(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

HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER

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.

-sd/-
(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

HARYANA URBAN DEVELOPMENT AUTHORITY
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

Dated: 08.04.2010

Endst.No. 2682-2785

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
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.

-sd/-
(Anil Aggarwal)
Legal Remembrancer, HUDA
Panchkula
Dated: 19.04.2010

Endst No. 3015-90

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

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:-

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.

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.

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 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 counsel fee for the advocates on record/ standing counsels on HUDA panel in the Hon'ble Supreme Court of India.

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

Endst No. DA/HUDA/7381/7400

Dated 21.09.2010

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 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.

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

HARYANA GOVERNMENT
ADMINISTRATION OF JUSTICE DEPARTMENT
NOTIFICATION

THE 5TH JULY, 2011

NO. 29/4/2010-4JJ(1)- HARYANA STATE LITIGATION POLICY - 2010

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 suo motu take notice of observations in implementation of the Policy, including deviant or mala fide 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* ad interim 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 filing 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 persons 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 Ilaqa 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 here by 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.

Sameer Mathur
Financial Commissioner and Principal Secretary
to Government of Haryana,
Administration of Justice Department.

**HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER**

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.

-sd/-
(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

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:20/3/12

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 immovable 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 immovable 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:-20/03/12

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

**HARYANA URBAN DEVELOPMENT AUTHORITY
OFFICE ORDER**

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.

-sd/-
(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

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.

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.

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.

Dated: 02.08.2013

Endst No. 3273-3280

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 narenderhoodaadvg@gmail.com, nhooda@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.

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.
Dated:30.08.2013

Endst. No.: DA/2013/3869-80

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.

MONITORING WING

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators of HUDA.
2. All the Estate Officers of HUDA.
3. All the Superintending Engineers of HUDA.
4. All the Executive Engineers of HUDA.

Memo No. Dy. ESA/HUDA/08/2093

Dated:20.11.2008

Subject: Advertisement policy.

It has been observed that the display Advertisements/ Public notices/tender notices etc. being issued by various field offices as well as the different branches at HQs do not have any standardized format. Either the advertisements do not have attractive graphics or they have too much of text, which makes the advertisement unattractive and expensive. Therefore, an advertisement policy has been formulated, a copy of which is enclosed for information and necessary action.

It is requested that in future all the advts. /public notices/tender notices/EOI notices should strictly conform to the guidelines laid down in the enclosed policy, and any lapse shall be viewed seriously.

-sd/-
(R.P. Gupta, IAS)
Administrator (HQ),
For Chief Administrator,
HUDA, Panchkula.

Endst. No. Dy. ESA/08/ 2093-A

Dated: 20.11.2008

A copy of the above along with the advt. policy is forwarded to following officers/ Branch Heads of HUDA (HQ) for taking necessary action.

1. Chief Controller of Finance. HUDA Panchkula
2. Chief Engineer and Chief Engineer-I. HUDA Panchkula
3. Chief Town Planner. HUDA Panchkula
4. Secretary. HUDA Panchkula
5. Legal Remembrancer/DA. HUDA Panchkula
6. Sr. Architect. HUDA Panchkula
7. Enforcement Officer. HUDA Panchkula
8. XEN(Vig.). HUDA Panchkula
9. D.T.P.(N), D.T.P.(M) Incharge Urban Branch-I & II. HUDA Panchkula
10. S.M.(IT). HUDA Panchkula

-sd/-
(R.P. Gupta, IAS)
Administrator (HQ),
for Chief Administrator,
HUDA,Panchkula.

HARYANA URBAN DEVELOPMENT AUTHORITY
(ADDRESS OF THE CONCERNED OFFICE)
(WWW.HUDA.GOV.IN)

Subject- Advertisement Policy.

Background

At present there is no advertisement policy applicable in the Organization. Different offices of HUDA and different wings at the HQ issue advertisements through the Director Public Relations from time to time. For example, the Zonal Administrators issue advertisements for the auction of commercial sites, nursing homes, clinics, schools, religious or social charitable sites and petrol pump sites whereas the Executive Engineers issue advertisements in respect of invitation of tenders and appointment of consultants. Similarly, the Town & Country Planning wing issues advertisements pertaining to flotation of new sectors, oustees' claim, auction of prestigious sites such as five star hotels, shopping malls etc. Sometimes, the advertisements for inviting expression of interest for the appointment of consultants are also issued by various wings of HQ.

It has been observed that while issuing an advertisement, normally all the terms and conditions for the auction or allotment of sites are mentioned in the advertisement. These details were necessary to be provided in the advertisements earlier when HUDA did not have its own regularly maintained or updated website. Now, HUDA has a well maintained and active website (soon to be converted into dynamic web portal) with approximately 3,000 hits per day. Therefore, the standard details or terms and conditions etc. of different advertisements are not required to be displayed in the news papers. Rather, these can be made available on the website and also in respective offices. This will not only make our advertisements more economical but also make them attractive by omitting the heavy text content.

Hence, in view of the background as mentioned above, the following guidelines are laid down for different types of advertisements:

1. Advertisement for Flotation of Sectors

- a) That the advertisement should not be of more than half a page size.
- b) That the advertisement should be issued in four news-papers out of which at least three news-papers should be on DAVP rates.
- c) That the advertisement should contain visuals, table of plots, list of authorized banks and opening & closing dates of the scheme.
- d) That a note may be given in the advertisement that other necessary details including various terms and conditions may be viewed on HUDA website (www.huda.gov.in).
- e) That the repeat advertisement may be given depending upon the response of the scheme. However, the size of repeat advertisement should not be more than a quarter page.
- f) That at least one prominent achievement of HUDA must be highlighted in the advertisement.

2. Auction of normal Commercial Sites, Nursing Homes, Clinic Sites & School Sites

- a) That the actual size of the advertisement will depend on the number of sites to be auctioned because the table of plots containing sector numbers, category of sites, number & size of sites, reserve price etc. is required to be given in the advertisement along with the date, time & venue of auction. However, it may be ensured that the space is not wasted unnecessarily.

- b) That the advertisement should be issued in two DAVP news-papers and in one of the leading dailies even if it is charging commercial rates.
- c) That the advertisement will not contain any terms and conditions of the registration of bidders which may be displayed on the website of HUDA. It will be mentioned clearly in the advertisement that only registered bidders will be eligible to participate in the auction for which detailed terms and conditions can be seen on the HUDA website (www.huda.gov.in.) or in the concerned Estate Office.
- d) That the other details and terms & conditions of the allotment of plot may also be displayed on the website of the HUDA and it may be mentioned in the advertisement that other details and terms and conditions of the allotment of plot can be seen on the website of HUDA (www.huda.gov.in) or in the concerned Estate Office.
- e) That the advertisement for auction of sites must be given at least fifteen days prior to the date of auction and repeat advertisement may be given at least three days before the date of auction.
- f) That one prominent achievement of HUDA pertaining to the concerned zone must be highlighted in the advertisement.

3. Auction of Prestigious Commercial Sites such as 3-5 Stars Hotels, Shopping Malls, Multiplexes, Commercial Towers etc.

- a) That a separate advertisement shall be given for prestigious commercial sites and it should not be merged or clubbed with the auction of normal commercial sites.
- b) That the advertisement should not be of more than half a page size.
- c) That the advertisement will be issued in four news-papers having wide circulation including business papers.
- d) That the advertisement should contain visuals, details of the site, location of the site, important features of the site including FAR, zoning parameters, height, reserve price etc. and it should be a colored advertisement. The date, time and venue of the auction of the site should also be highlighted in the advertisement.
- e) That the advertisement will not contain any terms and conditions of the registration of bidders which may be displayed on the website of HUDA. It may be mentioned clearly in the advertisement that only the registered bidders will be eligible to participate in the auction for which detailed terms and conditions may be seen on the HUDA website (www.huda.gov.in.) or in the concerned Estate Office.
- f) That the other details and terms & conditions of the allotment of plot may also be displayed on the website of the HUDA and it may be mentioned clearly in the advertisement that the details and other terms and conditions of the allotment of plot can be seen on the website of HUDA (www.huda.gov.in) or in the concerned Estate Office.
- g) That the advertisement for auction of sites must be published at least twenty-one days prior to the date of auction and two repeat advertisements may be given with a gap of at least one week from the previous advertisement. The size of the repeat advertisement may be reduced to approximately quarter of a page.
- h) That the advertisement, if required, may be got designed, published and released from private agency without any extra charges, for which approval of the Government may be obtained.
- i) That one prominent achievement of HUDA must be highlighted in the advertisement.

4. Religious, Social and Charitable Sites and Petrol Pump Sites

- a) That the advertisement may be issued in three news-papers which charge DAVP rates.
- b) That the advertisement should contain visuals, table of plots, and opening and closing dates of the scheme.

- c) That a note may be given in the advertisement that other details and terms & conditions can be viewed on HUDA website (www.huda.gov.in) or in the concerned Estate Office.
- d) That no repeat advertisement shall be given.
- e) That one prominent achievement of HUDA must be highlighted in the advertisement.

5. Tender Notice, Notices inviting Oustees' Claims and Public Notices

- a) That the advertisement should not be more than 1/8th of a page.
- b) That the advertisement may be issued in three news- papers which charge DAVP rates.
- c) That the advertisement may contain important information's, such as, details of works for which tenders are being issued, approximate cost of the work, earnest money, opening & closing dates of the tender, construction period and price of the tender etc. In respect of oustees' claims, the name of the scheme, details of available plots and rates etc. along with the scheme of oustees and opening & closing date of scheme along with earnest money required to be deposited may be mentioned. That maximum information may be provided in the advertisement itself because the land owners may not be computer-friendly, for which, if required, size of the public notice may be appropriately increased.
- d) That a note may be given in the advertisement that other details and terms & conditions can be viewed on HUDA website (www.huda.gov.in) or in the concerned Estate Office.
- e) That no repeat advertisement will be given.

6. Appointment of Consultant or Expression of Interest

- a) That the advertisement should not be more than quarter of a page.
- b) That the advertisement may be issued in at least three news- papers out of which two news-papers should be having wide circulation.
- c) That main features of the appointment of consultant or expression of interest may be given in the advertisement.
- d) That a note may be given in the advertisement that other details and terms & conditions can be viewed on HUDA website (www.huda.ov.in).
- e) That no repeat advertisement will be given.

7. General Instructions

- a) That the list of newspapers having DAVP/commercial rates as circulated by DPR vide his letter dated 28th June,2007 is enclosed as Annexure 'A'.

- b) That logo and the address of HUDA website should invariably appear on the top of the advertisement as per the specimen given below.
- c) That the important telephone numbers and e-mail address of the concerned officers may be invariably displayed in the advertisement for benefit of those who want to seek any further information in respect of the advertisement e.g. FOR MORE INFORMATION please contact _____ telephone no _____ e - m a i l _____.
- d) For incorporating one prominent achievement of HUDA in the advertisement, concerned officers may contact Deputy Economic & Statistical Advisor (Dy.ESA HQ) or the Zonal Administrator can device the same at their level.

**DIRECTOR, PUBLIC RELATIONS AND CULTURAL AFFAIRS,
HARYANA, CHANDIGARH**

No.....

Dated-----

Sub :- Commercial advertisement rates of various newspapers.

Dear Sir

The PR Department, as a nodal agency of the State Government, releases all kinds of advertisements concerning almost all the Departments/Boards/Corporations, Universities and other autonomous bodies of the State Government to various newspapers/ periodicals. Normally, the advertisements pertaining to Government department are released on DAVP rates. However, some newspapers, especially English language newspapers charge card rates/ offered rates for the advertisements in case of some Boards/Corporations and Universities of the State Government. Keeping in view the subject matter of the advertisement and also the publicity. impact and reach of the desired newspaper among the target readers, the same is released on card/offered rates of the newspaper on the request of the client advertise,.

The newspapers, which charge card/offered rates for the advertisements concerning various Boards/ Corporations and Universities of the State Government, have submitted their rates, which are effective from 1.4.2007. I am forwarding herewith a copy of the commercial rate chart for your information and consideration while selecting the newspapers for the release of advertisements by your organisation.

With regards,

-sd/-

(Rajeev Sharma)

Sh. S. S. Dhillon, I.A.S.,
Chief Administrator,
Haryana Urban Development Authority,
Panchkula

**DETAILS REGARDING COMMERCIAL RATES OF NEWSPAPERS
EMPANELLED FOR GOVT.ADVVERTISEMENTS
(EFFECTIVE FROM APRIL 1 2007)**

Name of news paper	Edition	Circulation	Card Rate(in Rs.) (per Sq. Mtr.)		Offer Concessional rate		Remarks	DAVP rates available for
			Display	Classified	Display	Classified		
Times of India	Delhi	957098	1500(B&W 11600 Col. 1460 875	960	1460	875	For all Universities	All state Govt.
			1500 B & W	960	1270(B&W)	875	For HUDA	Khadi & Village Board
			1600 (Col 1600 (Col		1360(Col)		For HUDA HSAMB, Dairy For all other	H S A M B Dairy
			1500(B&W 11600 Col. 1460 875	960	1500(B&W)	960	For all other	HARTRON
			1600 (Col 1600 (Col		1600(col)		B o a r d s / Corporation	B o a r d , Housing Board
			1500(B&W 11600 Col. 1460 875					Ware housing
								Dev. Corp. , Policy
								Corp. Tech.
								Moti Lal Nehru
								Sports Sonipat
								Rohtak
Economic Times	Delhi	174437	950 (B&W)		695 (B&W)		For HUDA only	DO
			1220 Col.		930 (Col.)			
	Delhi (includes CHD & Lucknow		950(6W)	500	500	500	For all other clients	Do
	editions		1220 (Col.)		1220 (Col.)			
	MumbaiIncludes		1000(B&W)	550	1000(B&W)	550	do	
	Pune Edition		1270(Col)		1270(Col)			
	Kolkata		370(B&W)	390	370(B&W)	390	do	
			480(Col)		480(Col)			
	Chennai		300(B&W)	190	300(B&W)	190	Do	
			350(Col)		350(Col)			
	Chandigarh		120(B&W)	60	120(B&W)	60	do	
			150(Col)		150(Col)			

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

Memo 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

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:

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

- a) 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.
- b) 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.
- c) All Estate Offices are interconnected through Wide Area Network
- d) Allottees accounts statement is online.
- e) Dynamic web portal with payment gateway.
- f) Allottees can pay online for outstanding dues.
- g) Applicant can apply online for HUDA schemes.
- h) 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.
- i) 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.
- j) Implementation of application for online approval of building plans. Master data is created for the building bylaws of residential and commercial properties.
- k) 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.
- l) 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.
- m) 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.
- n) 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, 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/

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

PLANNING WING

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: 25/1/99

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

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 of extension in time period for completion of projects by 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	
1st 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

Endst. No. CTP/HUDA-DTP (N)/152

Dated: 9/1/2001

A copy is forwarded to 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 al the Estate Officer, HUDA for information and necessary action please.

-sd/-
District Town Planner,
For Chief Administrator, 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: 20-6-03

Subject: Approval of allowing members of 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

Endst. No. CTP-HUDA-DTP (N) 4085-4088

Dated 20. 6.03

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. 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, (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. The Engineer-in-Chief HUDA, Panchkula
2. The Administrator, HUDA, PKL. GGN, Faridabad, Hisar
3. 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: 14.12.04

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 Air Port 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 14.12.04

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

1. 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. Administrator, HUDA, Gurgaon/Panchkula/Faridabad/Rohtak/Hisar.
2. All the Estate Officers of HUDA.

Memo. No. CTP-HUDA/DTP-M/16146-16168

Dated: 05.12.07

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. 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. 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

The Administrator,
HUDA, Faridabad / Gurgaon / Hisar / Panchkula / Rothak.
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.

Endst.No. CTP/DTP-M/10945-68

Dated: 19.11.2008

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 Planner
4. All the Estate Officers HUDA

Memo. No. CTP/DTP (N)/JS/54- 101

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.**
- (i) 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.

(ii) 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 (2)
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.

Endst. CTP-STP (N)/SB/6835-62

Dated. 19.05.2010

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 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.

Dated: 26.07.2012

Endst.No. CTP/STP-M/8877-8882

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

Additional Chief Secretary and Financial Commissioner to
Government Haryana, Revenue and Disaster Management,
Department.

To

All the Deputy Commissioners in the State
Chandigarh
Memo No. 2404-STR-1-2012/7827

dated the 13.07.2012.

Subject:- Charging of stamp duty from Group Housing Societies as well as between colonisers /HUDA.

This office vide Memo. No. 5268: STR-1-2009/3359, dated 07.04.2010 had clarified that when a flat is transferred to a member of a Group house Society through a conveyance deed, then the member has to pay stamp duty on the execution of conveyance deed on the allotment price of land with respect to his share only. This does not include the cost of construction. Copy of Memo. dated 7.04.2010 is attached as Annexure-I. The same were later superseded by instructions dated 25.1.2011 the relevant para is reproduced below. Subsequent letter also withdrew the earlier letter dated 7.4.2010.

“Another question which has been raised is whether the registration of the first transaction between the Colonizer /HUDA and original allottee is to be done on the basis of the original sale price charged by the Colonizer/HUDA, or whether that is to be seen with reference to the Collector’s rates. It is hereby clarified that the registration of the first transaction between the Colonizer/HUDA and the original allottee is to be done on the basis of the original sale price charged by the Colonizer/HUDA and for subsequent transactions the rates prescribed by the Collector should be kept in kind. However, in case the original allottee is substituted by some nominee or any other person, then even for the first transaction by the Colonizer /HUDA, the collector rate may be made applicable for the registration.”

1. Further vide letter dated 25.1.2011 the registering authorities were directed to start recovery proceeding in respect of cases registered in view of the instructions dated 07.4.2010. A copy of the letter / instructions dated 25.1.2011 is attached as Annexure- II .
2. The matter came up before the Hon’ble Punjab and Haryana High court in CWP No.6513 of 2011 and the Hon’ble court directed that the earlier letter / instructions dated 7 .4.2010 could not be withdrawn retrospectively.
3. The entire issue has been examined afresh, while letter / instructions dated 25.1.2011 is withdrawn the entire issue regarding charging of stamp duty is clarified as under:
 - (i) As per the provision of the stamp Act and the decision taken by the government while in case of the first transaction between a Group Housing Society or its member, or between a colonizer / HUDA and its original allottee, the stamp duty is to be levied on the basis of original sale price charged by the seller. In case a cooperative Group Housing society the stamp duty is to be on the allotment of the price of the land with respect to share of the member but shall not include the cost of construction. In case of a colonizer / HUDA where built up flats / apartments are transferred the stamp duty will be on the total sale price charged by colonizer / HUDA.
 - (ii) In case of subsequent transaction whether it is a Group Housing Society or a colonizer / HUDA the stamp duty would be as per the collector rates. In cases before conveyance deed is executed the allottee transfers the apartment in favour of any other person then the sale by the transferee shall be charged as per collector rate.
4. In case any recovery proceeding have been started the same may be stopped and further examined in the light of these instructions / clarification being issued now. If necessary, before proceeding with recovery, the matter be referred to the Head Office for clarification”

5. You are requested to bring the contents of this communication to the notice of all the registering authorities working under your control for strict compliance.

-sd/-
Superintendent Stamp & Registration
for Additional Chief Secretary and Financial
Commissioner to
Government Haryana, Revenue and Disaster
Management Department.

A copy is forwarded to the Principal Secretary to Govt. Haryana, Town & Country Planning in continuation of Government Memo no. 118-STR-1-2011/969 dated 25.1.2011 for information and necessary action.

-sd/-
Superintendent Stamp & Registration
for Additional Chief Secretary and Financial
Commissioner to Government Haryana,
Revenue and Disaster Management
Department”

To,

The Principal Secretary,
Town & Country Planning Department,

U.O. no. 2404-STR-1- 2012/1372 Chandigarh dated the 13.07.2012.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

The Chief Architect, Haryana
Department of Architecture,
Chandigarh
Memo No. 5816

Dated: 26.6.98

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.IS. 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

Endst. No. 5817-42

Dated: 26-6-98

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

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

Endst. no. 4592-4613

dated 1/9/2000

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,
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: 26-7-01

Subject: Provision of barrier free environment in all new government 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: 26/7/01

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

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 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,
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 HUDA/DTP(N)/12436-83

Dated: 13/11/07

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 School, community centre, 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 (Town Planning Wing)
Panchkula

To

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

Memo no. CTP HUDA/DTP (N)/12407-411

Dated: 14.11.07

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

Endst. No. CTP-H/DTP (N)/12412-435

Dated: 14-11-07

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, 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

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 areas 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, lavatories, crèche etc. shall not be counted for parking requirement.

This issues with the approval of Chief Administrator, HUDA 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 of HUDA in the State .
2. All the Estate Officers of HUDA in the State .

Memo No. CTP/STP-M/ 10992-11014

Dated: 20.11.09

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: 23.11.09

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

1. All the Administrators, HUDA
2. All the Senior Town Planners
3. All the Superintending Engineers
4. All the District Town Planner
5. All the Estate Officers HUDA
6. All the Executive Engineers

Memo. No. CTP/DTP (N)/SB/ 11544-624

Dated; 09.12.09

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: 09.12.09.

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, HUDA
2. All the Senior Town Planners
3. All the District Town Planner
4. All the Estate Officers HUDA

Memo. no. CTP-STP (N)/JS/9602-50

Dated:09.08.2010

Subject: 1. Policy regarding removal of height restriction on group housing sites, integrated commercial complexes and Institutional sites.
2. Policy regarding permission of four level basement in group housing, integrated commercial complexes and IT Parks/Cyber cities/IT units.

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 meter 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 storyes, 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 Sr. Town Planners in the State
3. All the Superintending Engineers, HUDA
4. All the Estate Officers, HUDA
5. All the District Town Planners in the State
6. All the Executive Engineers, HUDA

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.
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,
For Chief Administrator,
HUDA, Panchkula.

Endst. No. CTP/SB/11801-810

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.

HARYANA GOVERNMENT
HARYANA URBAN DEVELOPMENT AUTHORITY

Notification

The 19th August, 2013

No. Auth-2013/35234.-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. 7/5/2006-2TCP, dated 2nd August, 2013, 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, 2013.
2. In the Haryana Urban Development Authority (Erection of Buildings) Regulations, 1979 (hereinafter called the said regulations), in part III, in regulation 13, in para (a), under heading “(i) RESIDENTIAL”, under sub-heading “Permissible FAR and Maximum Height”,-
 - (i) in the last proviso, for the sign “.”existing at the end, the sign “:”shall be substituted; and
 - (ii) after the last proviso, the following proviso shall be added, namely:-

“Provided further, that in case of residential plots measuring 6 Marla or above, the maximum permissible height shall be 14.5 meters, in case stilt floor upto 2.4 meter is constructed at ground level only for parking purpose.
3. In the said regulations, in Form BR IVA, Form BR IVB, Form BR VA, Form BR VB, Form BR VIA, the figure and words ‘upto 3 storeys or less than 11 meter height’, shall be omitted.
4. In the said regulations, in Form BR VIB, the figure and words ‘upto 3 storeys or 11 meter height’, shall be omitted.

A. K. Singh, I.A.S.
Chief Administrator,
HUDA, Panchkula

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 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, HUDA
- 6) All the Superintending Engineer, HUDA
- 7) All the Estate Officers HUDA
- 8) All the District Town Planners, HUDA
- 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 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: 20.04.12

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 Town Planner,
HUDA, Panchkula

To

District Town Planner,
Panchkula, Gurgaon, Faridabad, Hissar, Rohtak, Bahadurgarh, Karnal, Ambala, Kurukshetra,
Sonapat, Panipat, Bhiwani, Jind, Sirsa, Rewari, Namaul, Yamuna Nagar, Kaithal, Jhajjar, Fatehabad

Memo no. CTP-HUDA/738-56

Dated: 25/1/06

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: 25/1/06

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

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 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,

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: 05.05.10.

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

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 issue 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. 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.

'Land Pooling Scheme' for acquisition and development of residential sectors

1. The Urban Estates department Haryana acquires land for planned development undertaken by the Haryana Urban Development Authority as the State's nodal agency for the purpose. Such land is acquired under the provisions of the Land Acquisition Act, 1894. The Government has also notified its 'Land Acquisition and Rehabilitation & Resettlement Policy' dated 09th November, 2010 in this behalf whereby the interests of landowners are duly protected with provisions for (i) floor rates so as to ensure payment of market linked compensation, and (ii) a number of benefits under the 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 Government has now decided to introduce a 'Land Pooling Scheme' whereby the landowners are given an option to become partners in the development process. The land owners whose land is acquired for the development of residential sectors will have the option either to accept the compensation in monetary terms as available under the Land Acquisition Act alongwith non statutory benefits under R & R policy or to seek the compensation in the form of developed plots as full and final settlement. The salient features of this Land Pooling Scheme are as follows:
3. **Applicability:**
 - (i) The Land Pooling Scheme shall be applicable in respect of acquisition proceedings initiated for the purposes of development of residential sectors pursuant to this Notification and shall take effect from the date of its Notification in the official Gazette.
 - (ii) A one-time opportunity of exercise of option under this scheme shall also be available to the landowners in respect of the current acquisition proceedings for aforesaid purposes where Notifications under Section 4 or Section 6 of the Act have been issued and the period available for announcement of the Award is four months or more. The landowners will be required to exercise their option in writing on prescribed application form (Appendix-2) within a period of 60 days of the issue of this Notification.
 - (iii) The landowner(s) would be eligible to participate in the Land Pooling Scheme only if a minimum of 1000 sq yards or more of his/ their land is acquired.
4. **Procedure:**
 - (i) The option for the Land Pooling Scheme, except in cases covered under 1(ii), will have to be exercised by the landowner(s) in writing in the prescribed form (Appendix-2) within a period of four(4) months of the publication of Section 4 Notification.
5. **Scheme:**
 - (i) The landowner(s) opting for the Land Pooling Scheme will be provided developed residential site in the form of residential plots measuring 1000 sq. yards and commercial site measuring 100 sq yards against each one acre of land acquired or in the same proportion for the land acquired in lieu of the 'compensation package and all other benefits admissible under the R & R Policy' of the Government, at the time of first floatation of the residential sector for which land of the applicant has been acquired;
 - (ii) The applicant can also claim the amount in lieu thereof for the entitled developed land at the allotment rates applicable at the time of first floatation of the residential sector;
 - (iii) The landowner(s), who opt(s) for the Land Pooling Scheme, will also have the option to request for payment of a part amount upfront at the time of Award as per floor rates as applicable to the area and seek developed plots as per entitlement at 5(i) above. The different sub-set of options under this option will be as under:
 - a) The landowner may request for allotment of developed land as per his entitlement at the time of first floatation on refund of the amount availed earlier at the time of Award, along with interest calculated @ 9% per annum, to the acquiring agency of the Government;

OR

- b) The landowner may opt for allotment of developed land against balance amount as per his entitlement i.e. after adjustment of the advance amount paid to him along with interest thereon computed @ 9% per annum. In this case, his entitlement for the developed land shall be worked out on the basis of allotment price determined at the time of first floatation;

OR

- c) The landowner may opt for payment of the balance amount after adjustment of the amount paid in advance along with interest thereon computed @ 9% per annum. His entitlement for the balance amount shall be worked out on the basis of allotment price determined at the time of first floatation.
6. The Landowner shall also have the option to opt for the 'Land Pooling Scheme' in respect of part of his land being acquired and accept 'compensation package along with the R & R Benefits' in respect of the balance land provided:
- (a) The minimum land being acquired is one acre; and
- (b) The option for the 'Land Pooling Scheme' and the 'Compensation along with R & R Benefits' is split in the ratio of 50:50 of his land being acquired.
7. In case of those owners where the land acquired is less than one acre, the developed sites/plots will be given in proportion to the land acquired.
8. Allotment of plots shall be of standard size as per norms of Haryana Urban Development Authority.
9. **Other Important Conditions:**
- i) In case the owners are co-sharers in the acquired land, the plots/sites will be allotted in proportion to the share of each of the co-sharer. However, where such proportion is less than the standard size of the plot/site, the owners will be eligible either to have a plot in their joint name or seek monetary benefits in accordance with their share.
- ii) The developed land will be allotted to the eligible landowners as per their entitlements through draw of lots from among the applications received from the landowners opting for the scheme.
- iii) Plots will be transferred on freehold basis and will be governed by the rules and regulations of HUDA. There will be no upper limit for the beneficiary landowner under the scheme for utilisation or sale of his developed sites. However, any subsequent purchaser of land shall be governed by the HUDA policies as applicable from time to time and time limit for construction shall also be applicable for subsequent buyers as per HUDA policy. The land use in respect of such land shall remain 'residential' or 'Commercial' as the case may be and shall not change under any circumstances.
- iv) The Award in respect of the land pooled under this Scheme shall be announced by the Land Acquisition Collector under Section 11 (2) read with sub-sections (3) and (4) of Section 31 of the Land Acquisition Act, 1894.
- v) Wherever the entitlement of developed land is in fraction of the standard sizes of residential/commercial plots, the landowner will be compensated in monetary terms for such fraction.
- vi) The Haryana Urban Development Authority shall execute conveyance deeds in favour of the landowners opting for the Land Pooling Scheme as per their entitlement/ allotment of developed land for which no Stamp Duty and Registration Fee shall be payable.
10. Explanations and Illustrations as given in Appendix-1 may be referred for the implementation of the Scheme. For the purposes of any clarification or interpretation of the provisions of the Scheme during its implementation, the matter shall be referred to the Urban Estates department, whose decision shall be final and binding on the parties.
11. The Scheme is notified with the concurrence of the Finance Department Haryana vide its U.O. No. 11/116/2012-5FDIII dated 19-07-2012 and the Revenue & Disaster Management Department vide its Memo. No. 1762-R-5-2012/Spl. Dated 19-07-2012.

-sd/-

(S.S.Dhillon)

Financial Commissioner and Principal
Secretary to Govt. Haryana,
Urban Estates Department.

EXPLANATIONS AND ILLUSTRATIONS

Sr. No.	Para No. of the Scheme	Explanation/ Illustration																																				
1.	8	<p>HUDA follows the Metric System while carving out its residential/commercial plots. Following are the conversion rates from sq. yards to sq. mtrs. and vice versa:</p> <table border="1" data-bbox="440 422 1474 982"> <thead> <tr> <th>Sq. Yards</th> <th>Sq. Mtrs.</th> <th>Sq. Mtrs.</th> <th>Sq. Yards</th> </tr> </thead> <tbody> <tr> <td>01 Sq. Yard</td> <td>= 0.8361 sq m</td> <td>01 sq m</td> <td>1.1959 sq yard</td> </tr> <tr> <td>30 sq yd</td> <td>= 25.083 sq m</td> <td>420 sq m</td> <td>502.28 sq yd</td> </tr> <tr> <td>50 sq yd</td> <td>= 41.81 sq m</td> <td>300 sq m</td> <td>358.77 sq yd</td> </tr> <tr> <td>100 sq yd</td> <td>= 83.612 sq m</td> <td>209 sq m</td> <td>250.00 sq yd</td> </tr> <tr> <td>200 sq yd</td> <td>= 167.24 sq m</td> <td>162 sq m</td> <td>193.74 sq yd</td> </tr> <tr> <td>500 sq yd</td> <td>= 418.095 sq m</td> <td>138.6 sq m</td> <td>165.75 sq yd</td> </tr> <tr> <td>1000 sq yd</td> <td>= 836.19 sq m</td> <td>90 sq m</td> <td>107.63 sq yd</td> </tr> <tr> <td>4840 sq yd</td> <td>= 4046.85 sq m (one acre)</td> <td>4046.85 sq m (one acre)</td> <td>4840 sq yd</td> </tr> </tbody> </table> <p>The standard sizes of Residential Plots carved out by the HUDA are as under:</p> <ul style="list-style-type: none"> (i) 1-Kanal = 420 sq. mtrs i.e. 502.28 sq yards (15 m x 28 m) (ii) 14-Marla = 300 sq. mtrs i.e. 358.77 sq yards (12 m x 25 m) (iii) 10 Marla = 209 sq. mtrs i.e. 250 sq yards (9.5 m x 22 m) (iv) 8 Marla = 162 sq. mtrs i.e. 193.74 sq yards (9 m x 18 m) (v) 6- Marla = 138.6 sq. mtrs i.e. 165.75 sq yards (7.7 m x 18 m) (vi) 4- Marla = 90 sq. mtrs i.e. 107.63 sq yards (6 m x 15 m) <p>The standard sizes of Commercial Plots carved out by the HUDA are as under:</p> <ul style="list-style-type: none"> (i) Single storey booth(small)=2.75mx 8.25 m= 22.68 sq m i.e. 27.12 sq yds (ii) Single Storey Booth(big) = 5.5m X 13.75m= 75.63 sq. m i.e. 90.45 sq yds <p>As far as possible, allotment of plots of standard size shall be in accordance with the option indicated by the land owner in his application (Appendix-2). However, there may be some change in the size/category of plots to be allotted, depending upon availability of number of plots of various sizes/categories as per approved layout plan.</p>	Sq. Yards	Sq. Mtrs.	Sq. Mtrs.	Sq. Yards	01 Sq. Yard	= 0.8361 sq m	01 sq m	1.1959 sq yard	30 sq yd	= 25.083 sq m	420 sq m	502.28 sq yd	50 sq yd	= 41.81 sq m	300 sq m	358.77 sq yd	100 sq yd	= 83.612 sq m	209 sq m	250.00 sq yd	200 sq yd	= 167.24 sq m	162 sq m	193.74 sq yd	500 sq yd	= 418.095 sq m	138.6 sq m	165.75 sq yd	1000 sq yd	= 836.19 sq m	90 sq m	107.63 sq yd	4840 sq yd	= 4046.85 sq m (one acre)	4046.85 sq m (one acre)	4840 sq yd
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1000 sq yd	= 836.19 sq m	90 sq m	107.63 sq yd																																			
4840 sq yd	= 4046.85 sq m (one acre)	4046.85 sq m (one acre)	4840 sq yd																																			

2.	Para 5(i)	<p>If the acquired land of a landowner is 1000 sq yards, he would be entitled to 206.61 sq. yards of ‘Developed Residential Plot’ and 20.66 sq. yards of Developed Commercial Site. In this case he can opt for an 8 Marla plot (193.74 sq yards) plus payment for the balance 12.87 sq yards at the rate of first floatation of Residential plots in the sector. Similarly, the land owner can seek monetary compensation against the entitlement of 20.66 sq yds commercial site at three times the rate of first floatation of Residential plots in the sector.</p> <p>If the acquired land of a landowner is 2000 sq yards, he would be entitled to 413.22 sq. yards of ‘Developed Residential Plot’ and 41.32 sq. yards of Developed Commercial Site. In this case he can opt for either ‘two plots of 8 Marla size (387.48 sq yards) plus payment for the balance 25.74 sq yards at the rate of first floatation of Residential plots in the sector’ OR ‘one plot of 8 Marla size (193.74 sq yards) plus two plots of 4 Marla (215.26 sq yards)’ totalling 409 sq yards and claim monetary compensation for the remaining 4.22 sq yards. Similarly, the land owner can opt for one booth site of 27.12 sq yards and seek monetary compensation for the balance 14.20 sq yards at three times the rate of first floatation of Residential plots in the sector.</p> <p>If the acquired land of a landowner is 3000 sq yards, he would be entitled to 619.83 sq. yards of ‘Developed Residential Plot’ and 61.98 sq. yards of Developed Commercial Site. In this case he can opt either for ‘one plot of 1 Kanal and one plot of 4 Marla’ OR ‘2 plots of 10 Marla plus one plot of 4 Marla’ OR ‘3 plots of 8 Marla’. Depending upon the total size of plots availed, monetary compensation for the remaining area would be given at the rate of first floatation of Residential plots in the sector. Similarly, the land owner can opt for two booth sites of 27.12 sq yards each and seek monetary compensation for the balance 7.74 sq yards at three times the rate of first floatation of Residential plots in the sector.</p> <p>If the acquired land of a landowner is one acre, he would be entitled to 1000 sq. yards of ‘Developed Residential Plots’ and 100 sq. yards of Developed Commercial Sites. In this case he can opt either for ‘one plot of 1 Kanal + one plot of 14 Marla + one plot of 4 Marla’ OR ‘one plot of 1 Kanal + one plot of 10 Marla + one plot of 8 Marla’. Depending upon the total size of plots availed, monetary compensation for the remaining area would be given at the rate of first floatation of Residential plots in the sector. Similarly, the land owner can opt for one booth site of 90.45 sq yards OR three booths of 27.12 sq yards each and seek monetary compensation for the Residual entitlement of commercial land.</p> <p>In case the acquired land is more that one acre, at least one plot of 1 Kanal size will be given for each acre of acquired land. The owner of 2 acre acquired land will, therefore, get at least two plots of 1 Kanal and can opt for plots in various permutations and combinations out of 1 Kanal, 14 Marla and 10 Marla size categories only, to complete his entitlement of 2000 sq yards residential site. Similarly, in case of 3 acre acquired land, the owner will get at least three plots of 1 Kanal and can opt for plots in various permutations and combinations out of 1 Kanal, 14 Marla and 10 Marla size categories only, to complete his entitlement of 3000 sq yards residential site. On the same analogy, The owner of 5 acre acquired land will get at least five plots of 1 Kanal and can opt for plots in various permutations and combinations out of 1 Kanal, 14 Marla and 10 Marla size categories only, to complete his entitlement of 5000 sq yards residential site.</p> <p>Similarly, for developed commercial site in case of more than one acre acquired land, at least one Single Storey Booth (big) of size 90.45 sq yards will be given for each acre of acquired land. If the acquired land is 2 acres, two such booth sites would be given and if the acquired land is 5 acres, five such booth sites would be given. For the remaining area of entitlement, the owner can seek monetary compensation if the remaining area is less than 27.12 sq yards OR opt for small sized booth(s) in case the remaining area is equal to or more than 27.12 sq yards plus monetary compensation as the case may be.</p>
3.	Para 4(i)	The option for Land Pooling Scheme shall be exercised by the Landowner in writing in the Application Form prescribed in Appendix-2, along with the Undertaking.
4.	Para 5 (iii)	If the land being acquired is situated in an area for which the prescribed Floor Rate is Rs. 20.00 lakh/ acre, the Landowner can opt for upfront payment of part amount up to Rs. 20.00 lakh per acre as an Advance. This amount shall carry a simple interest @ 9% per annum from the date of payment till the date of final settlement under the following sub-options:
5.	Para 5(ii) (a)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the land owner can repay an amount of Rs. 20.00 lakh + Rs. 5.40 lakh (interest) = Rs. 25.40 lakh to HUDA and take developed land of 1000 sq. yards residential site and 100 sq. yards commercial site at the time of first floatation.

6.	Para 5(iii) (b)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the updated amount along with interest at the prescribed rate would be Rs. 25.40 Lakh. In case the rate of first floatation of developed land is determined @ Rs. 8000/- per sq. mtr. (or Rs. 6689/- per sq. yard) at the time of first floatation, the total cost of residential plots as per his entitlement would be Rs. 66,89,000/-. Therefore, after adjusting the updated amount of advance (Rs. 25.40 lakh), the entitlement for balance developed residential plot would be 620.27 sq yards. In this case, he can seek allotment of 100 sq yards commercial site and upto 620.27 sq yards residential land in the form of plots of nearest standard size available and receive payment for the balance land at the first floatation rate.
7.	Para 5(iii) (c)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the updated amount along with interest works out to Rs. 25.40 Lakh. In case the rate of developed land is determined @ Rs. 8000/- per sq. mtr. (or Rs. 6689/- per sq. yard) at the time of first floatation, the equivalent developed residential land for this amount of Rs. 25.40 Lakh works out to 379.73 sq. yards (317.52 sq mtrs). Thus his entitlement for the balance developed residential land would be equal to 620.27 sq. yards (518.66 sq. mtrs.) of which the equivalent amount works out to Rs. 41,49,000/- (620.27 x 6689). Value of his entitled Commercial site would be Rs. 20,67,000/-. Thus, the total balance value would be Rs. 62,16,000/-. The landowner can ask for payment of this balance amount at the time of first floatation of plots.
8.	Para 9(ii)	Separate draw for residential and commercial plots shall be held. In the first phase draw for residential plots shall be held followed by draw for commercial plots, preferably within four months of the draw for residential plots.
9.	Para 6	If the land being acquired of a landowner is one acre, and he wants to exercise his option under this provision, he can opt for the 'Land Pooling Scheme' in respect of 0.5 acres of land and the 'Compensation package amount along with R & R Benefits' in respect of the balance 50% of his land being acquired. This ratio cannot be changed.
10.	Para 8	<ul style="list-style-type: none"> (i) The value addition on account of GP, P and SP status of plots shall be adjusted against the monetary benefit of residential/commercial plots to be allotted. (ii) In case the plot area is found to increase vis-à-vis standard size at the time of demarcation, the extra amount due shall be adjusted against monetary benefit of residential/commercial plots. If in case the area of residential plots is found to decrease in the demarcation, monetary compensation at the first floatation rate shall be given for the deficit area. (iii) For ease of calculations, the decimal points up to 0.49 would be rounded to the lower full number, the decimal point of 0.50 shall be taken as it is and decimal points above 0.50 will be rounded to the next whole number, in cases of land measurement/ conversion and the amount.
11.	Para 9(iii)	It will be the responsibility of the Seller to inform HUDA about the sale of plot before entering into sale agreement and incumbent upon the purchaser to get his/her name entered in the HUDA record by presenting a certified copy of registered sale deed to the concerned Estate Officer of HUDA within 90 days of registration. The purchaser of land shall be bound by the conditions of allotment letter that would be issued by HUDA and shall be governed by the HUDA policies as applicable from time to time. Time limit for construction shall also be applicable for the purchaser as per HUDA policy. The land owner shall get the conditions regarding presenting of sale deed to the Estate Officer by the transferee and applicability of HUDA rules, regulations and policies on the transferee incorporated in the sale agreement.

APPLICATION FORM

Applicant's Photograph

From:

(The Landowner)

To

1. The Land Acquisition Collector,

2. The Estate Officer,

Haryana Urban Development Authority,

Dated: _____

Subject: Application for becoming partner(s) under the 'Land Pooling Scheme' and allotment of developed land in lieu of the 'Compensation amount and the R & R Benefits'

Sir,

My (individual owner)/ our(co-sharers) land (as per description given below), situated in village _____, tehsil _____, district _____ has been notified by the Government vide notification dated _____ issued under Section 4 of the Land Acquisition Act, 1894:-

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	K h a s r a No.	Share of the Applicant	Area being acquired in the ownership of the applicant(s)	
					Kanal	Marla

1. A copy of the latest *Jamabandi*/ mutation confirming that the notified land is under my/our ownership, is enclosed for reference/ record.
2. I / we understand that the Award in respect of the land pooled under this Scheme shall be announced by the Land Acquisition Collector under Section 11 (2) read with sub-sections (3) and (4) of Section 31 of the Land Acquisition Act, 1894.

3. This is to submit that I/we have read and understood the provisions of the Land Pooling Scheme. I/We wish to become partner(s) in the development process under the said Land Pooling Scheme and exercise the following option:-

3.1 I/ We are owners of ____ Acre ____ Kanal ____ Marla land which is being acquired by the Government. I/ We would like to opt for the Land Pooling Scheme in respect of our entire land being acquired;

Or

I/ We are owners of ____ Acre ____ Kanal ____ Marla land which is being acquired by the Government. I/ We would like to opt for the Land Pooling Scheme in respect of only ____ Acre ____ Kanal ____ Marla of my/ our land, which is 50% of the total land being acquired, being a minimum of one acre or above, and opt to accept the 'compensation package along with the R & R benefits' in respect of the balance land measuring ____ Acre ____ Kanal ____ Marla as per the Award announced by the Land Acquisition Collector.

3.2 Further, I/ we opt for allotment of developed land as per my/ our entitlement at the time of first floatation of the Estate/ Township and I/ we agree to accept the cash or deposit the cash amount calculated @ the first floatation rate in respect of the land in excess of my/our entitlement as per the Scheme vis-à-vis the standard size of plot of land allotted to me/us;

or

I/we opt for acceptance of the cash amount in lieu of my/ our entitlement of developed land calculated @ first floatation at the time of floatation of the estate/ township;

3.3 Further, I/We opt for the Land Pooling Scheme and allotment of developed land as per my/ our entitlement at the time of first floatation of the Estate/ Township along with part advance amount in cash which shall be _____. Having exercised this option, I/We further confirm the following option under this category:

(i) I/ we would like to take the developed land as per our entitlement at the time of floatation of the estate and refund the advance amount availed earlier at the time of Award, along with interest calculated @ 9% per annum to the acquiring/ development agency of the Government;

or

(ii) I/we opt for allotment of residual land as per my/our entitlement after adjustment of the advance amount paid to me/us along with interest thereon computed @ 9% per annum. I/ we understand that my/our entitlement for the residual land shall be worked out on the basis of allotment price determined at the time of first floatation;

or

(iii) I /we opt for payment of the residual amount after adjustment of the amount paid in advance along with interest thereon computed @ 9% per annum. It is understood that my/our entitlement for the residual amount shall be worked out on the basis of allotment price determined at the time of first floatation.

(Please tick (✓) one of the three options given above and strike off the remaining ones.)

4. In accordance with the option (✓) tick marked by me/us in Para 3 of the Application, I/We request that I/We may be allotted the following sizes of plots:

FOR RESIDENTIAL PLOTS		
Sr. No.	Size Category of plot	Number of plots
FOR COMMERCIAL PLOTS		
Sr. No.	Type/Size of plot	Number of plots

NOTE: Option of plot sizes once exercised can not be changed by the applicant land owner.

5. I/ we are fully conscious that, having opted to become partners under the Land Pooling Scheme and having exercised my/our option as herein before, I/we would have no right, whatsoever, to claim any cash compensation awarded under Section 11(1) and, further, file a reference under Section 18 of the Act in respect of my/our notified land.

Yours faithfully,
(Landowner/ Name/ Signature)

UNDERTAKING

Verified that I/we have exercised the option to become partners under the 'Land Pooling Scheme' and further options exercised there under after complete understanding of the Scheme and its provisions, without any pressure or persuasion by any other person or authority and these options are irrevocable. The contents of paragraphs 1 to 4 of my above application are true and correct to the best of my/our knowledge and belief and which I/ we believe to be correct. No part of it is false and nothing material has been concealed therein. I/ We undertake to abide by our options exercised in this application in accordance with the provision of the Land Pooling Scheme of the Government.

I/We also undertake that after allotment of developed plots under the Land Pooling Scheme, I/We will inform HUDA about the sale of plot before entering into sale agreement with any purchaser (transferee) and shall incorporate appropriate conditions in the sale agreement making it mandatory for the purchaser to (i) get his/her name entered in the HUDA record by presenting a certified copy of registered sale deed to the concerned Estate Officer of HUDA within 90 days of registration; and (ii) to be bound by the conditions of allotment letter that would be issued by HUDA and the HUDA policies/ time limit for construction as applicable from time to time.

(Landowner/ Name/ Signature)

Witness: _____

VERIFICATION:

The details of land of the applicants herein, as mentioned in para 1 and para 3.1 of this application, which is being acquired by the Urban Estates Department, are certified to be correct as per the latest revenue records/ mutations/ sale deeds available in this office.

(Revenue Tehsildar / Naib Tehsildar concerned)

ACKNOWLEDGEMENT

This is to acknowledge that S/Sh. _____ have submitted their application for becoming partners under the Land Pooling Scheme in respect of their land measuring _____ Kanal _____ Marla, situated in village _____, forming part of Section 4 Notification dated _____ issued for a public purpose i.e. development of residential sector _____ at _____. This receipt is issued in acknowledgment of the said application.

(Land Acquisition Collector _____)

Dated: _____

(Estate Officer, HUDA _____)

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: 1/4/02

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	00 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 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: 11.9.02

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: 11.9.02

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 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 on 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, 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: 28/9/05

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 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: 20-1-06

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 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 to 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: 7.2.06

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 Administrator,
HUDA (Town Planning Wing)
Panchkula.

To

The Administrator, HUDA,
Gurgaon, Faridabad, Panchkula, Hissar, Rohtak
Memo no. CTP (H)/DTP (N)/1461-65

Dated: 28.2.07

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: 28.2.07

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 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: 14.3.07

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 14-3-07

Endst. No. CTP/DTP(N)/1764 -1768

A copy is forwarded to 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 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

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: 05.02.08

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: 05.02.08

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 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 (Rs. 350+210+ 2385)</p> <p>With satellite data (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/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:

Endst. no. CTP-DTP (N)/JS/

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 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: 30.05.08

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

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

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, Hisar, Panchkula, Rohtak.
Memo. No. CTP/DTP (N)/JS/365-69

Dated:12.01.09

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 sectors instead of for every 6 sectors as approved by Hon'ble TCPM & circulated vide letter dated 23.04.2004.
2. 18 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: 12.01.09

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.

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: 10.07.09

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: 10.07.09

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.

Dated: 10.07.09

Endst. No. CTP/STP (N)/SB/6175-6203

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

1. All the Administrators of HUDA
2. All the District Town Planners

Memo no. 6790-6816

Dated: 28.07.09

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: 28.07.09

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:28.07.09

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.

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. 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.

Endst. No. CTP /STP (N)/

Dated:

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.

Endst. No. CTP /STP (N)/7995-97

Dated: 22.06.2010

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 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 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: 3.7.89

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

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: 6.5.03

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, 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: 29.12.05

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
Dated: 29.12.2005

Endst. NO CTP (H)/6801-6822

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

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.

S.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 plans revalidated.	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.
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 HABITABLE 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:	
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 (Town PlanningWing),
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: 17.7.08

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:

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

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, HUDA HQs, 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, 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.

Endst. No. CTP/HUDA/3749-3833

Dated:- 13.05.2009

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.

Endst. No. CTP/HUDA/3834-3836

Dated:- 13.05.2009

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 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 [Rule-3(4)]	_____ Sq. Mts. x Rs. 10/- =Rs. _____	
4	Malba Fee [Rule-3(5)]	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	_____ _____ _____	

B) SITE PLAN.

1.	Site plan a) Scale b) Boundaries of Site c) North Marking d) Surrounding Buildings / Plots e) Area Details f) Dimensions g) Levels h) Public Health Lines i) Gate Position	Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No	
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C) ZONING

1.	Zoning set-backs Refer to the approved zoning.	Required	Provided	
	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	

D) BUILDING PLAN

1	Building plans a) Scale b) Cloth Mounting c) Plans of all Floors, Elevations, Sections showing Levels through Floors, Stair-case, WC Bath, Kitchen and Garage. d) Plinth Level of the Building wr.t Centre Road. e) Schedule indicating Size of Doors & Windows f) Means of Access & Escape g) North Point [Rule-5]	Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No Ok/No	
2	Maximum Height [Rule-13 (b)]		
3	Light and Ventilation [Rule-17]	Ok/No	

4	Minimum Size of Habitable Rooms /Kitchen a) GF-HR*, HR-2, HR-3 b) FF-HR-1, HR-2, HR-3 c) SF-HR-1, HR-2, HR-3 [Rule-18] *HR=Habitable Room	Ok/No Ok/No Ok/No Ok/No	
5	Minimum Size of Bath Rooms & WC [Rule-19]	Ok/No	
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 [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. [Rule 56)	Ok/No	
	c) Minimum Sanitary Facilities [Rule 60)	Ok/No	
	d) Water Closet [Rule 61)	Ok/No	
	e) Laying & Ventilation of Drains [Rule 63 & 64)	Ok/No	
	f) Sewer Connection [Rule 76 to 78)	Ok/No	
	g) Drainage of Rain Water Harvesting. [Rule 79 to 81 A)	Ok/No	

G) MISCELLANEOUS

1	Solar Water Heating Provided	Yes / No/ NA	
2	Site Report	Ok / No	
3	Other Observations , if any		
4	Time Taken a) Date of Receipt b) Date of Disposal	____ Name of Days ____ / ____	
5	Recommendations for Approval.	Yes / No	

Checked and Found Correct

Counter Checked and Found Correct

Checking Official
(Name & Designation)

Counter Checking Official
(Name & Designation)

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: 22.06.09

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: 22.06.09

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
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: 05.10.09

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 is 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: 05.10.09

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 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, 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.

From:

The Chief Administrator,
HUDA, (TP Section)
Panchkula

To

The Administrator,
HUDA, Faridabad, Hisar, 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 Administrator,
Panchkula, Gurgaon, Faridabad & Hisar
Memo no. CTP (H)/6823-6826

Dated: 29.12.05

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: 29.12.05

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 (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: 24/12/07

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
Dated: 24.12.2007

Endst. No. CTP/HUDA/DTP)N) 16938-43

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 (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 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

HARYANA URBAN DEVELOPMENT AUTHORITY
KOTHI NO. 231, SECTOR 18-A, CHANDIGARH

ORDER

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 scrutinizes 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 with in 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 with in 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
Dated: 10.9.1979

Endst. No. LO-79/13353-13423

A copy is forwarded to:-

1. Chief Engineer, HUDA,
2. Administrator, Panchkula, Faridabad.

From

The Chief Administrator,
Haryana Urban Development Authority,
Panchkula

To

The Senior Town Planner,
Panchkula

Memo No. CTP-HUDA-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, Hisar
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

From:

The Chief Administrator,
HUDA (Town Planning Wing)
Panchkula

To

- 1 All the Administrators HUDA Panchkiula, 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: 11/12/07

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 16.11.07 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

Category Code	Sub Category Code	Sub Category Description	Type of Property	Mode of Allotment	Number Of Instalment	Type of Instalment
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
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	SRSH1	Spare/Repair Part Shop (2 stories)	FREEH	AUCTI	8	HAYEA
COMME	SRSH2	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
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 Complex)	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	HOBOA	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
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% payment 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
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
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
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

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: 17.12.07.

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 Officer, HUDA

-Sd/-

(Naresh Mehtani, DTP)

For Chief Administrator, HUDA, Panchkula.

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

Endst. No. CTP/JS-9/10677-84

Dated:29.07.2013

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 Principal Secretary to Govt. Haryana,
Town & Country Planning, Department,
Sector-17, Chandigarh.

To

The Director General,
Town & Country Planning, Department,
Haryana, Chandigarh.

Memo No. Misc-311/2013/

Dated:- 03.06.2013.

Subject: Policy-fixation of area norms/ siting 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 State of Haryana.

Reference:- In supersession earlier policy issued vide memo no. Misc-311/2013/7/16/2006-2TCP dated 31.12.2012 and memo no. Misc-311/2013/7/16/2006-2TCP dated 12.02.2013.

The department earlier issued two separate policies in respect of parameters followed for grant of CLU permission for setting up of Retail Outlet /fuel filling station and CNG/PNG station. It was observed by the Department that trunk services in 30 mts and 60 mts wide green belt are also affecting CNG/PNG station for which no policy was formulated. Now a consolidated policy in respect of both the cases has been formulated as under:-

Land requirement and other parameters for setting up of compressed Natural Gas /Petroleum / Natural Gas State:-

- i) Minimum size of the plot for CNG /PNG station should be 50 m x 30 m so that two nos. of gas compressor and upto 8 dispensers can be installed at the station. This will accommodate more CNG equipment and efficiently cater to the vehicles of all sizes. However, in case of recommendation from Gas Distribution Company regarding suitability of the site for setting up of CNG/PNG Station, same will be considered on the site area proposed by Gas Distribution Company.
- ii) The canopy as well as buildings to be used for ancillary activities like sales-room, toilets, control room etc. shall be allowed upto 7 mts with two storeys.
- iii) Minimum distance from the buildings and outer boundaries to the gas storage unit/ tank shall depend upon total capacity of gas storage unit. This shall be governed by the Code of Oil Industry Safety Directorate-OISD 179 and Gas Cylinder Rules, 2004 (GCR-2004) which are currently as under:-

Total capacity of gas storage units (in meters)	Min. Distance from buildings and boundaries (in meters)
Upto 4500	2.5
4500 to 10000	4.0
10000 to 100000	10.0

The sitting distance norms from the road junction and other fuel filling station including CNG/PNG station shall be adopted as per Indian Road Congress (IRC) norms.

- i) Commercial use shall be permissible, for which covered area shall not exceed 3% of the total permissible ground coverage i.e. 35% of the site area. The zoning parameters other than those mentioned above shall be same as applicable in case of fuel filling station.

I. Land requirement and other parameters for setting up of Fuel Filling Station:-

i) Along National Highways:

For independent petrol pumps:

The minimum areas for independent fuel filling stations in accordance with the guidelines issued by the Ministry of Road Transport and Highways, Govt. of India, shall be as follows:

- (i) On undivided carriageway : 35 M x 35 M
- (ii) On divided carriageway : 35 M (frontage) x 45 M
- (iii) In urbanisable zone / area : 20 M x 20 M

The maximum area for this category shall be as per the LOI and site plan issued by Petroleum Companies but should not be more than 3000 sq. mts.

For petrol pumps with facilities like repairs / services shop, ATMs and small eating place (Dhaba /fast food joint):-

- Minimum area : 1 acre (4047 sq. mts)
- Maximum area : 1.5 acre (6070 sq. mts)

These area / facilities shall be allowed as per provisions contained in LOI / site plan issued by petroleum companies.

Where petrol pump are part of multi facility complexes:- The motels / restaurants, site where petrol pumps are part of such multi-facility complexes as per the zoning regulation, the area requirements for such a complex may be calculated on the basis of the requirements envisaged in the project as per the FAR and Ground coverage allowed in the rules for commercial sites.

Along Scheduled Roads (other than NH) and other roads:-

For independent petrol pumps:-

- Minimum area : 1000 sq. mts.
- Maximum area : 2500 sq. mts.

For petrol pump with facilities like repairs / services shop, ATMs and small eating places (Dhabas / fast-food joint)

- Minimum area : 3000 sq. mts.
- Maximum area : 1.0 acre (4047 sq. mts.)

Within urbanisable zone/area-The main area shall be 20 M x 20 M.

Permissible Heights:-

The zoning clause prescribing the maximum permissible height of a fuel filling station buildings shall stand amended as on 05.09.2008 (since earlier policy was issued vide memo no. 7/16/2006-2TCP dated 05.09.2008) as follows:-

“in case of fuel filling station, the maximum permissible height of a building constructed in the buildable zone shall not exceed 8 meter inclusive of parapet and the maximum number of storeys within the height of 8 mts shall not exceed one”.

Director, Town & Country Planning, Haryana shall ensure that these policy parameters are adhered to while dealing with the cases of grant of change of land use permission for Retail Outlets /Fuel Filling Station in controlled areas. The restrictions of minimum distance between two fuel Stations and location of Fuel Station / Petrol Pump from road intersection as prescribed in IRC:12 1983, IRC:12 2009 and instructions of Ministry of Road Transport and Highways, Government of India shall be applicable.

II. As far as laying of trunk services in green belts along 30 mts or 60 mts wide sector road are concerned, the following shall be applicable on Retail Outlet /Fuel Filling Station and CNG /PNG station:-

- a) As and when the services are required to be laid, to be augmented /re-laid, the land will be made available by the owner for laying such services. The owner of CLU permission granted area shall not object for laying of such services. Department shall ensure to seek an undertaking or levy a condition in this regard while granting the CLU permission to the effect that HUDA / Department of Town & Country Planning services its rights for laying of such services and owner shall have no claim in this regard.
- b) The Department / HUDA shall keep in mind laying of water supply, trunk services and storm water box drains including that of pylon / footings required for erection of high tension electric towers in green belt while examining the application for grant of CLU permission for setting up Retail Outlet / Fuel filling station & CNG/PNG Station.
- c) The cross-section of the road with 30 mts & 60 mts wide green belt is shown at Annexure-I showing the location where trunk services can be laid. Any deviation for not following the cross-section mentioned at Annexure-I shall be considered on merit of the case. However, the condition mentioned at Sr. no. III(A) shall be incorporated in the Letter of Intent / CLU permission or in the Allotment Letter issued by HUDA as the case may be.
- d) No Retail Outlet / Fuel filling Station or CNG/PNG Station shall be allowed to be established in case of Roads with 30 m Green Belt if a service road happens to be part of green belt. Cross section is shown at Annexure-II.

The above policy shall also be adopted by Haryana Urban Development Authority while carving out the sites for Retail Outlet / Fuel filling Station & CNG/PNG Station and in case any un-allotted sites are not fulfilling the criteria proposed in the policy, such sites shall be deleted from the Layout Plans and land thereof will be used as green belt/ restricted areas only.

-sd/-
Superintendent
For Principal Secretary to Govt. Haryana,
Town & Country Planning, Department.

Endst. no. Misc-311/2013/7/16/2006-2TCP

Dated:- 03.06.2013.

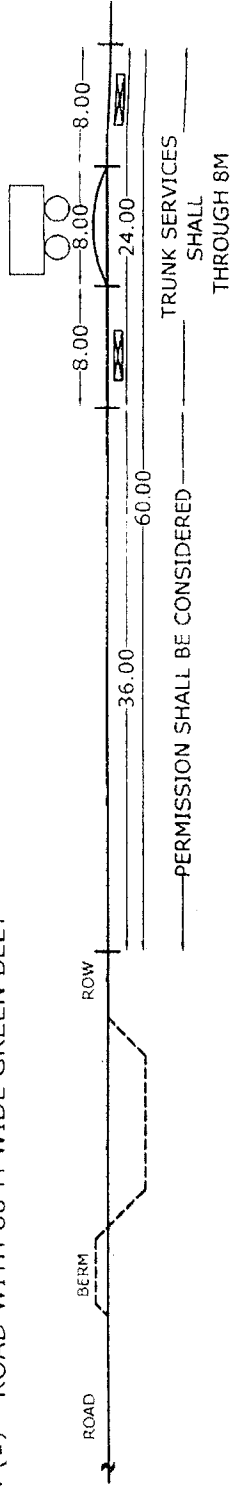
A copy is forwarded to the following for information and necessary action:-

1. The Chief Controller (NCR), Haryana, HUDA Complex, Sector-6, Panchkula.
2. The Chief Town Planner, HUDA, Sector-6, Panchkula.

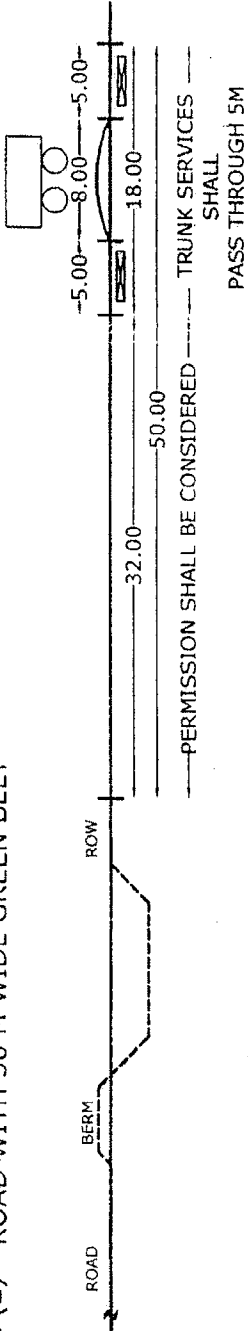
-sd/-
Superintendent
For Principal Secretary to Govt. Haryana,
Town & Country Planning, Department.

ANNEXURE-1

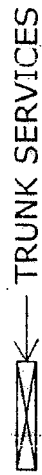
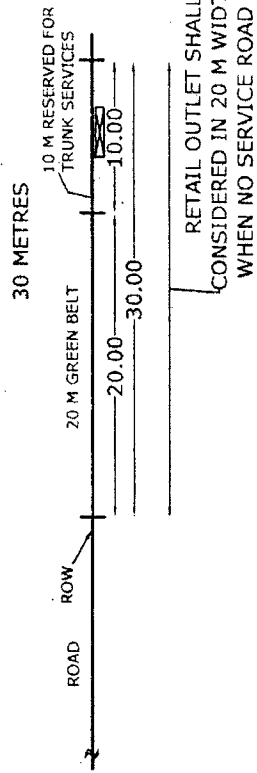
5. (1) ROAD WITH 60 M WIDE GREEN BELT



5. (2) ROAD WITH 50 M WIDE GREEN BELT



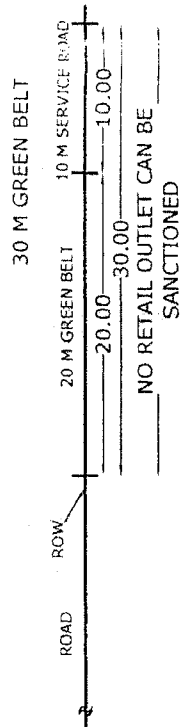
5. (3) A ROAD WITH 30 M WIDE GREEN BELT



RETAIL OUTLET SHALL BE CONSIDERED IN 20 M WIDTH; ONLY WHEN NO SERVICE ROAD PASSES

ANNEXURE-II

6. (4) ROAD WITH 30 M WIDE GREEN BELT



URBAN BRANCH

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: 10.9.87

Subject : Allotment of residential plots/commercial sites to the oustees in the various Urban Estates set up by HUDA.

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 10.9.87

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.

पेशक

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: 17-5-88

विषय: - विस्थापितों को प्लाट नियतन करने बारे

उपरोक्त विषय पर आपके पत्र क्रमांक 192 दिनांक 11.1.88 के सन्दर्भ में।

सूचित किया जाता है कि विस्थापितों को प्लाट 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: 17-5-88

उपरोक्त की एक प्रति हरियाणा शहरी विकास प्राधिकरण में सभी प्रशासकों/सम्पदा अधिकारियों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

- हस्ता -

प्रशासक द्दमुख्यालयत्र

कृते: मुख्य प्रशासक, हुडा

मनीमाजरा।

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 30.9.88

Subject : Allotment of plot out of oustees quota at Gurgaon.

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.

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 9.5.90

Subject : Allotment of residential plots commercial sites to the oustees in the various Urban Estates set up by HUDA.

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 Estates 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

Endst.No.A-11-P-90/9722

Dated 9.5.90

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

No.A-11-(P)-91/5678

Dated : 18-3-91

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

Subject: Allotment of Residential Plots/ Commercial sites to oustees in various Urban Estates set up by HUDA.

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: 18-03-91

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
Manimajra (UT), Chandigarh.

To

1. All the Administrator,
Haryana Urban Development Authority
2. All the Estate Officer/ GurgaonAsstt. Estate Officers in
Haryana Urban Development Authority

Memo No.S-2-92/2082

Dated: 18-03-92

Subject: Allotment of residential plots/ commercial sites in the oustees in the various Urban Estates set up by HUDA.

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) Ousteers 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 syd 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 syd. 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 acquire 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/

Dated:

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,
Mani-Majra, UT, Chandigarh.

To

All the Administrators, HUDA, All the Estate Officers/Asstt. Estate Officers, HUDA.

Sub: Allotment of residential plots/ commercial sites to the oustees in the various Urban Estates set up by HUDA.

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 12.03.93

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,
Sector 6, Panchkula.

To

All the Administrators in HUDA.

Memo. No.A-11P-97/34990-93

Dated 22.10.97

Subject : Allotment of residential plots/commercial sites to the oustees in the various urban estates set up by HUDA.

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 22.10.97

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,
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: 28.08.98.

Subject: Allotment of plots to the oustees in the various Urban Estates set up by HUDA- amendment thereof.

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: 28.8.98.

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

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,
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 10.07.02

Subject: Allotment of residential 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,
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 8.12.03

Subject : Allotment of plots to the oustees in the various Urban Estate set-up by HUDA –clarification thereof.

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 8.12.03

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,
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 Estate set up by HUDA.

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,
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
Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers, HUDA

Memo No. A-1-2006/31523-38

Dated 30.8.06

Subject : Allotment of residential plots/sites to the oustees in the Urban Estates set up by HUDA.

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 30.8.06

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,
Haryana Urban Development Authority,
Panchkula.

To

All the Zonal Administrators/ Estate Officers, HUDA.

Memo No.UB-1/DS-08/9129-33

Dated: 12/3/08

Subject: CWP No. 5706 of 2005-Rattan Lal and others V/s State of Haryana and others-Regarding rejection of claims/applications of oustees for allotment of plots under oustees quota without issuance of advertisements wherever applicants failed to apply despite issuance of advertisements in the past.

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 Ousteers / 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.

(Krishan Lal)
Enforcement Officer,
For Chief Administrator, HUDA, Panchkula.

Endst. No. UB-1/DS-08/9134-38

Dated: 12/3/08

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.

(Krishan Lal)
Enforcement Officer,
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. UB-I/AU-III/2008/16290-300

Dated 28.04.08

Subject:-Policy for Rehabilitation and resettlement of Land Owners –Land Acquisition Oustees.

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

(KRISHAN LAL)
Administrative Officer,
For Chief Administrator, HUDA

Endst. No. UB-I/AU-III/2008/

Dated

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

(KRISHAN LAL)
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.

Annexure “A”

**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 h 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.

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 floatation 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.

(T.C.Gupta, I.A.S.)

Chief Administrator, HUDA

Endst. No.UB-AU3-2008/

Dated:

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.

(A.K.Yadav, I.A.S.)

Administrator (HQ)

For Chief Administrator, HUDA

Internal Distribution-

PS/FCTCP

PS/CA, HUDA.

Chief Engineer

Chief Engineer-I

**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: Regarding Oustees Policy for land owners whose land has been acquired for Rajiv Gandhi Education City, Sonapat

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.

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

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 Outsees 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.

-sd/-

(Nadim Akhtar)

Incharge Urban Branch –II,

For Chief Administrator, HUDA

DA/As Above

CONFIDENTIAL

MEMORANDUM

Minister – in Charge

Chief Minister, Haryana.

Administrative Secretary

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 table 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 then 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.

(D.S. Dhesi, I.A.S.)

Financial Commissioner & Principal
Secretary to Govt., Haryana , Urban
Estates Department Haryana.

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.

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.

Dated 07.03.2011

Endst.No.UB-A-3-2011/7895-40

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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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.

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) Gurgaon-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	<p>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.</p> <p>2. Please see Appendix-1 for an indicative total amount payable to a landowner based on these floor rates.</p>		

- 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, HSIDC 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.

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	Solatiu m @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 trustee 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	1/3 rd 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	1/2 nd 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)

1. 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 Area	Open	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

2. 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.
3. 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:

Sr. 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.

Yours faithfully,
(_____)

Verification by the Revenue Patwari:

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 Grout '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 School / 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

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.

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

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.

HUDA will also not insist on submission of occupation certificate in cases of transfer, submission of a certificate for non-violation by the allottee shall suffice in terms of the provisions in the Industrial Policy-2005 announced by the State Government. In case violations are noticed later on, the transferee shall be responsible for rectifications of non-compoundable violations, and pay the double of the compounding fee in case of compoundable violations, as has been laid down in the chapter 14 of this policy.

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.

8. CHANGE IN CONSTITUTION/SHAREHOLDING

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.

9. CHANGE OF PROJECT

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.

10. LEASING/RENTING OF INDUSTRIAL PLOTS

- (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 :

Leasing period upto 5 years	10% of the transfer fee
Leasing period more than 5 years	25% of transfer fee

- (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 :

Leasing period upto 5 years	50% of the transfer fee
Leasing period more than 5 years	100% of transfer fee

- 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.

In case of unauthorized leasing a penalty equal to the prescribed leasing fee shall be imposed. Multiple leasing shall be permitted as under:-

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.*

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%	<u>Leasing fee rate x plot area x 150/</u> 125
Above 150% & upto 175%	<u>Leasing fee rate x Plot area x 175/</u> 125
Above 175% & upto 200%	<u>Leasing fee rate x Plot area x 200/</u> 125
Above 200 & upto 250%	<u>Leasing fee rate x Plot area x 250/</u> 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. 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.:

Note:

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 Discretionary quota- 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 31-10-89

A copy is forwarded to all Administrators, Haryana Urban Development Authority, for information and further necessary action.

-sd/-
Chief Administrator,
Haryana Urban Development Authority

From

The Estate Officer,
Haryana Urban Development Authority,

To

No. _____

Dated _____

Subject : Allotment of plot No. _____ Sector _____ out of discretionary quota.

Kindly refer to this office letter No. _____ dated _____, vide which the allotment of above mentioned discretionary quota plot was cancelled.

It has now been decided to maintain status-quo ante as on the 29th June, 1987 in respect of plot allotted to you out of discretionary quota. As a consequence of this decision, it is intimated that the cancellation letter referred to above may be treated as withdrawn.

-sd/-

Estate Officer,
Haryana Urban Development Authority

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 Discretionary Quota 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,
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 and Others—Regarding exceptional Clauses.

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,
Panchkula

To

All the Administrators,
Haryana Urban Development Authority.

Memo No. Auth.97/334-38

Dated, 22nd October, 1997

Sub:- Allotment of Discretionary quota 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 specifies 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: 22-10-97

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,

**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— 26.03.98

**Subject Allotment of Residential plots through discretionary quota prior to 31.10.89, CWP No. 5851/96—
Anil Sebharwal VS State of Haryana and Others.**

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 Discretionary Quota prior to 31.10.1989. CWP No. 5851/96. Anil Sabharwal Vs State of Haryana and others.

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

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, 29-06-98

Sub:- Allotment of residential plots through discretionary quota prior to 31.10.89, CWP No. 5851/96 Anil Sabharwal v/s State of Haryana and others.

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

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 in continuation of this office memo No. Auth—98/I7089 dated 29.06.1998 on the subject noted above.

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 enc1Qed 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. 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 Regularisation of discretionary quota allotments made from 31.10.1989 onward on the recommendation of Review Committee.

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.

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 Discretionary quota.

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

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 offered out of discretionary 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 .

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, 29.06.99

Subject : Waiving of penal interest on late payment of the installments and charging of the Extension fee in the allotment of discretionary quota 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/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 Drafts, in the category of 2 to 6 Marlas.

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 allottee 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.
Dated 08.07.1999

Endst No. Auth-99/23466-69

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/Asstt. Estate Officers,
Haryana Urban. Development Authority.
Memo No. Auth-2000/12583-99

Dated 24.05.2000

Subject Allotment of residential plots allotted under Discretionary Quota.

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-2000/31443-59

Dated 20.11.2000

Subject Waiving of penal interest on the refunded amount of such allottees 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,
Haryana Urban Development Authority.
Memo No. Auth-2001/4003-19

Dated : 12.02.2001.

Subject Waiving of penal interest on late payment of the enhancement compensation in the allotment of Discretionary 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

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 SLPs filed by the allottees of discretionary quota plots against the order passé by Hon'ble High Court in CWP No.5851 of 1996 – Anil Sabharwal Vs. State of Haryana and others.

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/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 S.L.Ps filed by the allottees of discretionary quota plots against the order passed by Hon'ble High Court in C.W.P. No.5851 of 1996 — Anil Sabharwal Vs. State of Haryana and others.

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/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 SLPs filed by the allottees of discretionary quota 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 advise 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

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 SLPs filed by the allottees of discretionary quota plots against the order passé by Hon'ble High Court in CWP No.5851 of 1996 – Anil Sabharwal Vs. State of Haryana and others.

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 is 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 and contempt proceedings.

-sd/-
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

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

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

Memo No.U.B.-A-6-2013/7934-57

Dated. 18.02.13

Subject: Policy relating to exchange of plots.

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.
Dated. 18.02.2013

Endst. No.A-6-UB/2013/7958-93

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.

**HARYANA URBAN DEVELOPMENT AUTHORITY, SCO 841,
MANIMAJRA.**

No. HUDA-Acctts-86/22591-98

dated 29-9-86

To

All the estate Officers,
HUDA(in the state).

Subject: Policy guidelines regarding grant of extension in time for construction of plots- charging of extension fee thereof.

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 one 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 to 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 a later date.

DA/Proforma

(Annexure-'A')

-sd/-

Controller of Finance,
for Chief Administrator,
HUDA.

Endst.No.HUDA-Accts-86/22599-602

Dated: 29-9-86

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.

HARYANA URBAN DEVELOPMENT AUTHORITY, SCO 841, MANIMAJRA.

No. HUDA-Acctts-87/6666-77

Dated 6.3.87.

To

All the Estate Officers,
HUDA (in the State).

Subject: Policy guidelines regarding grant of extension in time for construction of plots – charging of extension fee thereof.

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 charge able 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

From

The Chief Administrator,
Haryana Urban Development Authority,

To

All the Estate Officers in
Haryana Urban Development Authority.

Memo No.: 27002-08

Dated: 26-8-87

Subject: - Transfer & extension of residential/commercial plots allotted in the Urban Estates set up by HUDA charging of transfer and extension fee.

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 26.08.87

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

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: 30.11.89

Subject: - Grant of extension in time for construction of residential/ commercial plots –charging of extension fee thereof.

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
Administrative officer,
For Chief Administrator, HUDA
Dated 30.11.89

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/Assistant Estate Officer
Haryana Urban Development Authority.

Memo No. A-11-P-90/1814-27

Dated: 29.01.90

Subject: Grant of extension in time for construction of residential/ commercial plots charging of extension fee thereof.

In the meeting held on 21/12/89 at Gurgaon certain clarifications 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.

-sd/-

Yours faithfully
Administrative officer,
For Chief Administrator, HUDA

Endst No. A-11-P-90/1828-35

Dated 29.01.90

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

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 7-3-91

Subject: Grant of extension in time for constructions of residential/commercial plots –Charging of extension fee thereof.

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,
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 -11-11-91

Subject: - Grant of extension in time for construction of residential /commercial plots – charging of extension fee there of.

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,
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.

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		
Ist 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

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 8-2-96

Subject: -Grant of extension in time for construction of residential / commercial plots- Charging of extension fee thereof.

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 6th year	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:-

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 7-10-97

Sub: Grant of extension in time for construction of residential/commercial plots – charging of extension fee there of.

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,
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:-1-12-97

Subject: - Grant of extension in time for construction of residential /commercial plots –charging of extension fee thereof.

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 closed 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 1-12-97

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

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:-14-7-98

Subject: - Grant of extension in time for construction of residential /commercial plots –charging of extension fee thereof.

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	URBAN ESTATES
High Potential zone	Gurgoan, Faridabad, Panchkula
Medium Potential zone	Karnal, Panipat, Bahadurgarh.
Low Potential zone	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	High Potential zone	Medium Potential zone	Low Potential zone
1 st 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
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

Endst No. A-11-P-98/18883-901

Dated 14-07-98

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,
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 2-4-99

Subject: Grant of Extension in time for Construction of Institutional sites –charging of extension fee thereof.

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 with in 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 procession. 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 procession (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: 2.4.99

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, 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.

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,
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

Sub:- Grant of extension for construction of building on residential plots.

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, 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.

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,
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 plots - charging extension fee thereof.

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,
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 extension fee thereof.

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,
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.

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,
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.

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
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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 storeys/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,
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: 9.2.2006

Subject: Grant of extension in time limit for construction of residential/ commercial plots- charging of extension fee thereof.

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/Ballabgarh 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

Dated:9.02.06

Endst.No.A-1-2006/4192-4213

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,
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 allottees 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.

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.

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,
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 for construction of residential/ commercial plots – charging of extension fee thereof.

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

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
Dated: **02.07.2007**

Endst No.A-1-2007/ 23209-217

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 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 02.04.2007 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

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.

-:-

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:

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,
(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.

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

Dated: **28.08.2009**

Endst. No. A-UB-K.K.-2009/**30750-67**

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,
(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.

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

Dated: **04.06.2010**

Endst. No. A-UB-Supdt-2010/22757-70

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
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.

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
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
	4 th year	-	Rs.25.00
	5 th year	-	Rs.30.00
Medium Potential	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
Low Potential	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.
Dated: **9.5.2012**

Endst. No. A-K.K.12 / **17369-77**

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,
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.

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.

No.A-11-81/30902/910

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.

Dated :15.12.81

Subject: Reservation of residential plots in the Urban Estates for Scheduled Castes, Scheduled Tribes and Backward Classes in the Haryana Urban Development Authority.

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,

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 24/12/81

Subject: Proceedings of the meeting of the HUDA held on 6th October, 1981 at 3.30 P.M under the Chairmanship of Ch. Khursheed Ahmed, Minister of Town & Country Planning and Urban Estate, Haryana in the Primary School Building (Chief Engineer's officer) Sector-8, Panchkula.

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 not 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. All Estate officers.
2. All Administrator, HUDA.

Memo No A-14-83/21106-14

Dated 15.06.1983

Subject: Allotment of residential plots to Haryana Govt. employees of various Boards/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

All the Administrators/Estate Officers,
Haryana Urban Development Authority.
Memo No.A-11-04/1120-39

Dated: 09.01.85

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 grand sons 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.

Endst.No.A-11-85/1140

-sd/-
for Chief Administrator, HUDA,
Chandigarh.
Dated: 09.1.85

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.

Endst.No.A-11-85/1141-42

-sd/-
for Chief Administrator, HUDA,
Chandigarh.
Dated: 09.1.85

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 the Administrators,
2. All the Estate officers in
Haryana Urban Development Authority.

Memo No. A-11-P-5-85/15187

Dated 2/7/85

Subject: Eligibility for the allotment of residential plots reserved for allotment to 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,
Haryana Urban Development Authority.

Memo No. A-11-87/805-15

Dated 09/01.87

Subject: Change in policy of allotment of residential plots in the Urban Estates.

As per the existing policy, a person of 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 be 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.

-sd/-
Administrator (HQ),
for Chief Administrator, HUDA,
Chandigarh

D.A./

Proforma Annexure 'A' For General Category.

Proforma Annexure 'B' For reserved category.

Endst No. A-11-87/816-18

Dated :09.01.1987

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

- 1) The Secretary, HUDA, Manimajra (UT), Chandigarh.
- 2) The Controller of Finance, HUDA, Manimajra (UT), Chandigarh.
- 3) Dy .ESA, HUDA , Manimajra (UT) , Chandigarh.

-sd/-
Administrator (HQ).
for Chief Administrator, HUDA,
Chandigarh

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

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.
- No. A-11-87/33543-54

Dated 20-10-87

Subject: 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 yeas 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 attaning 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 Soldier.	5%	3%
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 will 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 20-10-87

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

1. Secretary, HUDA, Mani – Majra.
2. District Attorney, HUDA. ADA (Rules).
3. Controller of Finance , HUDA,
4. Dy . E.S.A. HUDA.

-sd/-
Administrator (HQ),
Administrator, HUDA

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 01.09.98

Subject: Policy regarding reservation of Residential Plots for various Categories amendment there of.

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 01.09.98

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,
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 5.11.99

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 5.11.99

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,
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 plots to the freedom fighters, their children and grand children against reservation clarification there of.

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 27-7-01

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,
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, Panckula.
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,
Panchkula.

To

1. All the Administrators,HUDA
2. All the Estate Officers, Asstt.Estate Officers, HUDA.

Memo No A-1-2004/23837

Dated 25/6/04

Subject: Reservation of Plots for the dependents of officer/officials of Haryana Police, who are killed in action /en-counter with lawiess 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

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 in HUDA.

Memo No CVO-AU-II/2007/5-11-34

Dated 7/1/08

Subject: Policy regarding reservation of residential plots for working defence personnel –modification there of.

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

Dated:

Endst No. CVO –AU-II -2007/

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

Dated 7/01/08

Endst No. CVO- AU-II -2007/535-42

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

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: 29.08.08

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 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 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 29.08.08

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,
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, Defence 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

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 16.3.09

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 of 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 16-03-09

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 of HUDA in the State.

Memo No. UB-I-NK-2009/ 7593-97

Dated: 19.03.2009

Sub:- Regarding Reservation of Residential Plots for Advocates in HUDA Urban Estates – C.M. Announcement.

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.

DA/As Above

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
Dated 19.03.2009

-sd/-

(Naresh Mehtani)

Incharge Urban Branch-I
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

Sub: - Addition of widow of a Freedom Fighter in their 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,
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: 19.03.87

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.

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 Haryana Urban Development Authority.

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 individuals.

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.

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 26.12.91.

Subject:- Guidelines for allotment of states to the Social / Religious / Charitable Trust/ Institutions for construction of place of worship/ Dharamshala/ Janjghar community centre etc.

The following guidelines have been decided for the examination of sties 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 remarked 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 1 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.

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: Regularisation of violations in the constructions made by the allottees of plots in various Mandi Township Areas.

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

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/ Disabled 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 paramilitary 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

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,
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: Formulation 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, Bahadurgargh, Sonapat, Rewari, Karnal, Panipat, Ambala, Kurukshetra, Yamunangar, 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,
Dated 13.05.1997

Endst.No.A6-97/16631-35

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

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,
3. All the Asstt. Estate Officers, HUDA.

Memo No. A14-97/33524-44

Dated 07.10.1997

Subject: Regarding allotment of land for Government Colleges.

Kindly refer to the subject cited above.

The matter regarding finalization of policy for allotment of land to Govt. Colleges was placed before the Authority in its 71st meeting held on 16.09.1997 vide agenda item No.71, (22) for consideration and decision. The Authority accorded its approval to the proposal. It has been decided that as in cases of school sites already reserved by the authority, 50% college sites in Urban Estates shall be approved for allotment in favour of Education Department for the 99 years lease, on a nominal lease money of Rs.100/- per year. The balance 50% college sites shall be allotted to the parties by way of auction on the terms and conditions applicable in the case of disposal of school sites.

Kindly acknowledge its receipt.

-sd/-
Administrative Officer,
for Chief Administrator,
Dated 07.10.1997

Endst.No.A14-97/33545-58

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. All Assistants in Urban Branch, HUDA HQ.

-sd/-
Administrative Officer,
for Chief Administrator,

Agenda Item No.A-71(22)

REGARDING ALLOTMENT OF LAND FREE OF COST FOR GOVERNMENT COLLEGE.

Cabinet in its meeting held on 27.03.1997 had decided that public schools would be sold by way of auction. Pursuant to the decision of Cabinet, the Authority, in its 70th meeting held on 23.04.1997 vide agenda item No.35 to stream line the policy of allotment of school sites to the Government and Private Schools, had decided that 50% of the school sites be reserved for Education Department for opening Government schools in the Urban Estates and balance 50% school sites may be allotted to Private parties through auction. It was also decided that allotment of school sites to Education Department will be made on nominal lease money of Rs.100/- per year and revenue generated out of auction of public school sites will be utilized towards the construction of Government school sites. The allotment of school sites to private parties by way of auction was to be made on the following terms and conditions:-

1. Offer should be made on the basis of letter of intent for a period of 6 months in which the parties should get the building plan approved besides arranging funds for construction. After that regular allotment should be made.
2. They shall construct the building within a period of two years after delivery of possession.
3. In case the land is not utilized for the purpose for which allotted, it will revert to the HUDA along with construction made thereon.
4. Transfer of plot shall not be allowed under any circumstances.
5. They shall reserve 10% seats in the school for students belonging to economically weaker section of the Society and the same fees will be charged from such students as is charged by Govt. Schools. Further, 10% seats in the school should also be reserved for those students in respect of whom the fees will be determined on the basis of means and merit of individual case.

While planning sectors, appropriate provision for community buildings including school sites/college sites etc. are being made as per norms. While fixing price of the sectors the cost of the Community buildings is charged from plot holders as part of infrastructure facility.

The Education Department, Haryana while requesting for allotment of land free of cost for the construction of Government College buildings at Panchkula, Faridabad, Gurgaon has stated that it has limited sources and can think of opening a new college only if the land is given free of cost or at a nominal rate. As such, HUDA should provide land free of cost for new colleges to be opened in the colonies developed by HUDA. It has been requested that policy decision may be taken to evolve a definite view in this matter.

It is proposed that as in the cases of school sites already approved by the Authority 50% college sites in Urban Estate may be reserved for allotment in favor Education Department, Haryana, on 99 years lease, on nominal lease money of Rs.100/- per year and the balance 50% college sites may be allotted to private parties by way of auction on the terms and conditions approved for school sites and the revenue generated on this account may be adjusted against the cost of land of college site allotted to Govt. as previously adequate amount has not been provided for community buildings and courts in many cases have enhanced the amount of compensation and thus this exercise is necessary to maintain the economics of Urban Estate.

The matter is placed before the Authority for consideration and approval.

From

The Chief Administrator,
Haryana Urban Development Authority,
Sector-6, Panchkula.

To

The Estate Officer,
HUDA, Hisar.

Memo No. A-14-98/3863

Dated 05.02.98

Subject:-Allotment of sites for clinic and Nursing Home Urban Estate.

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,
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 :18.05.98

Subject:-Instruction regarding finalization of zoning plan before offer of possession in 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,
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

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, 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,
Sector-6 Panchkula

To

1. All the Administrator, HUDA.
2. All the Estate officer, HUDA.

Memo No.A-1-90/32463-83

Dated:-6-11-98

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 :-6-11-98

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:-6-11-98

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% with in 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. with in a period of 6 months from the date of issue of letter of intent. On fulfillment of the above pre-requisites with in 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 with drawn 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.

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/neighbourhood parks for community use/public functioning.

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

Dated: 21.12.1998

Endst. No. A-1-98/37840-49

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,
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: 3.3.99

Subject: 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: 3.3.99

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,
Panchkula.

To

The Administrator,
Haryana Urban Development Authority,
Panchkula, Gurgaon, Faridabad, Hissar.
Memo No.A1-99/16011-14

Dated 06.05.1999

Subject : Policy procedure regarding renting out of open space/community centers/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,

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,

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:21-5-99

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,

To

1. All the Administrator(s), HUDA.
 2. All the Estate officers /Asstt. Estate officers, HUDA.
- Memo No. A-1-9/20153-73

Dated 7-06-99

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 Estate 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

Dated 7.6.99

Memo. No. A-1-99/20174-83

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,
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 Vijay operation (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.

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 letting/ 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

Endst. No. A-1P-2000/6665-79

Dated: 27.03.2000

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,
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 : 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 Vijay Operation(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 Vijay Operator (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 Vijay Operation (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,
Panchkula

To

All the Administrator(s), HUDA
Memo No. A-1-2000/24110-13

Dated: 19.09.2000

Subject: Issue of completion certificate and waiving of extension fees thereof.

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,
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/IPG Godown site to the widow of Vijay Operation (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 (Vijay operation) hailing from Haryana in such eventuality the war widows (Vijay Operation) from other States may be considered for allotment.

-sd/-

Administrative Officer
for Chief Administrator, HUDA
Panchkula

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 23.05.01

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 23.5.01

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,
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 got 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,
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.

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 for the community centre/ parks built 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

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 Centres built up by HUDA in the Urban Estates.

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,
Panchkula

To

1. All the 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.

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 case, 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, 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

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,
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,
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)-2000/6024-42dated 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

1. All the Administrator HUDA
2. All the Estate Officer / Asstt. Estate officer HUDA

Memo No.A-(P)-2003/12210-30

Dated:12-5-03

Subject: Fixation of rates of renting for the Community Centres built up by HUDA.

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:12-5-03

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,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No –A-1-2003/21050

Dated: 4/7/03

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 4/7/03

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,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/,HUDA.

Memo No –A-1-2004/18664-84

Dated:23/04/04

Subject: Issue of completion certificate and waiving off extension fee thereof.

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 23/04/04

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,
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 for cremation ground, muslim/Christian burial ground etc. in the Urban Estate 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.

Dated: 25-6-04

Endst. No.A-I-2004/23856-62

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,
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

Date: 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,
f or 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 27.1012003.

-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,
HUDA, Panchkula.

To

1. All the Administrators, HUDA.
2. All the Estate Officers/Asstt. Estate Officers, HUDA.

Memo No.A-1-2005/18471-92

Dated: 01.08.2005

Subject: Allotment of land/building for Ex-Servicemen Contributory Health Scheme (ECHS), in various Urban Estates- Fixation of rates, terms & conditions of allotment.

The subject cited matter was placed before the Authority in its 95th meeting held on 21.06.2005 for consideration vide agenda item No.A-95(13). The Authority has approved the proposal, for allotment of following sites, in favour of Defence Authorities, for setting up poly-clinics under Ex-servicemen. Contributory Health Schemes (ECHS).

- | | |
|--------------------------|-------------------------------------|
| 1. Sector-4, Rewari. | Institutional Plot No.4 (50 mx 80m) |
| 2. Urban Estate, Jind | 585.60 Sq.mtr. or 700.37 Sq.yd. |
| 3. Sector-5, Kurukshetra | 717.00 Sq.yds. |
| 4. Sector-3, Fatehabad | 777.00 Sq.yd. or 650 Sq.mtr. |
| 5. Sector-23, Sonapat | 1200 Sq.yd. |
| 6. Sector-16, Faridabad | ½ Acre |

It has also been decided that such sites in other Urban Estates like Rohtak, Dadri, Jhajjar, Bhiwani, Narnaul and Gurgaon, may be carved out as per demand of Defence Authorities. The allotment shall be made on free hold basis at the current institutional rates. The cost of land shall be recovered as under :-

1. 25% within a period of 30 days from the date of issue of allotment.
2. Remaining 75% either in lump sum within 60 days as permissible under Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 without interest

OR

In 4 annual installments with 11% interest. However the interest on remaining amount of installments shall accrue from the date of offer of possession. On delayed payments, penal interest @ 14% p.a. shall be charged extra.

The allotment shall further be made on the following terms and conditions :-

1. The allotment shall be made on free hold basis.
2. The site shall not be used for the purpose other than one for which the land is allotted. If they do not use the land for the specified purpose, it will revert to HUDA alongwith the structure.
3. The transfer of ownership of plot, change of land use shall not be allowed under any circumstances.
4. The shops shall not be allowed in the allotted area under any circumstances.
5. The control over the building shall be exercised through a zoning plan of the site which shall provide for the building zone, maximum ground coverage, maximum height, parking area, type of boundary wall and gate etc. besides specifying the use of plot.
6. Any enhancement in compensation, awarded by the courts, in future, shall however be charged extra and shall be recovered as per HUDA policy.
7. The allotment shall further be governed by the provisions of HUDA Act, 1977 rules & regulations framed there under.

8. A copy of Agenda note and decision by the authority is also enclosed herewith for your reference and records. You are therefore requested to take further action accordingly. The follow-up action taken in the matter may also be sent to HQ's within a week's time positively.

-sd/-
Administrative Officer,
for Chief Administrator, HUDA.

Endst.No.A-1-2005/

Dated:

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. He is requested to examine and process the case for providing such sites in other Urban Estates like Rohtak, Dadri, Jhajjar, Bhiwani, Narnaul and Gurgaon as per demand of defence authorities.
3. The Chief Controller of Finance, HUDA, Panchkula.
4. The Dy. Economic & Statistical Advisor, HUDA, Panchkula.
5. 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, 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 Estate as a follow up to the Hon'ble Apex Courts order dated 10.09.2003 in CWP No.552 of 1997 titled as IMA V/s State of Haryana & 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,
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

Subject: 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.

Endst.No.A-1-2006/19769-76

Dated: 31.05.2006

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 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,
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,
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 20.02.07

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,

Administrator (HQ),
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: 26.02.07

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=

$$\text{Amount of } \frac{\text{Sr.No. } 3 \times 5}{100 \times 12}$$

5. Yearly Rent= Amount of Sr. No. 4 × 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, HUDA.

Memo No.A-5-2007/10218-39

Dated: 20.03.07

Subject: Regarding Rehabilitation of occupants of houses allotted under State/Centre Govt. Scheme, while acquiring their land/houses for the development of a sector/Urban Estate, by HUDA.

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:20.03.07

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,
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.

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= $\frac{\text{Total cost (as per col.3) x 5}}{100 \times 12}$

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
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 Indl. Plot which have been constructed and commercial production is going on for the last five years w.e.f. 01.01.2013.

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, HUDA Rohtak. | 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 form time to time.

-sd/-
(Krishan Lal)
Administrative Officer,
for Chief Administrator, HUDA

Endst. No. A-Pwn-UB-II-2008/12088- 93

dated .02.04.2008

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

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:21.07.08

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 21.07.08

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,
Haryana Urban Development Authority,
Panchkula.

To

The Hon'ble Speaker,
Haryana Vidhan Sabha,
Chandigarh.

Memo No. A-PHK 2008/UB-II 26107

Dated 21/07/08

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 21/07/08

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,
Sector-6, Panchkula.

To

1. The Administrators, HUDA
2. All the Estate Officers, HUDA.

Memo No. A-Pwn-2008/UB-II/26367

Dated: 23.07.08

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 23.07.08

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,
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.

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 areas 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
Dated: 06.08.2008

Endst. No. A-Pwn/2008/UB-I/ 27794

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

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: 12.08.08

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.

(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).

(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.

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 13-08-08

Subject: Policy Guidelines for ensuring implementation of terms and 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 Speciality 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.

(T.C. Gupta, IAS)
 Chief Administrator
 Haryana Urban Development Authority
 Panchkula

Endst. No. A-pwn-UB-II-08/29051-29119

Dated

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).

(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.

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.

(Nadim Akhtar)
Incharge Urban Branch-I
For Chief Administrator, HUDA

Endst. No. UB-NK-2008/29158-67

Dated: 13-08-2008

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

(Nadim Akhtar)
Incharge Urban Branch-I
For Chief Administrator, HUD

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

Dated: 26-11-2008

Endst No. A-KK-2008/UB-II/ 39861-64

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

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: 27.11.08

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.

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

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: Guidelines for allotment of sites to the Social/ Religious/Charitable Trust/Institutions for construction of place of worship/Dharamshala, 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.

**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 Crèche/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.

(Nadim Akhtar)
Incharge Urban Branch-II,
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

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 unallotted 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.

Endst. No. A-PHK-UB-I/2009/ 6055-70

Dated: 06.03.2009

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

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 whatsoever.
- 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.

Dated: 13.03.2009

Endst. No. A-PHK-UB-I/2009/ 6584-91

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

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 there-under, 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

Annexure-‘A’

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,

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.

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 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: 17.04.09

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. (Governed by Architectural Control)	Rs. 50,000/-
(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 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,
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

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.

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,
(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.

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,
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,
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,
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/paths 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
Dated: 11.01.2010

Endst. No. A-Supdt-UB-2009/1790-1840

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,
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 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,
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.Supt. 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.Supt. Urban Branch
for Chief Administer, 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-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 case demand draft.
 - ii) 15% amount within 30days 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, of HUDA in the State.
2. All the Estate Officers of HUDA in the State.

Memo No. A-6-UB/2012/12969

Dated.6.4.2012

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

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

The Administrator
HUDA, Panchkula

Memo No. A-7/2012/UB/15764-72

Dated: 27/4/12

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.

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

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

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:

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,
Chandigarh.

To

All the Estate Officers in
Haryana Urban Development Authority.Chandigarh,
Memo No.A-11-1985/4091-409

Dated :12.02.1985

Subject: Surrender of commercial plot- policy regarding.

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.

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:8-2-94

Subject: Acceptance of Surrender of residential sites in various Urban Estate 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,
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.

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: 14.12.95

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,
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 6-2-96

Subject: Acceptance of Surrender of Residential Sites in Various Urban Estate of HUDA.

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:6-2-96

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 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 17-10-97

Subject: Acceptance of Surrender of Residential Sites in Various Urban Estate of HUDA.

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:17-10-97

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,
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. Distriect 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.

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 Estate 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: 18.11.99

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,
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.
Dated:22-12-2000

Endest. No.A-1(P)-2000/34770-87

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.

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,
Panchkula

To

1. All the Administrator HUDA
 2. All the Estate Officer / Asstt. Estate officer HUDA
- Memo No.A-1-2005/17809-29

Dated:27-7-05

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 within 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 assessed 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:27-7-05

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
- Administrative Officer,
for Chief Administrator, HUDA

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 to Haryana Govt. Servants & employees of all Boards/Corporations under the Haryana Govt.

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

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: 26/5/94

Sub:- Reservation of residential plots 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 pots 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 26/5/94

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,
Sector 6, Panchkula (Haryana)

To

The Estate Officers,
HUDA Panchkula.

Memo No A-11p-95/15870

dated 19-6-95

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 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(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 plots for various Categories-Amendment in eligibly criteria

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,
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 in force 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

The Estate Officer,
HUDA, Faridabad.

Memo No A-I-2002/3708

dated 19/2/02

Sub: Allotment of plot 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.

-sd/-
Administrative Officer,
for chief Administrator, HUDA
dated 19/2/2002

Endst. No. A-I-2002/3709

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, Gurgaon.

Memo No A-I-2002/10876

dated 13-5-02

Sub:-Allotment of plot under GSRQ- Clarification regarding eligibility Criteria.

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.

-sd/-
Administrative Officer,
for chief Administrator, HUDA
Dated 13/05/02

Endst. No. A-I-2002/10877-97

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, Bhiwani.

Memo No A-I-2003/28149

dated. 25/8/03

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.

-sd/-

Administrative Officer,
for chief Administrator, HUDA
Dated 25/8/03

Endst. No . A-I-2003/28150

A copy is forwarded to the administrator ,HUDA, Hisar for Information and necessary action.

-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 mater 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.

Endst.No.A-11-P-91/23299

Dated: 12.11.1991

A copy is forwarded to the following fro 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.

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.

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.

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 Condatation	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,
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.

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,
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.

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.

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.

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.

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.

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/

Dated:

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.

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,

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.

Endst. No A-11P-92/9038-40

-sd/-
for Chief Administrator,
HUDA, Panchkula
Dated: 10.04.1992

A copy is forwarded to all the Administrators, HUDA for information and necessary action.

-sd/-
for Chief Administrator,
HUDA, Panchkula

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 15.9.95

Subject: Change in policy of allotment of residential plots in urban estate 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 15.09.95

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,
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,
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,
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 plots under EWS scheme-waiving of condition of domicile certificate of the particular Distt.

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
Dated 05.02.2001

Endst.No.A-1(P)-2000/390-99

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,
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 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,
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.

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,
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,
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: HUDA Policy for allotment of residential plots-Ban imposed to inquire more than one plot in an Urban Estate-Modification thereof.

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

Dated:

Endst. No A-Policy-2009/UB-I/

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,
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: 12.01.11

Subject : Press clipping letter as “REGISTRY KE BAAD HUDA ME HAZRI KO LEKAR BAWAL”.

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,
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

Dated:

Endst. No A-UB-A6/2013/

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