



हरियाणा शहरी विकास प्राधिकरण

***Suo Motu Under Section
4 of the Right To
information Act, 2005***

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Section 4(1) (a) :-

Every public authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated.

HUDA has initiated the process of computerization of allottees account in a phased manner. The web enabled application developed by TCS comprising of two modules viz; Plot and Property Management (PPM) and Financial Accounting System (FAS) have been implemented in all the Urban Estates of HUDA. 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. HUDA has also established a state of the art dynamic portal with payment gateway interface.

Section 4 (1) (b) :-

Every public authority shall publish within one hundred and twenty days from the enactment of this Act, —

Information of manual no. (i), (ii), (iii), (vii) & (viii)

- i. The particulars of its organization, functions and duties.
- ii. The powers and duties of its officers and employees.
- iii. The procedure followed in the decision making process, including channels of supervision and accountability
- vii. The particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or administration thereof.

Public grievances are heard by organising open darbars periodically at notified timings, with adequate publicity to ensure speedy disposal of pending cases. Complaint/suggestion boxes have been installed in the offices of HUDA. Inspection of at least one sector is done by each Estate Officer in a fortnight after giving due notice to the concerned RWA. Assessment by RWA is also hosted on the website of HUDA giving members of RWA access to the whole exercise in a very transparent manner.

- viii. A statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public.

Meetings are held from time to time to review the status/progress of business of HUDA and proceedings of these meetings are open to the public and also hosted on the website of HUDA.

Haryana Urban Development Authority

Historical Background :-

Before the creation of HUDA, the Urban Estates Department (U.E.D.) which was established in the year 1962, used to look after the work relating to planned development of urban areas and it functioned under the aegis of the Town & Country Planning Department. Its functioning was regulated by the Punjab Urban Estates Development and Regulations Act, 1964 and the rules made there under and the various development activities used to be carried out by different departments of the State Government such as PWD (B & R), Public Health, Haryana State Electricity Board etc. With the passage of time, it was experienced that the involvement of several agencies in the development of Urban Estates at various places was suffering from lack of coordination, with the result that growth of most of Urban Estates slowed down and caused unnecessary dis-satisfaction to the plot-holders in particular and public in general. Besides, as the Department had to follow the financial rules and regulations of Government, the arrangement of funds and sanction of estimates used to take a long time and the development works did not keep pace with the required standards of physical achievements. It was also felt that being a Government department, it was unable to raise resources from various lending institutions although there were many financial institutions in the country to finance urban development programmes and thus, it was benefit of availing these facilities. In nut-shell, the Urban Estates Department was not effective in achieving its defined goals of planed urban development to the satisfaction of the public at large. Thus, in order to over come all these difficulties and to achieve the expeditious development of urban estates, it was felt that the Department of Urban Estates should be converted into such a body which could take up all the development activities itself and provide various facilities in the Urban Estates expeditiously and consequently the Haryana Urban Development Authority came into existence on 13-1-1977 under the Haryana Urban Development Authority Act, 1977 to take over work, responsibilities hither to being handled by individual Government departments.

The functions of Haryana Urban Development Authority are :-

1. To promote and secure development of urban areas in a systematic and planned way with the power to acquire, sell and dispose off property, both movable and immovable.
2. Use this so acquired land for residential, industrial, recreational and commercial 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.

1. Administrative set up of Haryana Urban Development Authority (HUDA)

The Authority consists of a Chairman, a Vice Chairman, a Chief Administrator and such other members (not more than 12 but not less than 6) appointed under notification issued from time to time, provided that the number of non-official members shall not, at any time exceed three.

The Haryana Urban Development Authority (HUDA) is a statutory body under Haryana Urban Development Authority Act, 1977. The constitution of the Authority is as under:-

1.	Minister-in-Charge, Town & Country Planning Department, Haryana	Chairman
2.	Chief Secretary to Government, Haryana.	Vice-Chairman
3.	Principal Secretary to Chief Minister, Haryana, Chandigarh.	Member
4.	Financial Commissioner & Principal Secretary to Government Haryana, Finance Department.	Member
5.	Financial Commissioner & Principal Secretary to Government Haryana, Town & Country Planning Department.	Member
6.	Financial Commissioner & Principal Secretary to Government Haryana, Power Department.	Member
7.	Financial Commissioner & Principal Secretary to Government Haryana, Department of Industries & Commerce.	Member
8.	Commissioner & Secretary to Government Haryana, Urban Development Department,	Member
9.	Director General, Town & Country Planning Department.	Member
10.	Chief Administrator, Haryana Urban Development Authority,	Member
11.	Engineer-in-Chief, PWD B & R, Haryana, Chandigarh.	Member
12.	Engineer-in-Chief, PWD, Water Supply and Sanitation Department, Haryana, Panchkula.	Member

Under Section-8 of the Haryana Urban Development Authority Act, 1977, the Authority is competent to appoint one or more committees for the purpose of ensuring the efficient dis-charge 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.

The Chief Administrator at the Head-Quarter is overall incharge and responsible for discharging the functions of the Authority. The Chief Administrator is assisted by 5 Zonal Administrators, posted at Faridabad, Gurgaon, Hisar, Panchkula and Rohtak and one Administrator at Head Quarter. The Chief Administrator is guided by the policies framed by the Authority headed by the Minister-in-charge (designated as the Chairman of the Authority) of the Town & Country Planning Department.

Zonal Administration:

The entire state is divided into **32 Urban Estates**. The work of these Urban Estates is being supervised and monitored by **5 Zonal Administrators** assisted by **18 Estate Officers**. The main functions of these Estate Officers are to manage the estates by selling developed and undeveloped plots/properties of all categories of land and realize the revenue. All the financial receipt of transactions are looked after by the Estate Officers and channelised through the accounts branch of Head Office for expenditure on development activities. The Estate Officers are also responsible for pursuing the matters relating to the construction activities within the framework of construction and building byelaws applicable thereto. The Zonal Administrators acts as co-coordinators between various wings at zonal level 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:-

a)	Administrator, HUDA, Faridabad	HUDA Complex, Sector 12, Faridabad.
b)	Administrator, HUDA, Gurgaon	HUDA Complex, Sector 14, Gurgaon.
c)	Administrator, HUDA, Hisar	HUDA Complex, Urban Estate -II, Hisar.
d)	Administrator, HUDA, Panchkula	C-3, Sector-6, Panchkula
e)	Administrator, HUDA, Rohtak	HUDA Office Complex, Sector-3, Rohtak.

Functions of various wings of HUDA

i) Engineering Wing

The Engineering Wing is headed by Chief Engineer. However, at the head office, works of field circles are distributed between Chief Engineer and Chief Engineer-I and 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, 23 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 Gurgaon has jurisdiction over the circles at Faridabad & Gurgaon for works having estimated cost upto Rs.4.00 crores except EDC Works.

Electrical Circle

The electrical works in the state are being looked after by a Superintending Engineer at Panchkula & assisted by three electrical Divisions located at Panchkula, Gurgaon & Hisar.

Horticulture Circle

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

As soon as the land is acquired and handed over to HUDA, layout plan/demarcation plan is finalized, development works are taken up by the Engineering Wing. Various kinds of amenities are provided as given below: -

- Water supply.
- Sewerage system.
- Storm water drainage system.
- Roads.
- Electrification & Street lighting.
- Parks, open spaces & road side plantation.
- Maintenance of the above facilities except Electrification.
- Construction of community buildings viz. Primary/ High/ Senior Secondary Schools, Colleges, Dispensaries, Hospitals, Police Posts/ Stations, Community centres, Club buildings, Auditoriums & Sports Complexes as per the policies/guidelines of HUDA.

ii) Finance Wing

Finance/Accounts Wing is headed by the Chief Controller of Finance which comprises of One Senior Accounts Officer at the Head Quarter and One with each of the Administrators, and their supporting staff posted in all the Estates, Circles, Divisional offices etc. This wing is responsible for the financial management of the Authority. The existing system of accounting at all levels including that of Engineering Wing is basically on the pattern of P.W.D. which is being replaced by the commercial system of accounts in such a way that it yields information required for planning and control of different functional areas and in the preparation of managerial reports. Similarly, the planning and control of material stores is of crucial significance which is being improved through introduction of performance budgeting, materials and inventory planning and control based on net work and cost control techniques.

The Haryana Urban Development Authority is working on **‘No Profit No Loss’** basis and carrying out its activities by circulation of funds. The funds generated out of sale of Residential, Industrial, Commercial and Institutional plots are invested in acquisition of new areas, which enable HUDA to generate more plots for the public and more funds for the development works and new acquisitions.

The price fixed on **‘No Profit No Loss’** is charged from the plot holders with the stipulation that any enhanced compensation in the land cost awarded by the Courts under Section-18 of the Land Acquisition Act, 1894 shall be recoverable in addition as and when such eventuality happens.

iii) Town Planning Wing

Town Planning Wing established at Head Quarter to look after the work of perspective planning for establishment of new Urban Estates. The Planning Wing is headed by a Chief Town Planner with supporting staff for town planning works and entrusted with the job of designing and issue of advertisements in the news papers regarding sale of sites in City Centers, Shopping Centers and Residential/ Industrial Sectors in all the Urban Estates.

iv) Architecture Wing

Architectural Wing is headed by a Senior Architect with supporting staff and entrusted with the job of preparation of architectural controls and Architectural designs of all buildings constructed by HUDA. There is also one Land Scape Architect for designing parks, open spaces and gardens.

v) Legal Wing

HUDA is an organization which deals with the acquisition and disposal of developed land for various purposes and accordingly legal complications of various natures do arises which are being taken care of by the Legal Cell of the Authority which is headed by a Legal Remembrancer who is assisted by District Attorney, Dy.District Attorneys, Additional District Attorneys and necessary supporting staff both at the Headquarter and field offices. The court cases are being monitored through web-based Court Case Tracking System (CCTS).

vi) Monitoring Wing

In order to monitor the progress of the developmental works done by the field offices on regular and timely basis, a Monitoring Wing was set-up at the Head Office of the Authority which is headed by the Deputy Economic & Statistical Adviser with supporting staff. 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 wing.

vii) Enforcement Wing.

This wing is headed by the Enforcement Officer at Head Quarter along with supporting staff. All the matters relating to the removing of encroachments are being dealt by this wing.

viii) Vigilance Wing.

This wing is headed by the Executive Engineer (Vig.). All the matters relating to vigilance enquiries are dealt by this wing. The objective of this wing is to bring out transparency in the functioning of various wings and thus checking corrupt practices and also to ensure quality in development works.

ix) Establishment and Authority Wing

This wing is headed by the Secretary, HUDA. It deals with the establishment matters of the employees. All the Authority meetings are also conducted by the Secretary, HUDA.

x) Policy Wing

This wing is headed by Administrative Officer. All the matters relating to policy and allotment of land to various institutions and Government Department are also being dealt with by this wing.

xi) Land Acquisition Divisions

The acquisition of land for urban development is undertaken by five Land Acquisition Officers of the Urban Estates Department at the instance of Authority. The State Government on the request of the Authority acquires land under the provisions of the Land Acquisition Act, 1894 and after taking possession of land, transfers it to the Authority on payment. The overall cost of acquisition and enhanced compensation if ordered by the competent court is paid by HUDA out of its own funds.

xii) Information Technology Wing (I.T.Wing)

The Information Technology Wing of HUDA was established in year 2006 and is headed by General Manager (IT). The main job is to automate the functioning of various wings of HUDA. Currently, various e-Governance initiatives have been undertaken by the Information Technology Wing to facilitate the internal efficiency of the Department and to provide quality services to the allottees, citizens and external agencies through website of HUDA. The web enabled application developed by TCS comprised of two modules viz; Plot and Property Management (PPM) and Financial Accounting System (FAS).

(iv) The norms set by it for the discharge of its functions.

PLANNING NORMS

Sr. No.	Name of Facility	Existing Norms		Proposed Norms
1.	College	Land for every 1 lacs population	10 acres	-
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 Acres 35 acres	- -
3.	Public Library	Only one for towns having populations more than 10 lacs	2 acres	2.0 acres per 5.0 lakh population.
4.	Cremation/burial Ground	One for every 5 lacs population	6 acres	6.0 acres per 2.0 lakh population.
5.	Stadium/Sport Complex	(i) one site for 2.50 to 5.0 lacs population (ii) For every additional population of 5 lacs	10 acres 10 acres	25 acres. -
6.	Cattle Pound	One in each town	1 acre	-
7.	Slaughter house	One for each town	1 acre	-
8.	Working Women Hostel	(i) One for each town	1 acre	2.0 acres (including Hostel for Girls Students) per 1 lakh population
9.	Old age Home	One for each town	1 acre	1.0 acre per 5 lakh population
10.	Gird Sub Station	For every 2.5 lakh population	2 acre	-
11.	Fire Station	(i) For towns with population upto 2.5 lacs (ii) For population 2.5 to 5.00 lacs (iii) Population more than 5.00 lacs, One fire station for every additional 5 lacs population	2 acre 2.5 acre 2.5 acres	
12.	Police Station	One for every 4 sectors	2 acres	-
13	Veterinary Hospital	One for each town	0.5 acres	1.0 acre (including Pet Clinic) per 3 lakh population
14.	Auditorium	One for towns having more than 5 lacs population	5 acres	5 acres per 5 lakh population
15.	Creche/Nursery School	One in each sector	0.5 acres	Two in every sector
16.	Primary School	Four in every Sector	1 acres each	-
17.	High/Higher Secondary School	Two in each Sector	5 acres	-
18.	Dispensary	One in each sector	1.25 acres	-
19.	Community Centre/Club/Janj Ghar	One in every sector	2 acres	-
20.	Police Post	One in each sector	0.5 acres	

21.	Milk Booth	Two No. in each sector	12 sq.mtrs.	
22.	Bus Queue Shelter	Two in each sector	20 sq. mtrs.	-
23.	Children Park	Two in each sector	0.5 acres	-

OTHER FACILITIES PROPOSED IN SECTORS

1.	Two Nursing Home measuring 500 sq.yds. each in every sector.
2.	Three – Four Clinic site measuring 250 sq.yrds. per sector.
3.	Two religious sites measuring 100 sq.yrds. each in one sector.
4.	Dharamshala measuring 2000 sq.yds. for every 5 sectors.
5.	One taxi stand measuring 1.0 acres for every two sectors.
6.	One site for Su-Post Office in Shopping Centre per sector on demand.
7.	One site for Multi purpose Booth measuring 5.5 x 5.0 mtrs. In shopping centre.
8.	Telephone Exchange on demand.
9.	Banquet Hall : Measuring 5 acres (One in four sectors)
10.	Dhobi Ghat : One in each measuring 2.00 acres for 3.00 lacs population.
11.	School for Handicapped : One in each. One for every 5 lacs population.
12.	Orphanage : Measuring 3.0 acres, one site of 2 acres on every 5 lacs of population
13.	Gymkhana Club : One site of 5.0 acres for every 5 lacs population.
14.	Solid Waste dumping ground : 2.0 acres per lac of population.

Sr.No.	Category	Norm	Area	Covered Area
1.	College	For every 1.0 lakh population and one built up college for 4.0 lakh population	10.00 acres	Only phase-I consisting of approx. 3500 sq.mtrs. to be constructed by HUDA.
2.	Hospital	i) 50 beds for 1 lakh OR 500 beds hospital for towns having population more than 10 lakh	5.00 acres 35.00 acres	 Only Phase-I, consisting of 50000 sq.mtrs. to be constructed.
3.	Public Library	Only one for a town with population of more than 10 lakhs	2.00 acres	Only 1200 sq.mtrs. to be constructed by HUDA.
4.	Cremation/burial Ground	One for every 5.00 lakhs persons + one no. of burial ground site for the town	6.00 acres	Provision of Rs.10.00 lakh for construction
5.	Stadium/Sport Complex	i) for population of 2.5 lakh to 5.00 lakh one no. ii) for addl. Population of 5	10.00 acres 10.00 acres	Construction cost @ Rs.600 crores. Rs.6 crores for every addl. 10 acres of

		lakh		land.
6.	Cattle Pound	One in each town	1.00 acre	Rs.20 lakh for construction.
7.	Slaughter house	One for each town	1.00 acre	Consruction cost of Rs.20 lakh
8.	Working Women Hostel	One for each town	1.00 acres	Only site
9.	Old age Home	One for each town	1.00 acres	Only site
10.	Gird Sub Station	Land for every 2.5 lakh population	2.00 acres	Only site
11.	Fire Station	i) for population of 2.5 lakh ii) for population of 2.5 lakh to 5.0 lakh iii) One fire station for each addl. 5.00 lakh persons.	2.00 acres (only land) 2.5 acres 2.5 acres of for every 5.00 lakh	Only 1000 sq.mtrs. to be constructed. (Note in case of towns having population more than 10 lakh covered area of 3000 sq.mtrs. will be provided by HUDA.

v. The rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions.

Employees of HUDA use HUDA Act 1977, HUDA Erection of Buildings Regulations, HUDA Disposal of Land and Buildings Regulations, HUDA Water Regulations and Policies/instructions framed and amended from time to time which are displayed on the website (www.huda.gov.in).

vi. A statement of the categories of documents that are held by it or under its control.

- i. HUDA service rule**
- ii. HUDA Act, 1977**
- iii. Erection of Building**
- iv. Disposal of land and Building**

HARYANA URBAN DEVELOPMENT AUTHORITY
SERVICES REGULATION, 1989



HUDA Office Complex, C-3, Sector 6, Panchkula
☎ : 567857, 572370 Fax : 172-570757

HARYANA URBAN DEVELOPMENT AUTHORITY

SERVICES REGULATION, 1989

Dated 17th August 1989

In exercise of the powers conferred by Section 54 of the Haryana Urban Development Authority Act, 1977 (Haryana Act, No. 13 of 1977) and all other powers enabling it in this behalf, the Haryana Urban Development Authority, with the previous approval of the State Government of Haryana conveyed vide their Memo No. 10/1/88/ITCP dated 17.8.89 hereby makes the following Regulations, namely:-

PART-I GENERAL

Short title applications & Commencement.	1. (i) These Regulations may be called the Haryana Urban Development Authority Services Regulations, 1989. (ii) These Regulations shall apply to all employees in the service of the Haryana Urban Development Authority.
	Provided that nothing in these Regulation shall apply in respect of any class or cadre of service for which separate Regulations may be framed or any other special Regulations as may be framed by the Authority or in respect of employees governed by specific agreements. (iii) These shall come into force at once.
Definitions	2. In these Regulations unless the context otherwise requires; (a) 'Act' means the Haryana Urban Development Authority Act, 1977. (b) 'Appointing Authority' means the Authority competent to make appointments. (c) 'Chairman' means the Chairman of the Authority. (d) 'Chief Administrator' means the Chief Administrator of the Authority. (e) 'Committee' means the Personnel Committee Constituted by the Authority under Section-8 of the Act. (f) 'Direct appointment' means an appointment made otherwise than by promotion from within the service or by transfer of an official already in the service of the Central/State Govt. or Board or any Corporation constituted by the Central/State Government. (g) 'Secretary' means the secretary of the Authority (h) 'Service' means the Haryana Urban Development Authority Service. (i) 'Government' means the Government of Haryana. (j) 'Recognised univesity' means :-

- (i) any university incorporated by law in India, or
- (ii) in the case of a degree, diploma, or certificate obtained as a result of an examination held before the 15th August, 1947, the Punjab, Sind or Dacca University, or
- (iii) any other university which is declared by the Government to be a recognised university for the purpose of regulations.

(k) 'Institution' means;

- (i) any institution established by law in force in the state of Haryana; or
- (ii) any other institution recognised by the Government for the purpose of these regulations.

Constitution of the Service 3.

PART-II-CONSTITUTION OF THE SERVICE:

The service shall consist of the following persons, namely:-

- (a) Employees of Urban Estate Department who opted and joined service at the time of its formation.
- (b) persons who were appointed to the Service before the commencement of these regulations; and
- (c) Persons appointed to the service by the Authority.

Number & Character of posts 4.

PART-III -RECRUITMENT TO SERVICE:

The service shall comprise of the posts shown in Appendix 'A' to these regulations:-

Provided that nothing in these regulations shall affect the inherent right of the Authority to add or to reduce the number of such posts or create new posts with different designations and scales of pay from time to time.

Nationality, domicile and character of candidate appointed to the service 5.

(1) No person shall be appointed to any post in the service, unless he is:-

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic or Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.

(2) A person in whose case certificate of eligibility is necessary may be admitted to an examination or interview conducted by the recruiting authority, but the

offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the Service by direct recruitment unless he produces:-

(i) A certificate of character from the principal academic office of university, college, school or institution last attended, if any, and similar certificate from two other responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institutions; and

(ii) a medical certificate of physical fitness as required under rule 3.1 of the Punjab Civil Service Rules, Volume I, Part-I.

6.

No person shall be appointed to the service by direct recruitment who is less than seventeen years or more than thirty five years of age, except the posts of Architect, Land Scape Architect, Legal Adviser, Deputy Legal Adviser, Controller of Finance in which case the upper age limit will be 40 years, on the last date of receipt of application. In case of Assistant District Attorney the age limit shall be 24-35 years.

Provided that in case of candidates belonging to schedules caste/tribes, backward classes, ex-serviceman, widows and others the upper age limit shall be such as may be fixed by the Government from time to time.

Appointing
Authority

7.

Appointments to the posts specified in Appendix A-I shall be made by the Authority and those shown in Appendix A-II shall be made by the Chief Administrator.

Provided that if any new post with a new designation is created in a pay scale, the maximum of which does not exceed Rs. 3200/-the Chief Administrator shall be the appointing Authority.

Method of
recruitment

8.

(Subject to the conditions, as may be laid down under the Act and the regulations recruitment to the various posts under the Authority shall be made by any one or more of the following methods:-)

i) by direct appointment; or

ii) by transfer/deputation of an Government official already in the service of the Central Govt. or any State Govt. or any Board/Corporation constituted by the Central/State Govt.

(iv) iii) by promotion out of the existing employees. These posts shall be filled by direct recruitment and otherwise in the ratio, if any, as laid down in column 5 of the appendix B to these regulations.

Procedure of
Promotion

9.

Promotion in respect of posts mentioned in Appendix A-I and A-II shall be made on the basis of seniority cum-merit. Seniority alone shall not give any right to such promotion.

Qualifications 10.

No person shall be appointed to the service unless he is in possession of qualifications and experience specified in column 3 of Appendix B to these Regulations in case of recruitment made otherwise than by promotion and those specified in column 4 in case of recruitment by promotion.

Provided that in case of direct recruitment of reserved categories of employees the condition regarding experience shall be relaxable to the extent of 50% at the discretion of the recruiting Authority in case sufficient number of candidates belonging to schedules castes, backward classes, ex-servicemen and physically handicapped candidates, possessing the requisite experience are not available to fill up the vacancies reserved for them, after recording reason for so doing in writing.

Disqualifications 11.

No person shall be eligible for appointment to any post in the Service:

- (a) who has entered into or contracted a marriage with a person having a spouse living,
or
- (b) who having a spouse living, has entered, or contracted a marriage with any person;

Provided that the Authority may, if satisfied that such marriage is permissible under the Personal Law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this regulation.

- (c) Who has been dismissed from the service of the Government of India or any State Government or a Local Authority or Board or Corporation.

**Pay of members 12.
of the service**

The members of the service shall be entitled to such scales of pay including special pay, if any, and other allowances as may be sanctioned by the Authority from time to time. The scales of pay at present in force in respect of each post is given in Appendix 'A' to these Regulations.

Probation 13.

- (1) Persons appointed to any post in the service shall remain on probation for a period of two years, if appointed by direct recruitment and one year, if appointed otherwise;

Provided that :-

- (a) any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation.
- (b) any period of work in equivalent or higher rank, prior to appointment to the service may, in the case of an appointment by transfer, at the discretion of the appointing Authority, be allowed to count towards the period of probation fixed under this regulation; and
- (c) any period of officiating appointment to the service shall be reckoned as period spent on probation, but no person who has so officiated shall, on the

completion of the prescribed of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy.

- (2) If, in the opinion of the appointing authority the work or conduct of a person during the period of probation is not satisfactory, it may;
 - (a) If such person is appointed by direct recruitment, dispense with his services; and
 - (b) If such person is appointed otherwise, than by direct recruitment;
 - i) revert him to his former post; or
 - ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may;
 - (a) If his work or conduct has, in its opinion, been satisfactory;
 - i) confirm such person from the date of his appointment, if appointed against a permanent vacancy, or
 - ii) confirm such person from the date from which a permanent vacancy, occurs, if appointed against a temporary vacancy; or
 - iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or.
 - (b) if his work or conduct has in its opinion, been not satisfactory:-
 - (i) dispense with his services, if appointed by direct recruitment, revert him to his former post or deal with him in such other manner as the terms and conditions of previous appointment permit, if appointed otherwise, or
 - (ii) extend his period of probation and there after pass such order, as it could have passed on the expiry of the first period of probation;

Provided that the total period of probation, including extension, if any, shall not exceed three years.

**Departmental 14.
examination for
S.D.Es.**

All Sub Divisional Engineers shall pass a departmental examination within three years of their appointment, as per syllabus at Appendix-F.

Provided that the Authority may extend this period in specific cases for any sufficient reasons.

Provided further that employee who passes the departmental examination before the prescribed period, shall be given all the increments which would have otherwise fallen due to him at the end of the prescribed period with affect from the last day on which the departmental examinations

were completed. The above advantage is not of a commulative nature and later increments will be due to him only on the dates on which they would have otherwise become due. No increment would be with-held until the period prescribed for clearing the departmental examination is over.

If a member of the Service passes the departmental examinations after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examinations are completed. The increment shall be released with retrospective affect from the date it was otherwise due but no arrears will be paid for the past period.

**Seniority of 15
members of service.**

- (i) The inter-se-seniority of the employees who were in the service of the Authority prior to the publication of these regulations shall be the same as it existed before the enforcement of these regulations.
- (ii) Seniority, inter-se of members of the Service shall be determined by the length of their continuous service on a post in the Service.

Provided that in the case of members appointed by direct recruitment the order of merit determined by the Selection Committee or the appointing authority as the case may be, mentioned in these regulations shall not be disturbed in fixing the seniority;

Provided further that where there are different cadres in the service, the seniority shall be determined separately for each cadre;

Provided further that in the case of two or more members appointed on the same date, their seniority shall be determined as follows.

- a) a member appointed by direct recruitment shall be senior to a member appointed by promotion or by transfer'
- b) a member appointed by promotion shall be senior to a member appointed by transfer;
- c) in the case of members appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred, and
- d) in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference be given to a member, who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, than by their length of service in the appointments, and if the length of such service is also the same, the older member shall be senior to the younger member;

Liability to serve	16	(1) A member of the service shall be liable to serve at any place, whether within or out side the State of Haryana, on being ordered so to do by the appointing authority. (2) A member of the service may also be deputed for services as under; (i) a Company, association or body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the State Government, a Municipal Corporation or a Local Authority within the State of Haryana; (ii) The Central Government or a company, association or body of individuals, whether incorporated or not which is wholly or substantially owned or controlled by the Central Government, or (iii) another State Government an international organisation, an autonomous body not controlled by the Government, or a private body. Provided that no member of service shall be deputed to serve the Central or any other State Government or any organisation or body referred to in clause (ii) or clause. (iij) except with his consent.
Pay, leave provident fund and other matters	17.	Till such time as the Authority may adopt its own regulations; (1) In respect of pay, leave and other matter not expressly provided for in these Regulations, except provident fund, the members of the service shall be governed by the Haryana Civil Service Rules, as applicable in the State of Haryana from time to time and such other rules and Rugulations as may have been or may thereafter be made by the Government and adopted by the Authority. (2) In respect of provident fund the members of the Service shall be governed by the separate set of Rules constituted under the Act.
Discipline penalties and appeals	18.	(1) In matters relating to discipline, penalties and appeals the members of the Service shall be governed by the Haryana Civil Services (Punishment and appeals) Rules, 1987 as applicable in the State of Haryana from time to time, till such time the Authority adopts its own Regulations. Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and the appellate authority shall,subject to the provisions of any rules or Regulations made under section 54 of the Act, be such as specified in Appendix 'C' & C-I to these Regulations. (2) The authority competent to pass an order under sub clause (d) of sub rule (1) of Rule 9 of the Haryana civil service (Punishment and Appeal) Rules, 1987, the appellate authority shall be as specified in Appendix 'D' & D-I to these Regulations.
Vaccination	19.	Every member of the service shall get himself vaccinated and revaccinated if and when the authority so directs by a special or general order.

Oath of allegiance	20.	Every member of the service, unless he has already done so, shall be required to take the oath of allegiance to India and to the constitution of India as by Law established.
Power of relaxation	21.	Where the Authority is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing, relax any of the provisions of these regulations with respect to any clause or category of persons.
Special Provision	22.	Notwithstanding any thing contained in these Regulations appointing authority may impose special terms and conditions in the order of appointment if it is deemed expedient to do so.
Reservation	23.	Nothing contained in these regulations shall affect reservations and other concessions required to be provided for Scheduled Castes, Backward classes, Ex-Serviceman, physically handicapped persons or any other class or category of person in accordance with the orders issued by the State Government in this regard, from time to time. Provided that the total percentage of reservations so made shall not exceed fifty percent at any time.
Repeal and Savings	24.	Any rule or resolution of the Authority applicable to the service and corresponding to any of these Regulations which is in force immediately before the commencement of these Regulations is hereby repealed. Provided that any order or action taken under rule or resolution of the Authority as repealed shall be deemed to have been made or taken under the corresponding provision of these Regulations.

APPENDIX 'A'

(See Regulation 4, 12 & 14)

S.No.	Name of the Post	Revised Scale wef 1.1.86	No. of Sanctioned posts
ADMINISTRATIVE WING			
1.	Chief Administrator	IAS Cadre Officer In their own Pay Scales	1
2.	Administrator	IAS Cadre Officer In their own Pay Scales	5
3.	Secretary	HCS Cadre Officer In their own Pay Scales	1
4.	Estate Officer	HCS Cadre Officer In their own Pay Scales	6
5.	Administrative Officer	2000-60-2300-75-2900-EB-100-3500	1
6.	Asstt. Estate Officer	2000-60-2300-75-2900-EB-100-3500	7
7.	Superintendent (Grade-I)	2000-60-2300-75-2900-EB-100-3500	8
8.	Superintendent (Grade-II)/ Head Clerk	1600-50-2300-EB-60-2660	37
9.	Assistant	1400-40-1600-50-2300-EB-60-2600	156
10.	Accounts Assistant	1400-40-1600-50-2300-EB-60-2600	85
11.	Personal Assistant	1640-60-2600-EB-2900+150 S.P.	2
12.	Sr. Scale Stenographer	1400-40-1600-50-2300-EB-60-2600	16
13.	Jr. Scale Stenographer	1200-30-1560-EB-40-2040	15
14.	Steno-typist	950-20-1150-EB-25-1500+100 S.P.	47
15.	Sub Divisional Clerk	1200-30-1560-EB-40-2040	64
16.	Clerks	950-20-1150-EB-25-1500	443
17.	Drivers	1200-30-1560-EB-40-2040	46
18.	Restorer	950-20-1150-EB-25-1500	3
19.	Daftari	800-15-1010-EB-20-1150	8
20.	Peon	750-12-870-EB-14-940	350
LEGAL WING			
21.	Legal Remembrancer	Distt. & Session Judge Cadre Officer	1
22.	Legal Adviser/Distt. Attorney	3000-100-3500-125-4500	1
23.	Deputy legal Adviser/ Deputy Distt. Attorney	2375-75-2900-EB-100-3600	5
24.	Law Officer/Assistant Distt Attorney	2000-60-2300-75-2900-EB-100-3500	15
ACCOUNTS WING			
25.	Chief Controller of Finance	5900-200-6700	1
26.	Sr. Accounts Officer	2200-75-2800-EB-100-4000	5

27.	Accounts Officer	2000-60-2300-75-2900-EB-100-3500	9
28.	Section Officer/ Accountant (SAS)	2000-60-2300-EB-75-3200	45
29.	Accountant (Non-SAS)	1600-50-2300-EB-60-2660	19
REVENUE WING			
30.	Tehsildar	2000-60-2300-75-2900-EB-100-3500	1
31.	Naib Tehsildar	1640-60-2600-EB-75-2900	6
32.	Kanungo	1400-40-1600-50-2300-EB-60-2600	6
33.	Patwari	950-20-1150-EB-25-1500	14
ENGINEERING WING			
34.	Chief Engineer	5900-200-6700	1
35.	Superintending Engineer	4100-125-4850-150-5300	6
36.	Executive Engineer	3000-100-3500-125-4500	21
37.	Sub Divisional Engineer	2200-75-2800-EB-100-4000	85
38.	Junior Engineer (Civil)	1640-60-2600-EB-75-2900	257
39.	Junior Engineer (Elect.)	1640-60-2600-EB-75-2900	32
40.	Head Draftsman-Grade-I	1640-60-2600-EB-75-2900	8
41.	Head Draftsman-Grade-II	1600-50-2300-EB-60-2660	18
42.	Assistant Draftman	1400-40-1800-EB-50-2300	50
43.	Tracer	975-25-1150-EB-30-1540	45
44.	Azo Machine Operator	950-20-1150-EB-25-1500	1
ARCHITECTURE AND TOWN PLANNING WING			
45.	Chief Town Planner	5900-200-6700	1
46.	Senior Town Planner	4100-125-4850-150-5300	1
47.	Distt. Town Planner	3000-100-3500-125-4500	6
48.	Asstt. Town Planner	2200-75-2800-EB-100-4000	4
49.	Senior Architect	4100-125-4850-150-5300	1
50.	Architect	3000-100-3500-125-4500	4
51.	Architect (Land Scaping)	3000-100-3500-125-4500	1
52.	Assistant Architect	2200-75-2800-EB-100-4000	3
53.	Architectural Asst./ Planning Asstt.	1640-60-2600-EB-75-2900+100 S.P.	11
54.	Senior Draftman	1640-60-2600-EB-75-2900	7
55.	Junior Draftman	1600-50-2300-EB-60-2660	9
56.	Asstt. Draftman	1400-40-1800-EB-50-2300	23
57.	Tracer	975-25-1150-EB-30-1540	20
58.	Azo Printer	1200-30-1560-EB-40-2040	1

59.	Modeller	1600-50-2300-EB-60-2660	1
60.	Field Investigator	1400-40-160-50-2300-EB-60-2600	3

MONITORING WIG

61.	Deputy Economic & Statistical Adviser	2200-75-2800-EB-100-400	1
62.	Asstt. Research Officer	1640-60-2600-EB-75-2900	3

HORTICULTURE WING

63.	Executive Engineer	3000-100-3500-125-4500	2
64.	S.D.O. (Horti.)	2200-75-2800-EB-100-400	8
65.	Junior Engineer (Horti.)	1640-60-2600-EB-75-2900	32
66.	Horticulture Supervisor	950-20-1150-EB-25-1500	26

Sr. No.	Post/Designation	Total No. of Posts	PB + Grade Pay + Spl. Pay
1	Chief Administrator	1	IAS Cadre
2	Administrator	6	-do-
3	C.V.O	1	Rs.15600-39100 + 6000/-
4	Secretary	1	HCS Cadre
5	Estate Officer	7	-do-
6	Estate Officer	5	-do-
7	C.C.F.	1	Rs.37400-67000 + 10000/-
8	CE	2	Rs.37400-67000 + 9500/-
9	Addl. C.E.	1	Rs.37400-67000 + 8700/-
10	SE (Civil)	9	Rs.15600-39100 + 8000/-
11	XEN (Civil)	28	Rs.15600-39100 + 6000/-
12	SE (Elect)	1	Rs.15600-39100 + 8000/-
13	XEN (Elect)	2	Rs.15600-39100 + 6000/-
14	SE (Hort)	1	Rs.15600-39100 + 8000/-
15	XEN(Hort)	5	Rs.15600-39100 + 6000/-
16	L.R	1	Rs.16750-22500/- (Pre revised)
17	DA	1	Rs.15600-39100 + 6400/-
18	Enforcement Officer	1	Rs.15600-39100 + 6000/-
19	GM (IT)	1	Rs.15600-39100 + 8000/-
20	Chief Information Technology Officer	1	Rs.37400-67000 + 9500/-
21	System Administrator	1	Rs.15600-39100 + 6000/-
22	Database Administrator	1	Rs.15600-39100 + 6000/-
23	Network Administrator	1	Rs.15600-39100 + 6000/-
24	Chief Town Planner	1	Rs.37400-67000 + 10000/-
25	STP	3	Rs.15600-39100 + 8000/-
26	DTP	4	Rs.15600-39100 + 6000/-
27	Sr. Arch.	1	Rs.15600-39100 + 8000/-
28	Architect	4	Rs.15600-39100 + 6000/-
29	L.S.A	1	Rs.15600-39100 + 6000/-
30	Dy. Distt. Attorney	8	Rs.9300-34800 + 5400/-
31	Asstt. Distt. Attorney	21	Rs.9300-34800 + 4200/-
32	SDE(Civil)	85	Rs.15600-39100 + 5400/-
33	SDE(Elect)	10	Rs.15600-39100 + 5400/-
34	SDE (Hort.)	14	Rs.15600-39100 + 5400/-
35	Manager (Cactus Garden)	1	Rs.15600-39100 + 5400/-
36	ATP	4	Rs.15600-39100 + 5400/-
37	Assistant Architect	2	Rs.9300-34800 + 5400/-
38	Senior A.O.	7	Rs.9300-34800 + 5400/-
39	A.O.	11	Rs.9300-34800 + 4200/-
40	Administrative Officer	1	Rs.9300-34800 + 4200/-
41	Asstt. Estate Officer	9	Rs.9300-34800 + 4200/-
42	Asstt. Estate Officer	12	Rs.9300-34800 + 4200/-
43	Supdt.	10	Rs.9300-34800 + 4000/-
44	Dy. ESA	1	Rs.9300-34800 + 5400/-
45	P.R.O.	1	Rs.9300-34800 + 4200/-
46	System analyst	1	Rs.9300-34800 + 5400/-
47	P.S.	1	Rs.9300-34800 + 4200/-
48	P.A.	6	Rs.9300-34800 + 3600/-
49	J.E.(Civil)	236	Rs.9300-34800 + 3600/-
50	JE (Hort.)	42	Rs.9300-34800 + 3600/-
51	JE(Elect)	26	Rs.9300-34800 + 3600/-
52	HDM Gr-I	15	Rs.9300-34800 + 4000/-
53	HDM Gr-II	28	Rs.9300-34800 + 3600/-
54	Assistant Draftsman	65	Rs.9300-34800 + 3200/-
55	Arch. Assistant	6	Rs.9300-34800 + 4000/-
56	Planning Assistant	5	Rs.9300-34800 + 4000/-
57	Senior Draftsman	7	Rs.9300-34800 + 4000/-

58	Junior Draftsman	8	Rs.9300-34800 + 3600/-
59	ADM (T&P)	23	Rs.9300-34800 + 3200/-
60	Tracer (T&P)	10	Rs.5200-20200 + 2000/-
61	Tracer (Engineering)	32	Rs.5200-20200 + 2000/-
62	Senior Scale Steno	14	Rs.9300-34800 + 3200/-
63	Junior Scale Steno	13	Rs.5200-20200 + 2400/-
64	Steno Typist	60	Rs.5200-20200 + 1900/-
65	S.D.C.	96	Rs.5200-20200 + 2400/-
66	Office Associate	429	Rs.5200-20200 + 1900/-
67	Accountant	66	Rs.9300-34800 + 3600/-
68	Accounts Assistant	91	Rs.9300-34800 + 3200/-
69	Naib Tehsildar	6	Rs.9300-34800 + 4000/-
70	Kanungo	7	Rs.9300-34800 + 3200/-
71	Patwari	15	Rs.5200-20200 + 1900/-
72	Dy. Supdt.	51	Rs.9300-34800 + 3600/-
73	Assistant	179	Rs.9300-34800 + 3200/-
74	Receptionist	2	Rs.9300-34800 + 3200/-
75	Restorer	2	Rs.9300-34800 + 3200/-
76	Daftri	8	Rs.4440-7440 + 1650/-
77	Driver	60	Rs.5200-20200 + 2400/-
78	Programmer	6	Rs.9300-34800 + 4600/-
79	Jr. Programmer	3	Rs.9300-34800 + 3300/-
80	Data Entry Operator	53	Rs.5200-20200 + 1900/-
81	Assistant Research Officer	3	Rs.9300-34800 + 4600/-
82	System Officer	23	Rs.9300-34800 + 4600/-
83	Network Engineer	17	Rs.9300-34800 + 4200/-
84	Technical Assistant	2	Rs.9300-34800 + 3200/-
	Total	2007	

APPENDIX 'A-I'

(See Regulation -7)

S.No.	Designation of the post.
ADMINISTRATIVE WING	
1.	Chief Administrator
2.	Administrator
3.	Secretary
4.	Estate Officer
5.	Administrative Officer
6.	Assistant Estate Officer
LEGAL WING	
1.	Legal Remembrancer
2.	Legal Adviser/District Attorney
3.	Deputy Legal Adviser/Deputy District Attorney
4.	Law Officer/Assistant District Attorney
ACCOUNTS WING	
1.	Chief Controller of Finance
2.	Sr. Accounts Officer
3.	Accounts Officer
ENGINEERING WING	
1.	Chief Engineer
2.	Superintending Engineer
3.	Executive Engineer
4.	Sub-Divisional Engineer
TOWN PALNNING WING/ARCHITECTURAL WING	
1.	Chief Town Planner
2.	Senior Town Planner
3.	District Town Planner
4.	Assistant Town Planner
5.	Senior Architect
6.	Architect
7.	Architect (Land Scaping)
8.	Assistant Architect
HORTICULTURE WING	
1.	Executive Engineer (Horticulture)
2.	Sub-Divisional Officer (Horticulture)
MONITORING WING	
1.	Deputy Economic & Statistical Adviser

APPENDIX 'A-II'

(See Regulation -7)

S.No.	Designation of the post.
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ADMINISTRATIVE WING

1. Superintendent Grade-I
2. Superintendent Grade-II/Head Clerk
3. Personal Assistant
4. Senior Scale Stenographer
5. Junior Scale Stenographer
6. Steno-typist
7. Sub Divisional Clerk
8. Assistant
9. Clerk
10. Driver
11. Daftari

ACCOUNTS WING

1. Section Officer, (SAS)
2. Accountant
3. Accounts Assistant

REVENUE WING

1. Naib Tehsildar
2. Kanungo
3. Patwari

ENGINEERING WING

1. Junior Engineer
2. Head Draftsman Grade-I
3. Head Draftsman Grade-II
4. Assistant Draftsman
5. Tracers
6. Azo Machine Operator

TOWN PLANNING WING/ARCHITECTURAL WING

1. Architectural Assistant
2. Planning Assistant
3. Senior Draftsman
4. Junior Draftsman
5. Assistant Draftsman
6. Azo Printer
7. Modeller
8. Field Investigator
9. Tracers

HORTICULTURE WING

1. Junior Engineer (Horticulture)
2. Horticulture Supervisor

MONITORING WING

1. Assistant Research Officer

APPENDIX 'B'

(See Regulation 10)

ADMINISTRATIVES WING

Sr. No.	Designation of the posts	Academic qualifications and experience, if any for direct recruitment	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief Administrator	-	-	On deputation from IAS cadre.
1A.	Administrator	-	-	On deputation from IAS cadre.
2.	Secretary	-	-	On deputation from HCS cadre.
3.	Estate Officer	-	-	On deputation from HCS cadre.
4.	Administrative Officer/ Asstt. Estate Officer	-	5 years experience as Supdt. Grade-I OR 7 years experience as Supdt. Grade-II/ Head Clerk	-
5.	Superintendent Grade-I	-	Two years experience as Head Clerk/ Supdt. Grade-II/P.A. Provided that the P.A. has worked as an Assistant for two years independently or has handled 1/3 work of an Assistant in addition to his own duties.	-
6.	Superintendent Gr-II/ Head Clerk	-	8 years experience as Assistant/Accounts Assistant/Senior Scale Steno, provided that Senior Scale Steno has worked for two years as Assistant independently or has handled 1/3 work of an Assistant in addition to his own duties for two years.	-
7.	Assistant	-	5 years experience as Clerk/Stenotypist/ Junior Scale Stenographer/Sub Divisional Clerk. However, the experience of Steno- typist/Junior Scale Stenographer/Sub- Divisional Clerk on the post of Clerk, if so held, will be taken into account.	-
* * *				
1	2	3	4	5
8.	Personal Assistant	-	5 years experience as Senior Scale Stenographer.	
9.	Senior Scale Stenographer	i) Graduate of a recognised University of equivalent ii) Knowledge of Hindi up to Matric- iii) Qualifies English and Hindi Shot- hand test at a speed of 100/80 Words per minute respectively with not more than 4% mistakes.	i) 2 years service as Junior Scale Stenographer ii) Qualified shorthand test as prescribed for direct recruitment	20% posts will be filled up by direct recruitment and 80% by promotion.
10.	Junior Scales Stenographer	i) Graduate of a recognised University ii) Qualifies English and Hindi short- hand test at a speed of 100 and 80 words per minute respectively with not more than 8% mistakes. iii) Knowledge of Hindi upto Matric.	i) Two years service as Steno-typist. ii) Qualifies shorthand test as prescribed for direct recruitment.	50% posts will be filled up by direct recruitment and 50% by promotion.
11.	Steno-typist	i) Matric ii) Qualifies shorthand test in English- and Hindi at a speed of 80/64 words per minute respectively with not more than 8% mistakes. iii) Knowledge of Hindi upto Matric.	i) Clerk who qualifies shorthand test prescribed for direct recruitment. ii) One year service as Clerk.	80% posts will be filled up by direct recruitment and 20% by promotion.

Note : C.A. HUDA in special circumstances to be recorded in writing appoint any person on the post of Senior Scale Stenographer/Junior Scale Stenographer/Steno-typist if he qualifies the shorthand test as prescribed in the rules either in Hindi or English. Provided further the person so appointed shall have to pass shorthand test in the second language also as prescribed in the rules within one year failing which he will not be allowed annual increments. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examinations are completed. The increments shall be released with retrospective effect from the date it was other wise due but no arrears will be paid for the past period.

1	2	3	4	5
12.	Sub Divisional Clerk	-	i) 3 years experience as Clerk ii) He shall pass the departmental Accounts Test as per Syllabus Appendix 'G' within 2 years failing which they shall be reverted.	
13.	Clerk	i) Matric ii) Knowledge of Hindi or English type at the speed of 25/30 words per minute respectively iii) Knowledge of Hindi up to Matric.	i) From amongst the class III & IV employees whose scale is lower than the post of clerk and has passed the matriculation examination with Hindi or equivalent from recognised University/Board. ii) 5 years regular Service. iii) Qualifies type test either in English or Hindi at the speed of 30/25 words per minute respectively.	80% posts will be filled up by direct recruitment and the remaining 20% will be filled up by promotion from amongst the Class III & IV employees. They have to pass departmental type test within one year failing which their annual increments will be withheld. If they pass the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examinations are completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
14.	Driver	Middle pass with Hindi and can read and write log-book having a experience of driving both in plains and hills. He should have a valid licence for driving light vehicle including car or jeep.	-	-
15.	Daftri	Matric with Hindi.	i) Middle with Hindi ii) Three years experience as peon.	-

ACCOUNT WING

Sr. No.	Designation of the posts	Academic qualifications, if any for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief controller of Finance	Associate member of the Institute of Chartered Accountants with five years experience in a firm or a Govt. undertaking of repute.	-	-
2.	Senior Accounts Officer	From Finance Department.	-	-
3.	Accounts Officers	From Finance Department.	-	-
4.	Section Officers	From Finance Department.	-	-
5.	Accountant	-	5 years service as Accounts Assistant OR S.A.S. qualified.	-
6.	Accounts Assistant/Junior Auditor	i) B.Com. with two years experience in accounts in a Govt./Semi-Govt. Organisation. ii) Knowledge of Hindi upto Matric.	i) B. Com ii) 5 years experience as Clerk/steno typist, Junior Scale Stenographer/ Sub Divisional clerk. However, the experience of steno-typist Junior scale steno/Sub-Divisional Clerk on the post of clerk, if so held, will be taken into account.	80% posts will be filled up by direct recruitment and 20% by promotion.

LEGAL WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Legal Remembrancer	Dist. & Sessions Judge Cadre.	(On deputation)	
2.	Legal Adviser	Should have practised as an advocate for a period of not less than seven years.	Should have worked atleast for seven years as Deputy legal Adviser.	
3.	Deputy Legal Adviser	Who has practised as an Advocate or a pleader at the Bar for a period of not less than five years.	Who has worked as law Officer or Legal Assistant for a period of not less than five years. OR Who, being a law graduate, has held any assignment involving legal work including drafting, and legal opinion for a period of not less than 7 years.	50% posts will be filled up by direct recruitment. 50% will be filled by promotion.
4.	Law Officer	i) Degree of Bachelor of Law of recognised University; and ii) Who has practised at the Bar for a period of not less than two years.	i) Degree of Bachelor of Law of a recognised University; and; ii) who has worked. a) for a period of not less than five years as Assistant in any Govt. office or held a post in the equivalent or higher scale in any Govt. office. b) for a period of not less than three years on an assignment (not less than that of an Assistant) involving legal work in any Govt./Semi-Govt. office.	80% posts will be filled up by direct recruit and 20% by promotion.

REVENUE WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Naib Tehsildar	-	i) Matric and Hindi. ii) Five years experience as Kanungo. iii) Shall have to pass Naib Tehsildar Examination conducted by the State Government within a period of two years.	-
2.	Kanungo	-	5 years experience as Patwari and have passed the Kanungo examination conducted by the State Government.	-
3.	Patwari	i) Matric or equivalent and; has passed Patwar examination held by the State Government. ii) Knowledge of Hindi upto Matric.	-	-

ENGINEERING WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks:
1	2	3	4	5
1.	Chief Engineer	-	B.Sc. Engineering (Civil or equivalent) with 15 years experience in a gazetted post, out of which 3 years should be as Superintending Engineer.	-
2.	Superintending Engineer	-	B.Sc. Engineering (Civil or equivalent) with 7 years experience as Executive Engineer	-
3.	Executive Engineer	-	8 years complete service as Sub-Divisional Engineer and has passed the departmental professional examination prescribed under rules.	-
20 4	Sub-Divisional Engineer	i) B.Sc. Engineering (Civil/Elect/Mech.) or equivalent from a recognised University. ii) Hindi upto Matric Standard.	i) Junior Engineers with diploma in Civil / Mechanical / Electrical Engineering or equivalent with 10 years experience as Junior Engineer OR ii) 10 years experience as Assistant Draftman/Head Draftman Grade-II/ Head Draftman Grade-I. OR iii) Junior Engineer/Draftsman with degree in Civil/Mechanical/ Electrical Engineering or equivalent with 2 years experience. OR iv) AMIE degree with 5 years experience as Junior Engineer/Draftsman.	The recruitment to the post of Sub-Divisional Engineer will be made from the source listed below in the proportions and the order indicated against a lot of 100 vacancies :- Sr. Method Proportion Allocation No. of recruitment source in the lot or 100 vacancies 1. Direct 37 1 to 6, appointment 13 to 17, 21 to 26, 32 to 37, 41 to 46, 52 to 56, 61 to 66,

1	2	3	4	5
				71 to 77 81 to 86 and 93 to 97
				ii) Promotion for Junior Engineer
			i) J.E. with diploma in Civil/Mech/Electrical Engineering	25 8, 9, 12, 19, 26, 28, 29, 31, 32, 43, 48, 49, 51, 58, 59, 68, 69, 71, 75, 80, 88, 89, 92, 99 and 100
			ii) Promotion of Draftsman/ Head Draftman Grade-II/ Head Draftman Grade-I	8 11, 30, 50, 60, 70 and 91
			iii) Promotion for J.E. having degree in Civil/Mechanical Electrical Engineering	12 7, 10, 18, 27, 39, 47, 57, 67, 78, 87, 90, and 98

Remarks

The ratio of recruitment of Sub Divisional Engineer in Civil, Mechanical/Electrical by direct recruitment will be determined by the appointing Authority.

5.	Junior Engineer	i) Diploma in Civil/Electrical/Mechanical Engineering or equivalent. ii) Hindi upto Matric Standard.	5 years experience as Road Inspector with qualifications as prescribed for direct recruitment or 12 years experience as Road Inspector or work Inspector.	90% posts shall be filled up by direct recruitment and 5% from Road Inspectors/Work Inspectors having 5 years experience and qualifications as prescribed for direct recruitment and 5% for Road Inspectors/Work Inspectors having 12 years experience. Out
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1	2	3	4	5
				of a circle of 20 vacancies; the 10th shall go to the official promoted for against 5 years experience as Road Inspector/Work Inspectors and 20th vacancy shall go to a Road Inspector/Work Inspector having 12 years experience.
6.	Head Draftsman Grade-I	-	Diploma in civil Engineering or a Certificate in Civil Draftsman from a recognised Institution, and five years experience as Head Draftsman Grade-II.	-
7.	Head Draftsman Grade-II	-	Diploma in Civil Engineering or a certificate in Civil Draftsman from a recognised Institution and five years experience as Assistant Draftsman.	-
8.	Assistant Draftsman	i) Diploma in Civil Engineering or a Certificate in Civil Draftsmanship awarded by the State Board for Technical Education or from any other recognised Institution. ii) Hindi upto Matric Standard.	i) Tracers who possess qualifications prescribed for direct recruitment to the post of Assistant Draftsman should have two years experience as Tracer. ii) Tracers who do not possess qualification prescribed for direct recruitment for the post of Assistant Draftsman should have completed 5 years service as Tracers.	67% posts will be filled up by direct recruitment. Out of remaining 33% posts, 50% from amongst the Tracers who possess the qualifications prescribed for direct recruitment and remaining 50% from amongst the Tracers who have completed 5 years service as Tracer. Assistant Draftsman having no technical qualifications should pass a departmental examination within 2 years failing which his annual increments will be with held. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date

1	2	3	4	5
				following the last date on which the departmental examination was to be completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
9.	Tracers	i) Metric with certificate in Civil Draftsmanship from a recognised University/Board. OR Matriculation or Higher secondary Examination passed from recognised University/Board with drawing and two years experience as Tracer under a qualified Engineer/Architect. ii) Hindi upto Matric Standard.	i) 3 years experience as Azo Machine operator. ii) Matric with Hindi. OR A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matric or equivalent with Hindi.	80% posts will be filled up by direct recruitment, 20% by promotion.
10.	Azo Machine operator	Matric or its equivalent from a recognised University/Institution with drawing as one of the subject. ii) Knowledge of operating the Azo Printing Machine. iii) Hindi upto Matric Standard.	-	

TOWN PLANNING/ARCHITECTURAL WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief Town Planner	-	3 years as Senior Town Planner.	-
2.	Senior Town Planner	i) A post-graduate degree or diploma in Town planning from a recognised University Institution Making the holder eligible for Associate membership of the Institute of Town Planners (India). ii) 16 years experience in Town Planning out of which 10 years should be on the post of District Town Planner or an Equivalent post in Town Planning. OR A degree in Civil Engg. or a degree or diploma in Architecture recognised by the Institute of Engineer (India) and the Institute of Architects (India) respectively for their membership followed by 19 years experience in Town Planning out of which 10 years should be on the post of District Town Planner or an equivalent post in Town Planning.	10 year experience on the post of District Town Planner.	-
3.	Distt. Town Planner	i) A post-graduate degree or diploma in Town Planning from a recognised University/Institutions Making the holder eligible of the Associate membership of the Institute of Town Planners (India) followed	A post-graduate degree diploma in Town Planning from a recognised University/Institution making the holder eligible for Associate membership of the institute of Town Planners (India).	-
1	2	3	4	5
		by six years experience as Assistant Town Planner or equivalent capacity in Town Planning. OR A degree in Civil Engineering or a degree or diploma in Architecture recognised by the institute of Engineers (India) and the institute of Architects (India) respectively for their membership followed by nine years experience in town planning out of which atleast six years should be as Assistant Town Planner or equivalent capacity. ii) Adequate knowledge of Hindi as prescribed by the Government.	OR A degree in Civil Engineering or a degree/diploma in Architecture recognised by the institute of Engineers (India) and the Institute of Architects respectively followed by 3 years experience in Town planning under a qualified Town Planner. ii) Adequate knowledge of Hindi. 2) Experience of 6 years as Assistant Town Planner.	
3.	Assistant Town Planner	i) A post-graduate degree or diploma in Town Planning from a recognised University/Institution making the holder eligible for Associate membership of the institute of Town Planner (India). OR A degree in Civil Engineering or a degree/diploma in Architecture recognised by the Institute of Engineers (India) and the institute of Architects, respectively followed by 3 years experience in Town Planning under a qualified Town planner ii) Adequate knowledge of Hindi.	A person having 5 years experience as Planning Assistant in H.U.D.A.	75% of the post will be filled by direct recruitment and 25% by promotion.
5.	Senior Architect.	-	From amongst Architects having 7 years service as Architect.	-

1	2	3	4	5
6	Architect	a) Possesses degree or equivalent diploma in Architecture of a recognised University or Institution i) b) Possesses 5 years professional experience in the field of architecture in a responsible position, after acquiring the qualifications noted in Sub-Clause ii) (a) above.	From amongst Assistant Architect having:- Degree or equivalent diploma in Architecture of a recognised University or institution. 5 years experience as Assistant Architect.	50% posts will be filled up by direct recruitment and 50% by promotion. -
7	Assistant Architect	a) Degree or equivalent diploma in Architecture of a recognised University/Institution. b) Adequate knowledge of Hindi.	Promotion from Architectural Assistants having 3 years experience in case of degree or equivalent diploma holders in Architecture of a recognised University/Institution of 5 years experience in case of those having 3 years Diploma Course in Architectural Assistantship or Civil Draftsmanship diploma.	75% by direct recruitment and 25% by promotion.
8	Architect (Land Scaping)	a) Postgraduate in landscape Architecture from school of planning & Architecture, or equivalent qualifications followed by 3 years in profession. OR M.Sc. in Horticulture from recognised University followed by 6 years experience in land scaping. OR B.Sc. in Agriculture, with Horticulture as major subject followed by 9 years experience in land scaping work. b) Adequate knowledge of Hindi.	-	-
9	Architectural Assistant	Degree or equivalent diploma in Architecture of recognised University/Institution.	From amongst the Senior Draftsman with 3 years service as such.	50% posts will be filled up by direct recruitment and 50% by promotion.

1	2	3	4	5
10	Planning Assistant	Degree or equivalent Diploma in Architectural from recognised by all India Board of Technical Studies. ii) Hindi upto Matric Standard.	3 years experience as Senior Draftsman and academic qualification laid down for direct recruitment of Junior Draftsman.	50% posts will be filled up by direct recruitment and 50% by promotion.
11	Senior Draftsman	3 years diploma in Architectural Assistantship from recognised Institution followed by 3 years experience in Architecture or Town Planning. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose with 4 years experience in Architecture or Town Planning. OR Degree or equivalent diploma in Architectural of a recognised University/Institution.	From amongst the Junior Draftsman with qualifications as laid down for Junior Draftsman by direct recruitment 3 years experience as Junior Draftsman. OR Six years experience as Junior Draftsman in case of non qualified persons.	Direct recruitment, if suitable candidates are not available for promotion.
12	Junior Draftsman	3 years diploma in Architectural Assistantship from a recognised institution followed by two years experience as a Draftsman in an Architectural or Town Planning. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose with 3 years experience in an architectural or Town Planning. OR Diploma course in Architectural Assistantship awarded by the State Board. OR Diploma in Civil Draftsmanship from	3 years experience as Assistant Draftsman.	25% posts will be filled up by direct recruitment and 75% by promotion.

1	2	3	4	5
		any institute recognised by the Government.		
13.	Assistant Draftsman	i) Matriculation or Higher Secondary examination of a recognised University/Institution or Board or its equivalents. ii) 3 years diploma in Architectural Assistantship from a recognised Institution. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose. iii) Hindi upto Matric Standard.	i) Tracers who possess the qualifications prescribed for direct appointment to the post of Assistant Draftsman should have two years experience as Tracer. ii) Tracers who do not possess qualification for direct recruitment for the post of Assistant Draftsman should have Completed 5 years service as Tracer.	80% posts will be filled by direct recruitment and out of remaining 20% posts, 50% from amongst the Tracers who possess the qualification prescribed for direct recruitment and remaining 50% from amongst the Tracers completed 5 years service as Tracer. Assistant Draftsman having no technical qualifications should pass a departmental examination within 2 years failing which his annual increment will be withheld. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examination was to be completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
14.	Tracer	i) Matric with Hindi and Certificate in Civil Draftsmanship from a recognised University/Board.	A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matric or equivalent with Hindi.	80% posts will be filled up by direct recruitment and 20% posts by promotion.

1	2	3	4	5
		OR	OR	
		Matriculation or Higher secondary Examination passed from a recognised University/Board with drawing and two years experience as Tracer under qualified Engineer/ Architect.	i) 3 years experience as Azo Machine Operator.	
		ii) Hindi upto Matric Standard.	ii) Matric with Hindi.	
15. Azo Printer	i) Matriculation or higher secondary examination of a recognised University/Board/Institution or its equivalent with drawing as one of the subject. ii) One year experience of operating the Azo Printing Machine. iii) Knowledge of Hindi upto Matric.		A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matriculation or equivalent with Hindi.	80% posts will be filled by promotion and 20% by direct recruitment.
16. Modeller	a) Matriculation having 5 years experience of preparing models. b) Should be able to read architectural building drawing and translate to them in to models in wood, card, board, plaster and other materials. c) Should be excellent carpenter. d) Hindi upto Matric standard.			

HORTICULTURE WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Executive Engineer (Horticulture)	-	8 years experience as Sub Divisional Officer (Horticulture).	-
2.	Sub Divisional Officer (Horticulture)	i) B.Sc. Agriculture with Horticulture as special subject. ii) Hindi upto Matric Standard. iii) Minimum 3 years experience in related field.	10 years experience as Junior Engineer (Horticulture)	50% posts will be filled up by direct recruitment and 50% by promotion.
3.	Junior Engineer (Horticulture)	B.Sc. in Agriculture with experience of atleast one year. Preference may be given to those persons who possess Horticulture as main subject in B.Sc. OR Matric/Higer Secondary with one year diploma course in gardner's training class from some recognised university with atleast 6 years experience in land scaping, gardening, alboriculture, floriculture layout of gardens, parks and nersery production work. ii) Knowledge of Hindi upto Matric.	Supervisor (Horticulture) with 10 years experience.	80% posts will be filled up by direct recruitment and 20% by promotion.
4.	Horticulture Supervisor	B.Sc. Agriculture OR Diploma Holder in Horticulture. OR Maticulate with knowledge of Horticulture for 3 years.	a) Head Mall having Diploma in Horticulture or Matric with Hindi. b) Five years experience in the field of Horticulture.	75% posts will be filled up by direct recruitment and 25% by promotion from Malies.

MONITORING WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Deputy Economic and Statistical Adviser	a) Master Degree from a recognised University in statistics or Economics or Mathematics or Commerce with Statistics as one of the papers in the last three subject. b) Five years experience in compilation, research work and applied Economics or statistics or experience of designing and supervising socioeconomics surveys in supervisory capacity.	10 years experience as Assistant Research Officer.	-
2.	Assistant Research Officer	a) Master's Degree from a recognised University in statistics or Economics or Mathematics or commerce with statistics as one of te papers in last three subjects. b) One year experience in collection, compilation and anylysis of statistical data in some Government/Semi Government Offices.	a) Graduate with Economics or maths or commerce or statistics as one of the subjects. b) 5 years experience on the post of Assistant/Accounts Assistant.	80% posts will be filled up by direct recruitment and 20% by promotion.

APPENDIX - 'C'
(See Regulation-18)

Sr. No.	Designation of the post	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1.	Chief Controller of Finance	Personnel Committee	a) Warning with a copy on personal file.	Chief Administrator	Chairman of HUDA
2.	Chief Engineer	-do-	b) Censure;		
3.	Chief Town Planner	-do-		-do-	-do-
4.	Superintending Engineer	-do-	c) Withholding of Increments or promotion including stoppage at efficiency bar, if any,	-do-	-do-
5.	Executive Engineer (Horticulture)	-do-			
6.	Executive Engineer	-do-			
7.	Legal Adviser	-do-			
8.	Senior Architect	-do-	d) Recovery from pay of the whole or part of any pecuniary loss caused to Authority by negligence or breach of order.	Personnel Committee	HUDA Authority
9.	Architect	-do-			
10.	Architect (Land Scaping)	-do-			
11.	Deputy Economic & Statistical Adviser	-do-			
12.	Deputy Legal Adviser	-do-	e) Reduction to a lower post or time scale or to a lower stage in a time scale.	-do-	-do-
13.	Administrative Officer/ Assistant Estate Officer	Personnel Committee of HUDA	f) Removal from the Service which does not disqualify from future employment;	Personnel Committee	HUDA (Authority)
14.	District Town Planner	-do-	g) dismissal from the service which does originally disqualify from future employment;	-do-	-do-
15.	Senior Accounts Officer				
16.	Accounts Officer	-do-			
17.	Sub-Divisional Officer (Horticulture)	-do-			
18.	Sub-Divisional Engineer	-do-			
19.	Assistant Town Planner	-do-			
20.	Assistant Architect	-do-			
21.	Law Officer	-do-			

APPENDIX - 'C'-I
(See Regulation-18)

Sr. No.	Designation of the post	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1.	Superintendent Grade-I	Chief Administrator of HUDA	a) Warning with a copy on personal file.	Controlling Officer	Chief Administrator HUDA
2.	Superintendent Grade-II	-do-	b) Censure;	-do-	-do-
3.	Personal Assistant	-do-	c) Withholding of Increments	-do-	-do-
4.	Section Officer, SAS.	-do-	including stoppage at efficiency bar, if any,		
5.	Naib Tehsildar	-do-	d) Withholding of promotion		
6.	Head Draftsman Grade-I	-do-	Recovery from pay of whole or part of the	CA	Chairman of HUDA
7.	Head Draftsman Grade-II.	-do-	any pecuniary loss caused to Authority by negligence or breach of order.	HUDA	
8.	Architect Assistant	-do-			
9.	Senior Draftsman	-do-			
10.	Assistant Draftsman	-do-			
11.	Junior Engineer Horticulture	Chief Administrator	e) Reduction to a lower post or time scale or to a lower stage in a time scale	Chief Administrator	Chairman of HUDA
12.	Junior Engineer	-do-	f) Removal from the Service which does not disqualify from future employment	-do-	-do-
13.	Assistant Research Officer	-do-			
14.	Planning Assistant	-do-			
15.	Modeller	-do-			
16.	Assistant	-do-			
17.	Senior Scale Stenographer	-do-			
18.	Accountant	-do-	g) dismissal from the service which does originally disqualify from future employment.	-do-	-do-
19.	Accounts Assistant.	-do-			
20.	Kanungo	-do-			
21.	Junior Scale Stenographer	-do-			
22.	Sub Divisional Clerk	-do-			
23.	Driver	-do-			
24.	Azo Machine Operator	-do-			
25.	Steno-typist	-do-			
26.	Clerk	-do-			
27.	Patwari	-do-			
28.	Junior Draftsman	Chief Administrator			
29.	Tracers	-do-			
30.	Restorer	-do-			
31.	Horticulture Supervisor	-do-			
32.	Daftri	-do-			

Liability to serve	16	(1) A member of the service shall be liable to serve at any place, whether within or out side the State of Haryana, on being ordered so to do by the appointing authority. (2) A member of the service may also be deputed for services as under; (i) a Company, association or body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the State Government, a Municipal Corporation or a Local Authority within the State of Haryana; (ii) The Central Government or a company, association or body of individuals, whether incorporated or not which is wholly or substantially owned or controlled by the Central Government, or (iii) another State Government an international organisation, an autonomous body not controlled by the Government, or a private body. Provided that no member of service shall be deputed to serve the Central or any other State Government or any organisation or body referred to in clause (ii) or clause. (iij) except with his consent.
Pay, leave provident fund and other matters	17.	Till such time as the Authority may adopt its own regulations; (1) In respect of pay, leave and other matter not expressly provided for in these Regulations, except provident fund, the members of the service shall be governed by the Haryana Civil Service Rules, as applicable in the State of Haryana from time to time and such other rules and Rugulations as may have been or may thereafter be made by the Government and adopted by the Authority. (2) In respect of provident fund the members of the Service shall be governed by the separate set of Rules constituted under the Act.
Discipline penalties and appeals	18.	(1) In matters relating to discipline, penalties and appeals the members of the Service shall be governed by the Haryana Civil Services (Punishment and appeals) Rules, 1987 as applicable in the State of Haryana from time to time, till such time the Authority adopts its own Regulations. Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and the appellate authority shall,subject to the provisions of any rules or Regulations made under section 54 of the Act, be such as specified in Appendix 'C' & C-I to these Regulations. (2) The authority competent to pass an order under sub clause (d) of sub rule (1) of Rule 9 of the Haryana civil service (Punishment and Appeal) Rules, 1987, the appellate authority shall be as specified in Appendix 'D' & D-I to these Regulations.
Vaccination	19.	Every member of the service shall get himself vaccinated and revaccinated if and when the authority so directs by a special or general order.

Oath of allegiance	20.	Every member of the service, unless he has already done so, shall be required to take the oath of allegiance to India and to the constitution of India as by Law established.
Power of relaxation	21.	Where the Authority is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing, relax any of the provisions of these regulations with respect to any clause or category of persons.
Special Provision	22.	Notwithstanding any thing contained in these Regulations appointing authority may impose special terms and conditions in the order of appointment if it is deemed expedient to do so.
Reservation	23.	Nothing contained in these regulations shall affect reservations and other concessions required to be provided for Scheduled Castes, Backward classes, Ex-Serviceman, physically handicapped persons or any other class or category of person in accordance with the orders issued by the State Government in this regard, from time to time. Provided that the total percentage of reservations so made shall not exceed fifty percent at any time.
Repeal and Savings	24.	Any rule or resolution of the Authority applicable to the service and corresponding to any of these Regulations which is in force immediately before the commencement of these Regulations is hereby repealed. Provided that any order or action taken under rule or resolution of the Authority as repealed shall be deemed to have been made or taken under the corresponding provision of these Regulations.

APPENDIX 'A'

(See Regulation 4, 12 & 14)

S.No.	Name of the Post	Revised Scale wef 1.1.86	No. of Sanctioned posts
ADMINISTRATIVE WING			
1.	Chief Administrator	IAS Cadre Officer In their own Pay Scales	1
2.	Administrator	IAS Cadre Officer In their own Pay Scales	5
3.	Secretary	HCS Cadre Officer In their own Pay Scales	1
4.	Estate Officer	HCS Cadre Officer In their own Pay Scales	6
5.	Administrative Officer	2000-60-2300-75-2900-EB-100-3500	1
6.	Asstt. Estate Officer	2000-60-2300-75-2900-EB-100-3500	7
7.	Superintendent (Grade-I)	2000-60-2300-75-2900-EB-100-3500	8
8.	Superintendent (Grade-II)/ Head Clerk	1600-50-2300-EB-60-2660	37
9.	Assistant	1400-40-1600-50-2300-EB-60-2600	156
10.	Accounts Assistant	1400-40-1600-50-2300-EB-60-2600	85
11.	Personal Assistant	1640-60-2600-EB-2900+150 S.P.	2
12.	Sr. Scale Stenographer	1400-40-1600-50-2300-EB-60-2600	16
13.	Jr. Scale Stenographer	1200-30-1560-EB-40-2040	15
14.	Steno-typist	950-20-1150-EB-25-1500+100 S.P.	47
15.	Sub Divisional Clerk	1200-30-1560-EB-40-2040	64
16.	Clerks	950-20-1150-EB-25-1500	443
17.	Drivers	1200-30-1560-EB-40-2040	46
18.	Restorer	950-20-1150-EB-25-1500	3
19.	Daftari	800-15-1010-EB-20-1150	8
20.	Peon	750-12-870-EB-14-940	350
LEGAL WING			
21.	Legal Remembrancer	Distt. & Session Judge Cadre Officer	1
22.	Legal Adviser/Distt. Attorney	3000-100-3500-125-4500	1
23.	Deputy legal Adviser/ Deputy Distt. Attorney	2375-75-2900-EB-100-3600	5
24.	Law Officer/Assistant Distt Attorney	2000-60-2300-75-2900-EB-100-3500	15
ACCOUNTS WING			
25.	Chief Controller of Finance	5900-200-6700	1
26.	Sr. Accounts Officer	2200-75-2800-EB-100-4000	5

27.	Accounts Officer	2000-60-2300-75-2900-EB-100-3500	9
28.	Section Officer/ Accountant (SAS)	2000-60-2300-EB-75-3200	45
29.	Accountant (Non-SAS)	1600-50-2300-EB-60-2660	19
REVENUE WING			
30.	Tehsildar	2000-60-2300-75-2900-EB-100-3500	1
31.	Naib Tehsildar	1640-60-2600-EB-75-2900	6
32.	Kanungo	1400-40-1600-50-2300-EB-60-2600	6
33.	Patwari	950-20-1150-EB-25-1500	14
ENGINEERING WING			
34.	Chief Engineer	5900-200-6700	1
35.	Superintending Engineer	4100-125-4850-150-5300	6
36.	Executive Engineer	3000-100-3500-125-4500	21
37.	Sub Divisional Engineer	2200-75-2800-EB-100-4000	85
38.	Junior Engineer(Civil)	1640-60-2600-EB-75-2900	257
39.	Junior Engineer (Elect.)	1640-60-2600-EB-75-2900	32
40.	Head Draftsman-Grade-I	1640-60-2600-EB-75-2900	8
41.	Head Draftsman-Garde-II	1600-50-2300-EB-60-2660	18
42.	Assistant Draftman	1400-40-1800-EB-50-2300	50
43.	Tracer	975-25-1150-EB-30-1540	45
44.	Azo Machine Operator	950-20-1150-EB-25-1500	1
ARCHITECTURE AND TOWN PLANNING WING			
45.	Chief Town Planner	5900-200-6700	1
46.	Senior Town Planner	4100-125-4850-150-5300	1
47.	Distt. Town Planner	3000-100-3500-125-4500	6
48.	Asstt. Town Planner	2200-75-2800-EB-100-4000	4
49.	Senior Architect	4100-125-4850-150-5300	1
50.	Architect	3000-100-3500-125-4500	4
51.	Architect (Land Scaping)	3000-100-3500-125-4500	1
52.	Assistant Architect	2200-75-2800-EB-100-4000	3
53.	Architectural Asst./ Planning Asstt.	1640-60-2600-EB-75-2900+100 S.P.	11
54.	Senior Draftman	1640-60-2600-EB-75-2900	7
55.	Junior Draftman	1600-50-2300-EB-60-2660	9
56.	Asstt. Draftman	1400-40-1800-EB-50-2300	23
57.	Tracer	975-25-1150-EB-30-1540	20
58.	Azo Printer	1200-30-1560-EB-40-2040	1

59.	Modeller	1600-50-2300-EB-60-2660	1
60.	Field Investigator	1400-40-160-50-2300-EB-60-2600	3

MONITORING WIG

61.	Deputy Economic & Statistical Adviser	2200-75-2800-EB-100-400	1
62.	Asstt. Research Officer	1640-60-2600-EB-75-2900	3

HORTICULTURE WING

63.	Executive Engineer	3000-100-3500-125-4500	2
64.	S.D.O. (Horti.)	2200-75-2800-EB-100-400	8
65.	Junior Engineer (Horti.)	1640-60-2600-EB-75-2900	32
66.	Horticulture Supervisor	950-20-1150-EB-25-1500	26

Sr. No.	Post/Designation	Total No. of Posts	PB + Grade Pay + Spl. Pay
1	Chief Administrator	1	IAS Cadre
2	Administrator	6	-do-
3	C.V.O	1	Rs.15600-39100 + 6000/-
4	Secretary	1	HCS Cadre
5	Estate Officer	7	-do-
6	Estate Officer	5	-do-
7	C.C.F.	1	Rs.37400-67000 + 10000/-
8	CE	2	Rs.37400-67000 + 9500/-
9	Addl. C.E.	1	Rs.37400-67000 + 8700/-
10	SE (Civil)	9	Rs.15600-39100 + 8000/-
11	XEN (Civil)	28	Rs.15600-39100 + 6000/-
12	SE (Elect)	1	Rs.15600-39100 + 8000/-
13	XEN (Elect)	2	Rs.15600-39100 + 6000/-
14	SE (Hort)	1	Rs.15600-39100 + 8000/-
15	XEN(Hort)	5	Rs.15600-39100 + 6000/-
16	L.R	1	Rs.16750-22500/- (Pre revised)
17	DA	1	Rs.15600-39100 + 6400/-
18	Enforcement Officer	1	Rs.15600-39100 + 6000/-
19	GM (IT)	1	Rs.15600-39100 + 8000/-
20	Chief Information Technology Officer	1	Rs.37400-67000 + 9500/-
21	System Administrator	1	Rs.15600-39100 + 6000/-
22	Database Administrator	1	Rs.15600-39100 + 6000/-
23	Network Administrator	1	Rs.15600-39100 + 6000/-
24	Chief Town Planner	1	Rs.37400-67000 + 10000/-
25	STP	3	Rs.15600-39100 + 8000/-
26	DTP	4	Rs.15600-39100 + 6000/-
27	Sr. Arch.	1	Rs.15600-39100 + 8000/-
28	Architect	4	Rs.15600-39100 + 6000/-
29	L.S.A	1	Rs.15600-39100 + 6000/-
30	Dy. Distt. Attorney	8	Rs.9300-34800 + 5400/-
31	Asstt. Distt. Attorney	21	Rs.9300-34800 + 4200/-
32	SDE(Civil)	85	Rs.15600-39100 + 5400/-
33	SDE(Elect)	10	Rs.15600-39100 + 5400/-
34	SDE (Hort.)	14	Rs.15600-39100 + 5400/-
35	Manager (Cactus Garden)	1	Rs.15600-39100 + 5400/-
36	ATP	4	Rs.15600-39100 + 5400/-
37	Assistant Architect	2	Rs.9300-34800 + 5400/-
38	Senior A.O.	7	Rs.9300-34800 + 5400/-
39	A.O.	11	Rs.9300-34800 + 4200/-
40	Administrative Officer	1	Rs.9300-34800 + 4200/-
41	Asstt. Estate Officer	9	Rs.9300-34800 + 4200/-
42	Asstt. Estate Officer	12	Rs.9300-34800 + 4200/-
43	Supdt.	10	Rs.9300-34800 + 4000/-
44	Dy. ESA	1	Rs.9300-34800 + 5400/-
45	P.R.O.	1	Rs.9300-34800 + 4200/-
46	System analyst	1	Rs.9300-34800 + 5400/-
47	P.S.	1	Rs.9300-34800 + 4200/-
48	P.A.	6	Rs.9300-34800 + 3600/-
49	J.E.(Civil)	236	Rs.9300-34800 + 3600/-
50	JE (Hort.)	42	Rs.9300-34800 + 3600/-
51	JE(Elect)	26	Rs.9300-34800 + 3600/-
52	HDM Gr-I	15	Rs.9300-34800 + 4000/-
53	HDM Gr-II	28	Rs.9300-34800 + 3600/-
54	Assistant Draftsman	65	Rs.9300-34800 + 3200/-
55	Arch. Assistant	6	Rs.9300-34800 + 4000/-
56	Planning Assistant	5	Rs.9300-34800 + 4000/-
57	Senior Draftsman	7	Rs.9300-34800 + 4000/-

58	Junior Draftsman	8	Rs.9300-34800 + 3600/-
59	ADM (T&P)	23	Rs.9300-34800 + 3200/-
60	Tracer (T&P)	10	Rs.5200-20200 + 2000/-
61	Tracer (Engineering)	32	Rs.5200-20200 + 2000/-
62	Senior Scale Steno	14	Rs.9300-34800 + 3200/-
63	Junior Scale Steno	13	Rs.5200-20200 + 2400/-
64	Steno Typist	60	Rs.5200-20200 + 1900/-
65	S.D.C.	96	Rs.5200-20200 + 2400/-
66	Office Associate	429	Rs.5200-20200 + 1900/-
67	Accountant	66	Rs.9300-34800 + 3600/-
68	Accounts Assistant	91	Rs.9300-34800 + 3200/-
69	Naib Tehsildar	6	Rs.9300-34800 + 4000/-
70	Kanungo	7	Rs.9300-34800 + 3200/-
71	Patwari	15	Rs.5200-20200 + 1900/-
72	Dy. Supdt.	51	Rs.9300-34800 + 3600/-
73	Assistant	179	Rs.9300-34800 + 3200/-
74	Receptionist	2	Rs.9300-34800 + 3200/-
75	Restorer	2	Rs.9300-34800 + 3200/-
76	Daftri	8	Rs.4440-7440 + 1650/-
77	Driver	60	Rs.5200-20200 + 2400/-
78	Programmer	6	Rs.9300-34800 + 4600/-
79	Jr. Programmer	3	Rs.9300-34800 + 3300/-
80	Data Entry Operator	53	Rs.5200-20200 + 1900/-
81	Assistant Research Officer	3	Rs.9300-34800 + 4600/-
82	System Officer	23	Rs.9300-34800 + 4600/-
83	Network Engineer	17	Rs.9300-34800 + 4200/-
84	Technical Assistant	2	Rs.9300-34800 + 3200/-
	Total	2007	

APPENDIX 'A-I'

(See Regulation -7)

S.No.	Designation of the post.
ADMINISTRATIVE WING	
1.	Chief Administrator
2.	Administrator
3.	Secretary
4.	Estate Officer
5.	Administrative Officer
6.	Assistant Estate Officer
LEGAL WING	
1.	Legal Remembrancer
2.	Legal Adviser/District Attorney
3.	Deputy Legal Adviser/Deputy District Attorney
4.	Law Officer/Assistant District Attorney
ACCOUNTS WING	
1.	Chief Controller of Finance
2.	Sr. Accounts Officer
3.	Accounts Officer
ENGINEERING WING	
1.	Chief Engineer
2.	Superintending Engineer
3.	Executive Engineer
4.	Sub-Divisional Engineer
TOWN PALNNG WING/ARCHITECTURAL WING	
1.	Chief Town Planner
2.	Senior Town Planner
3.	District Town Planner
4.	Assistant Town Planner
5.	Senior Architect
6.	Architect
7.	Architect (Land Scaping)
8.	Assistant Architect
HORTICULTURE WING	
1.	Executive Engineer (Horticulture)
2.	Sub-Divisional Officer (Horticulture)
MONITORING WING	
1.	Deputy Economic & Statistical Adviser

APPENDIX 'A-II'

(See Regulation -7)

S.No.	Designation of the post.
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ADMINISTRATIVE WING

1. Superintendent Grade-I
2. Superintendent Grade-II/Head Clerk
3. Personal Assistant
4. Senior Scale Stenographer
5. Junior Scale Stenographer
6. Steno-typist
7. Sub Divisional Clerk
8. Assistant
9. Clerk
10. Driver
11. Daftari

ACCOUNTS WING

1. Section Officer, (SAS)
2. Accountant
3. Accounts Assistant

REVENUE WING

1. Naib Tehsildar
2. Kanungo
3. Patwari

ENGINEERING WING

1. Junior Engineer
2. Head Draftsman Grade-I
3. Head Draftsman Grade-II
4. Assistant Draftsman
5. Tracers
6. Azo Machine Operator

TOWN PLANNING WING/ARCHITECTURAL WING

1. Architectural Assistant
2. Planning Assistant
3. Senior Draftsman
4. Junior Draftsman
5. Assistant Draftsman
6. Azo Printer
7. Modeller
8. Field Investigator
9. Tracers

HORTICULTURE WING

1. Junior Engineer (Horticulture)
2. Horticulture Supervisor

MONITORING WING

1. Assistant Research Officer

APPENDIX 'B'

(See Regulation 10)

ADMINISTRATIVES WING

Sr. No.	Designation of the posts	Academic qualifications and experience, if any for direct recruitment	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief Administrator	-	-	On deputation from IAS cadre.
1A.	Administrator	-	-	On deputation from IAS cadre.
2.	Secretary	-	-	On deputation from HCS cadre.
3.	Estate Officer	-	-	On deputation from HCS cadre.
4.	Administrative Officer/ Asstt. Estate Officer	-	5 years experience as Supdt. Grade-I OR 7 years experience as Supdt. Grade-II/ Head Clerk	-
5.	Superintendent Grade-I	-	Two years experience as Head Clerk/ Supdt. Grade-II/P.A. Provided that the P.A. has worked as an Assistant for two years independently or has handled 1/3 work of an Assistant in addition to his own duties.	-
6.	Superintendent Gr-II/ Head Clerk	-	8 years experience as Assistant/Accounts Assistant/Senior Scale Steno, provided that Senior Scale Steno has worked for two years as Assistant independently or has handled 1/3 work of an Assistant in addition to his own duties for two years.	-
7.	Assistant	-	5 years experience as Clerk/Stenotypist/ Junior Scale Stenographer/Sub Divisional Clerk. However, the experience of Steno- typist/Junior Scale Stenographer/Sub- Divisional Clerk on the post of Clerk, if so held, will be taken into account.	-
8.	Personal Assistant	-	5 years experience as Senior Scale Stenographer.	-
9.	Senior Scale Stenographer	i) Graduate of a recognised University of equivalent ii) Knowledge of Hindi up to Matric- iii) Qualifies English and Hindi Shot- hand test at a speed of 100/80 Words per minute respectively with not more than 4% mistakes.	i) 2 years service as Junior Scale Stenographer ii) Qualified shorthand test as prescribed for direct recruitment	20% posts will be filled up by direct recruitment and 80% by promotion.
10.	Junior Scales Stenographer	i) Graduate of a recognised University ii) Qualifies English and Hindi short- hand test at a speed of 100 and 80 words per minute respectively with not more than 8% mistakes. iii) Knowledge of Hindi upto Matric.	i) Two years service as Steno-typist. ii) Qualifies shorthand test as prescribed for direct recruitment.	50% posts will be filled up by direct recruitment and 50% by promotion.
11.	Steno-typist	i) Matric ii) Qualifies shorthand test in English- and Hindi at a speed of 80/64 words per minute respectively with not more than 8% mistakes. iii) Knowledge of Hindi upto Matric.	i) Clerk who qualifies shorthand test prescribed for direct recruitment. ii) One year service as Clerk.	80% posts will be filled up by direct recruitment and 20% by promotion.

Note : C.A. HUDA in special circumstances to be recorded in writing appoint any person on the post of Senior Scale Stenographer/Junior Scale Stenographer/Steno-typist if he qualifies the shorthand test as prescribed in the rules either in Hindi or English. Provided further the person so appointed shall have to pass shorthand test in the second language also as prescribed in the rules within one year failing which he will not be allowed annual increments. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examinations are completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.

1	2	3	4	5
12.	Sub Divisional Clerk	-	i) 3 years experience as Clerk ii) He shall pass the departmental Accounts Test as per Syllabus Appendix 'G' within 2 years failing which they shall be reverted.	
13.	Clerk	i) Matric ii) Knowledge of Hindi or English type at the speed of 25/30 words per minute respectively iii) Knowledge of Hindi up to Matric.	i) From amongst the class III & IV employees whose scale is lower than the post of clerk and has passed the matriculation examination with Hindi or equivalent from recognised University/Board. ii) 5 years regular Service. iii) Qualifies type test either in English or Hindi at the speed of 30/25 words per minute respectively.	80% posts will be filled up by direct recruitment and the remaining 20% will be filled up by promotion from amongst the Class III & IV employees. They have to pass departmental type test within one year failing which their annual increments will be withheld. If they pass the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examinations are completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
14.	Driver	Middle pass with Hindi and can read and write log-book having a experience of driving both in plains and hills. He should have a valid licence for driving light vehicle including car or jeep.	-	-
15.	Daftri	Matric with Hindi.	i) Middle with Hindi ii) Three years experience as peon.	-

ACCOUNT WING

Sr. No.	Designation of the posts	Academic qualifications, if any for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief controller of Finance	Associate member of the Institute of Chartered Accountants with five years experience in a firm or a Govt. undertaking of repute.	-	-
2.	Senior Accounts Officer	From Finance Department.	-	-
3.	Accounts Officers	From Finance Department.	-	-
4.	Section Officers	From Finance Department.	-	-
5.	Accountant	-	5 years service as Accounts Assistant OR S.A.S. qualified.	-
6.	Accounts Assistant/Junior Auditor	i) B.Com. with two years experience in accounts in a Govt./Semi-Govt. Organisation. ii) Knowledge of Hindi upto Matric.	i) B. Com ii) 5 years experience as Clerk/steno typist, Junior Scale Stenographer/ Sub Divisional clerk. However, the experience of steno-typist Junior scale steno/Sub-Divisional Clerk on the post of clerk, if so held, will be taken into account.	80% posts will be filled up by direct recruitment and 20% by promotion.

LEGAL WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Legal Remembrancer	Dist. & Sessions Judge Cadre.	(On deputation)	
2.	Legal Adviser	Should have practised as an advocate for a period of not less than seven years.	Should have worked atleast for seven years as Deputy legal Adviser.	
3.	Deputy Legal Adviser	Who has practised as an Advocate or a pleader at the Bar for a period of not less than five years.	Who has worked as law Officer or Legal Assistant for a period of not less than five years. OR Who, being a law graduate, has held any assignment involving legal work including drafting, and legal opinion for a period of not less than 7 years.	50% posts will be filled up by direct recruitment. 50% will be filled by promotion.
4.	Law Officer	i) Degree of Bachelor of Law of recognised University; and ii) Who has practised at the Bar for a period of not less than two years.	i) Degree of Bachelor of Law of a recognised University; and; ii) who has worked. a) for a period of not less than five years as Assistant in any Govt. office or held a post in the equivalent or higher scale in any Govt. office. b) for a period of not less than three years on an assignment (not less than that of an Assistant) involving legal work in any Govt./Semi-Govt. office.	80% posts will be filled up by direct recruit and 20% by promotion.

REVENUE WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Naib Tehsildar	-	i) Matric and Hindi. ii) Five years experience as Kanungo. iii) Shall have to pass Naib Tehsildar Examination conducted by the State Government within a period of two years.	-
2.	Kanungo	-	5 years experience as Patwari and have passed the Kanungo examination conducted by the State Government.	-
3.	Patwari	i) Matric or equivalent and; has passed Patwar examination held by the State Government. ii) Knowledge of Hindi upto Matric.	-	-

ENGINEERING WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks:
1	2	3	4	5
1.	Chief Engineer	-	B.Sc. Engineering (Civil or equivalent) with 15 years experience in a gazetted post, out of which 3 years should be as Superintending Engineer.	-
2.	Superintending Engineer	-	B.Sc. Engineering (Civil or equivalent) with 7 years experience as Executive Engineer	-
3.	Executive Engineer	-	8 years complete service as Sub-Divisional Engineer and has passed the departmental professional examination prescribed under rules.	-
20 4	Sub-Divisional Engineer	i) B.Sc. Engineering (Civil/Elect/ Mech.) or equivalent from a recognised University. ii) Hindi upto Matric Standard.	i) Junior Engineers with diploma in Civil / Mechanical / Electrical Engineering or equivalent with 10 years experience as Junior Engineer OR ii) 10 years experience as Assistant Draftman/Head Draftman Grade-II/ Head Draftman Grade-I. OR iii) Junior Engineer/Draftsman with degree in Civil/Mechanical/ Electrical Engineering or equivalent with 2 years experience. OR iv) AMIE degree with 5 years experience as Junior Engineer/Draftsman.	The recruitment to the post of Sub-Divisional Engineer will be made from the source listed below in the proportions and the order indicated against a lot of 100 vacancies :- Sr. Method Proportion Allocation of each source in the lot of 100 vacancies 1. Direct appointment 37 1 to 6, 13 to 17, 21 to 26, 32 to 37, 41 to 46, 52 to 56, 61 to 66,

1	2	3	4	5
				71 to 77, 81 to 86 and 93 to 97
				ii) Promotion for Junior Engineer
			i) J.E. with diploma in Civil/Mech/Electrical Engineering	25 8, 9, 12, 19, 26, 28, 29, 31, 32, 43, 48, 49, 51, 58, 59, 68, 69, 71, 75, 80, 88, 89, 92, 99 and 100
			ii) Promotion of Draftsman/ Head Draftman Grade-II/ Head Draftman Grade-I	6 11, 30, 50, 60, 70 and 91
			iii) Promotion for J.E. having degree in Civil/Mechanical Electrical Engineering	12 7, 10, 18, 27, 39, 47, 57, 67, 78, 87, 90, and 98

Remarks

The ratio of recruitment of Sub Divisional Engineer in Civil, Mechanical/Electrical by direct recruitment will be determined by the appointing Authority.

5.	Junior Engineer	i) Diploma in Civil/Electrical/ Mechanical Engineering or equivalent. ii) Hindi upto Matric Standard.	5 years experience as Road Inspector with qualifications as prescribed for direct recruitment or 12 years experience as Road Inspector or work Inspector.	90% posts shall be filled up by direct recruitment and 5% from Road Inspectors/Work Inspectors having 5 years experience and qualifications as prescribed for direct recruitment and 5% for Road Inspectors/Work Inspectors having 12 years experience. Out
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1	2	3	4	5
				of a circle of 20 vacancies; the 10th shall go to the official promoted for against 5 years experience as Road Inspector/Work Inspectors and 10th vacancy shall go to a Road Inspector/Work Inspector having 12 years experience.
6.	Head Draftsman Grade-I	-	Diploma in civil Engineering or a Certificate in Civil Draftsman from a recognised Institution, and five years experience as Head Draftsman Grade-II.	-
7.	Head Draftsman Grade-II	-	Diploma in Civil Engineering or a certificate in Civil Draftsman from a recognised Institution and five years experience as Assistant Draftsman.	-
8.	Assistant Draftsman	i) Diploma in Civil Engineering or a Certificate in Civil Draftsmanship awarded by the State Board for Technical Education or from any other recognised Institution. ii) Hindi upto Matric Standard.	i) Tracers who possess qualifications prescribed for direct recruitment to the post of Assistant Draftsman should have two years experience as Tracer. ii) Tracers who do not possess qualification prescribed for direct recruitment for the post of Assistant Draftsman should have completed 5 years service as Tracers.	67% posts will be filled up by direct recruitment. Out of remaining 33% posts, 50% from amongst the Tracers who possess the qualifications prescribed for direct recruitment and remaining 50% from amongst the Tracers who have completed 5 years service as Tracer. Assistant Draftsman having no technical qualifications should pass a departmental examination within 2 years failing which his annual increments will be with held. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date

1	2	3	4	5
				following the last date on which the departmental examination was to be completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
9.	Tracers	i) Metric with certificate in Civil Draftsmanship from a recognised University/Board. OR Matriculation or Higher secondary Examination passed from recognised University/Board with drawing and two years experience as Tracer under a qualified Engineer/Architect. ii) Hindi upto Matric Standard.	i) 3 years experience as Azo Machine operator. ii) Matric with Hindi. OR A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matric or equivalent with Hindi.	80% posts will be filled up by direct recruitment, 20% by promotion.
10.	Azo Machine operator	Matric or its equivalent from a recognised University/Institution with drawing as one of the subject. ii) Knowledge of operating the Azo Printing Machine. iii) Hindi upto Matric Standard.	-	

TOWN PLANNING/ARCHITECTURAL WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Chief Town Planner	-	3 years as Senior Town Planner.	-
2.	Senior Town Planner	i) A post-graduate degree or diploma in Town planning from a recognised University Institution Making the holder eligible for Associate membership of the Institute of Town Planners (India). ii) 16 years experience in Town Planning out of which 10 years should be on the post of District Town Planner or an Equivalent post in Town Planning. OR A degree in Civil Engg. or a degree or diploma in Architecture recognised by the Institute of Engineer (India) and the Institute of Architects (India) respectively for their membership followed by 19 years experience in Town Planning out of which 10 years should be on the post of District Town Planner or an equivalent post in Town Planning.	10 year experience on the post of District Town Planner.	-
3.	Distt. Town Planner	i) A post-graduate degree or diploma in Town Planning from a recognised University/Institutions Making the holder eligible of the Associate membership of the Institute of Town Planners (India) followed	A post-graduate degree diploma in Town Planning from a recognised University/Institution making the holder eligible for Associate membership of the institute of Town Planners (India).	-
1	2	3	4	5
		by six years experience as Assistant Town Planner or equivalent capacity in Town Planning. OR A degree in Civil Engineering or a degree or diploma in Architecture recognised by the institute of Engineers (India) and the institute of Architects (India) respectively for their membership followed by nine years experience in town planning out of which atleast six years should be as Assistant Town Planner or equivalent capacity. ii) Adequate knowledge of Hindi as prescribed by the Government.	OR A degree in Civil Engineering or a degree/diploma in Architecture recognised by the institute of Engineers (India) and the Institute of Architects respectively followed by 3 years experience in Town planning under a qualified Town Planner. ii) Adequate knowledge of Hindi. 2) Experience of 6 years as Assistant Town Planner.	
3.	Assistant Town Planner	i) A post-graduate degree or diploma in Town Planning from a recognised University/Institution making the holder eligible for Associate membership of the institute of Town Planner (India). OR A degree in Civil Engineering or a degree/diploma in Architecture recognised by the Institute of Engineers (India) and the institute of Architects, respectively followed by 3 years experience in Town Planning under a qualified Town planner ii) Adequate knowledge of Hindi.	A person having 5 years experience as Planning Assistant in H.U.D.A.	75% of the post will be filled by direct recruitment and 25% by promotion.
5.	Senior Architect.	-	From amongst Architects having 7 years service as Architect.	-

1	2	3	4	5
6	Architect	a) Possesses degree or equivalent diploma in Architecture of a recognised University or Institution i) b) Possesses 5 years professional experience in the field of architecture in a responsible position, after acquiring the qualifications noted in Sub-Clause ii) (a) above.	From amongst Assistant Architect having:- Degree or equivalent diploma in Architecture of a recognised University or institution. 5 years experience as Assistant Architect.	50% posts will be filled up by direct recruitment and 50% by promotion. -
7	Assistant Architect	a) Degree or equivalent diploma in Architecture of a recognised University/Institution. b) Adequate knowledge of Hindi.	Promotion from Architectural Assistants having 3 years experience in case of degree or equivalent diploma holders in Architecture of a recognised University/Institution of 5 years experience in case of those having 3 years Diploma Course in Architectural Assistantship or Civil Draftsmanship diploma.	75% by direct recruitment and 25% by promotion.
8	Architect (Land Scaping)	a) Postgraduate in landscape Architecture from school of planning & Architecture, or equivalent qualifications followed by 3 years in profession. OR M.Sc. in Horticulture from recognised University followed by 6 years experience in land scaping. OR B.Sc. in Agriculture, with Horticulture as major subject followed by 9 years experience in land scaping work. b) Adequate knowledge of Hindi.	-	-
9	Architectural Assistant	Degree or equivalent diploma in Architecture of recognised University/Institution.	From amongst the Senior Draftsman with 3 years service as such.	50% posts will be filled up by direct recruitment and 50% by promotion.

1	2	3	4	5
10	Planning Assistant	Degree or equivalent Diploma in Architectural from recognised by all India Board of Technical Studies. ii) Hindi upto Matric Standard.	3 years experience as Senior Draftsman and academic qualification laid down for direct recruitment of Junior Draftsman.	50% posts will be filled up by direct recruitment and 50% by promotion.
11	Senior Draftsman	3 years diploma in Architectural Assistantship from recognised Institution followed by 3 years experience in Architecture or Town Planning. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose with 4 years experience in Architecture or Town Planning. OR Degree or equivalent diploma in Architectural of a recognised University/Institution.	From amongst the Junior Draftsman with qualifications as laid down for Junior Draftsman by direct recruitment 3 years experience as Junior Draftsman. OR Six years experience as Junior Draftsman in case of non qualified persons.	Direct recruitment, if suitable candidates are not available for promotion.
12	Junior Draftsman	3 years diploma in Architectural Assistantship from a recognised institution followed by two years experience as a Draftsman in an Architectural or Town Planning. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose with 3 years experience in an architectural or Town Planning. OR Diploma course in Architectural Assistantship awarded by the State Board. OR Diploma in Civil Draftsmanship from	3 years experience as Assistant Draftsman.	25% posts will be filled up by direct recruitment and 75% by promotion.

1	2	3	4	5
		any institute recognised by the Government.		
13.	Assistant Draftsman	i) Matriculation or Higher Secondary examination of a recognised University/Institution or Board or its equivalents. ii) 3 years diploma in Architectural Assistantship from a recognised Institution. OR Diploma in Civil Draftsmanship from an Institute recognised by the Govt. for this purpose. iii) Hindi upto Matric Standard.	i) Tracers who possess the qualifications prescribed for direct appointment to the post of Assistant Draftsman should have two years experience as Tracer. ii) Tracers who do not possess qualification for direct recruitment for the post of Assistant Draftsman should have Completed 5 years service as Tracer.	80% posts will be filled by direct recruitment and out of remaining 20% posts, 50% from amongst the Tracers who possess the qualification prescribed for direct recruitment and remaining 50% from amongst the Tracers completed 5 years service as Tracer. Assistant Draftsman having no technical qualifications should pass a departmental examination within 2 years failing which his annual increment will be withheld. If he passes the examination after the prescribed period then the increment for the period subsequent to that within which the departmental examination was to be passed will be released from the date following the last date on which the departmental examination was to be completed. The increments shall be released with retrospective effect from the date it was otherwise due but no arrears will be paid for the past period.
14.	Tracer	i) Matric with Hindi and Certificate in Civil Draftsmanship from a recognised University/Board.	A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matric or equivalent with Hindi.	80% posts will be filled up by direct recruitment and 20% posts by promotion.

1	2	3	4	5
		OR	OR	
		Matriculation or Higher secondary Examination passed from a recognised University/Board with drawing and two years experience as Tracer under qualified Engineer/ Architect.	i) 3 years experience as Azo Machine Operator.	
		ii) Hindi upto Matric Standard.	ii) Matric with Hindi.	
15. Azo Printer	i) Matriculation or higher secondary examination of a recognised University/Board/Institution or its equivalent with drawing as one of the subject. ii) One year experience of operating the Azo Printing Machine. iii) Knowledge of Hindi upto Matric.		A person having 5 years experience as Ferro Khalasi in the department and possessing the qualification of Matriculation or equivalent with Hindi.	80% posts will be filled by promotion and 20% by direct recruitment.
16. Modeller	a) Matriculation having 5 years experience of preparing models. b) Should be able to read architectural building drawing and translate to them in to models in wood, card, board, plaster and other materials. c) Should be excellent carpenter. d) Hindi upto Matric standard.			

HORTICULTURE WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Executive Engineer (Horticulture)	-	8 years experience as Sub Divisional Officer (Horticulture).	-
2.	Sub Divisional Officer (Horticulture)	i) B.Sc. Agriculture with Horticulture as special subject. ii) Hindi upto Matric Standard. iii) Minimum 3 years experience in related field.	10 years experience as Junior Engineer (Horticulture)	50% posts will be filled up by direct recruitment and 50% by promotion.
3.	Junior Engineer (Horticulture)	B.Sc. in Agriculture with experience of atleast one year. Preference may be given to those persons who possess Horticulture as main subject in B.Sc. OR Matric/Higer Secondary with one year diploma course in gardner's training class from some recognised university with atleast 6 years experience in land scaping, gardening, alboriculture, floriculture layout of gardens, parks and nersery production work. ii) Knowledge of Hindi upto Matric.	Supervisor (Horticulture) with 10 years experience.	80% posts will be filled up by direct recruitment and 20% by promotion.
4.	Horticulture Supervisor	B.Sc. Agriculture OR Diploma Holder in Horticulture. OR Maticulate with knowledge of Horticulture for 3 years.	a) Head Mall having Diploma in Horticulture or Matric with Hindi. b) Five years experience in the field of Horticulture.	75% posts will be filled up by direct recruitment and 25% by promotion from Malies.

MONITORING WING

Sr. No.	Designation of the posts	Academic qualifications, and experience, if any, for direct recruitment.	Academic qualifications and experience, if any for appointment other than by direct recruitment	Remarks
1	2	3	4	5
1.	Deputy Economic and Statistical Adviser	a) Master Degree from a recognised University in statistics or Economics or Mathematics or Commerce with Statistics as one of the papers in the last three subject. b) Five years experience in compilation, research work and applied Economics or statistics or experience of designing and supervising socioeconomics surveys in supervisory capacity.	10 years experience as Assistant Research Officer.	-
2.	Assistant Research Officer	a) Master's Degree from a recognised University in statistics or Economics or Mathematics or commerce with statistics as one of te papers in last three subjects. b) One year experience in collection, compilation and anylysis of statistical data in some Government/Semi Government Offices.	a) Graduate with Economics or maths or commerce or statistics as one of the subjects. b) 5 years experience on the post of Assistant/Accounts Assistant.	80% posts will be filled up by direct recruitment and 20% by promotion.

APPENDIX - 'C'
(See Regulation-18)

Sr. No.	Designation of the post	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1.	Chief Controller of Finance	Personnel Committee	a) Warning with a copy on personal file.	Chief Administrator	Chairman of HUDA
2.	Chief Engineer	-do-	b) Censure;		
3.	Chief Town Planner	-do-		-do-	-do-
4.	Superintending Engineer	-do-	c) Withholding of Increments or promotion including stoppage at efficiency bar, if any,	-do-	-do-
5.	Executive Engineer (Horticulture)	-do-			
6.	Executive Engineer	-do-			
7.	Legal Adviser	-do-			
8.	Senior Architect	-do-	d) Recovery from pay of the whole or part of any pecuniary loss caused to Authority by negligence or breach of order.	Personnel Committee	HUDA Authority
9.	Architect	-do-			
10.	Architect (Land Scaping)	-do-			
11.	Deputy Economic & Statistical Adviser	-do-			
12.	Deputy Legal Adviser	-do-	e) Reduction to a lower post or time scale or to a lower stage in a time scale.	-do-	-do-
13.	Administrative Officer/ Assistant Estate Officer	Personnel Committee of HUDA	f) Removal from the Service which does not disqualify from future employment;	Personnel Committee	HUDA (Authority)
14.	District Town Planner	-do-	g) dismissal from the service which does originally disqualify from future employment;	-do-	-do-
15.	Senior Accounts Officer				
16.	Accounts Officer	-do-			
17.	Sub-Divisional Officer (Horticulture)	-do-			
18.	Sub-Divisional Engineer	-do-			
19.	Assistant Town Planner	-do-			
20.	Assistant Architect	-do-			
21.	Law Officer	-do-			

APPENDIX - 'C'-I
(See Regulation-18)

Sr. No.	Designation of the post	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1.	Superintendent Grade-I	Chief Administrator of HUDA	a) Warning with a copy on personal file.	Controlling Officer	Chief Administrator HUDA
2.	Superintendent Grade-II	-do-	b) Censure;	-do-	-do-
3.	Personal Assistant	-do-	c) Withholding of Increments	-do-	-do-
4.	Section Officer, SAS.	-do-	including stoppage at efficiency		
5.	Naib Tehsildar	-do-	bar, if any,		
6.	Head Draftsman Grade-I	-do-	d) Withholding of promotion		
7.	Head Draftsman Grade-II.	-do-	Recovery from pay of whole or part of the	CA	Chairman of HUDA
8.	Architect Assistant	-do-	any pecuniary loss caused	HUDA	
9.	Senior Draftsman	-do-	to Authority by negligence		
10.	Assistant Draftsman	-do-	or breach of order.		
11.	Junior Engineer Horticulture	Chief Administrator	e) Reduction to a lower	Chief Administrator	Chairman of HUDA
12.	Junior Engineer		post or time scale or to a		
13.	Assistant Research Officer	-do-	lower stage in a time		
14.	Planning Assistant	-do-	scale	-do-	-do-
15.	Modeller	-do-	f) Removal from the Service		
16.	Assistant	-do-	which does not disqualify		
17.	Senior Scale Stenographer	-do-	from future employment		
18.	Accountant	-do-	g) dismissal from the service	-do-	-do-
19.	Accounts Assistant.	-do-	which does originally		
20.	Kanungo	-do-	disqualify from future		
21.	Junior Scale Stenographer	-do-	employment.		
22.	Sub Divisional Clerk	-do-			
23.	Driver	-do-			
24.	Azo Machine Operator	-do-			
25.	Steno-typist	-do-			
26.	Clerk	-do-			
27.	Patwari	-do-			
28.	Junior Draftsman	Chief Administrator			
29.	Tracers	-do-			
30.	Restorer	-do-			
31.	Horticulture Supervisor	-do-			
32.	Daftri	-do-			

APPENDIX - 'D'
(See Regulation-18)

Sr. No.	Designation of the post	Nature of Order	Authority empowered to make the order	Appellate Authority
1	2	3	4	5
1.	Chief Controller of Finance	Terminating the	Personnel	HUDA (Authority)
2.	Chief Engineer	Appointment of a	Committee	
3.	Chief Town Planner	member of the service	-do-	-do-
4.	Superintending Engineer	otherwise than on his	-do-	-do-
5.	Executive Engineer	attaining the age fixed	-do-	-do-
6.	Executive Engineer (Horticulture)	for superannuation	-do-	-do-
7.	L.R./Legal Advisor		-do-	-do-
8.	Senior Architect		-do-	-do-
9.	Architect		-do-	-do-
10.	Architect (Land Scaping)		-do-	-do-
11.	Deputy Economic & Statistical Adviser		-do-	-do-
12.	Deputy Legal Adviser/D.D.A.		-do-	-do-
13.	Administrative Officer/ Assistant Estate Officer		-do-	-do-
14.	District Town Planner		-do-	-do-
15.	Senior Accounts Officer		-do-	-do-
16.	Accounts Officer		-do-	-do-
17.	Sub-Divisional Engineer		-do-	-do-
18.	Sub-Divisional Officer (Horti.)		-do-	-do-
19.	Asstt. Town Planner		-do-	-do-
20.	Assistant Architect		-do-	-do-
21.	Law Officer		-do-	-do-

APPENDIX - 'D' - 1

(See Regulation-18)

Sr. No.	Designation of the post	Nature of Order	Authority empowered to make the order	Appellate Authority
1	2	3	4	5
1.	Superintendent Grade-I	Terminating the appoint of a member	Chief Administrator -do-	Chairman of HUDA -do-
2.	Superintendent Grade-II	of the service	-do-	-do-
3.	Personal Asstt.	otherwise than on his	-do-	-do-
4.	Section Officer, SAS	attaining the age fixed	-do-	-do-
5.	Naib Tehsildar	for superannuation	-do-	-do-
6.	Head Draftsman Grade-I	-do-	-do-	-do-
7.	Head Draftsman Grade-II	-do-	-do-	-do-
8.	Architectural Assistant	-do-	-do-	-do-
9.	Senior Draftsman	-do-	-do-	-do-
10.	Assistant Draftsman	-do-	-do-	-do-
11.	Junior Engineer, Horticulture	-do-	-do-	-do-
12.	Junior Engineer	-do-	-do-	-do-
13.	Assistant Research Officer	-do-	-do-	-do-
14.	Planning Assistant	-do-	-do-	-do-
15.	Modeller	-do-	-do-	-do-
16.	Assistant	-do-	-do-	-do-
17.	Senior Scale Stenographer	-do-	-do-	-do-
18.	Accountant		-do-	-do-
19.	Accounts Assistant		-do-	-do-
20.	Kanungo		-do-	-do-
21.	Jr. Scale Stenographer		-do-	-do-
22.	Sub Divisional Clerk		-do-	-do-
23.	Driver		-do-	-do-
24.	Azo Machine Operator		-do-	-do-
25.	Steno Typist		-do-	-do-
26.	Clerk		-do-	-do-
27.	Patwari		-do-	-do-
28.	Junior Draftsman		-do-	-do-
29.	Tracers		-do-	-do-
30.	Restores		-do-	-do-
31.	Horticulture Supervisor		-do-	-do-
32.	Daftri		-do-	-do-

RULES AND PROCEDURE IN REGARD TO THE DEPARTMENT PROFESSIONAL EXAMINATION OF THE OFFICERS OF HARYANA URBAN DEVELOPMENT AUTHORITY

1. The Officers viz. Sub Divisional Engineers of the Haryana Urban Development Authority shall be required to pass the Departmental Examination within three years of joining, their appointments. In the case of members undergoing training, the period of three years will count from the date of appointment to independent charge. In the case of Junior Engineers officiating as S.D.E. the period of three years shall be reckoned as below:-

"In the case of J.Es officiating as S.D.E. the period of three years shall be calculated from the date of his promotion as S.D.E.. If, however, he subsequently reverts as a Junior Engineer, the period of 3 years shall be calculated from the date of his re-promotion after adding thereto the broken periods for which he previously officiated as S.D.E.

The Officers already in employment shall be required to pass the examination with 3 years from the date of promulgation of these rules in the case of Sub Divisional Engineers and one year in the case of those officiating as Executive Engineer."

2. (a) Application for admission to the Examination.

An officer who desires to be examined shall apply through his immediate superior for admission to the examination. His application should be accompanied by a report on his fitness to be examined, by the Divisional Officer under whom he is serving. This report should deal with those points which cannot be tested by an examination, especially with regard to physical energy, efficiency in practical work and capacity to manage those under his authority.

(b) Date of holding the examination

The examination will ordinarily be held in May and November. Application should be submitted in March and September respectively so that when possible, the date of Examination may be fixed six weeks prior to the date on which it will be held.

(c) Conduct of Examination

- i) The Secretary, H.U.D.A. will be responsible for conducting the examination and will act as Secretary of Examination. C.A. H.U.D.A., will appoint examiners/paper setters.
- ii) If it can be conveniently so arranged, the Examiners/paper setters shall not all belong to the same organisation/Govt. Department or circle or superintendence.
- iii) The Secretary will fix the place, date and time of the Examination.
- iv) The Secretary will compile and declare the result of Departmental professional Examination with the approval of the Chief Administrator.
- d) One paper will be set in each of the following subjects in accordance with syllabus given in Annexure.
 1. Water Supply, drainage and sewerage.
 2. Roads and bridges.

3. Material and construction.
4. Simple mechanical and Electrical Engg.
5. Accounts and office procedure.
6. Viva Voca.

Oral Examination will be conducted by the Chief Engineer, for which he will coopt one another officer.

- (e) In order to pass, a candidate must obtain not less than 50 per cent marks in each subject and an aggregate of not less than 60% of the total marks in all subjects. A candidate who fails in only one subject but obtains not less than 66% of the total for the other subjects, may be permitted to appear again in the subject in which he fails. In such cases he must obtain not less than 60% in that subject in order to pass.

(f) Details for the conduct of the Examination

The candidate will be provided with question paper, so that question involving engineering design may be answered by neat sketches with explanatory notes.

- ii) Each candidate will be expected to bring his own drawing instruments and scales to the examination. Considerable importance will be attached to the neatness and accuracy of the sketches.
- iii) The answer to the question must be written so as to leave one quarter margin on which the examiner will record their marks against each question.

SYLLABUS FOR THE PROFESSIONAL EXAMINATION FOR THE OFFICERS OF THE ENGINEERING CELL OF THE HARYANA URBAN DEV. AUTHORITY

Paper-I Water Supply, Drainage and Sewerage

Time allowed : 3 hours

Marks 100

Collection of samples of water for chemical and Bacteriological tests of water.

Design of projects of various types. Methods of preliminary investigation of new project Estimates of requirements of water and development of various types of sources of water supply and rainfall, statistical analysis of data and estimation of minimum yield. Ground water, yield and development of wells and Tubewells, storage tanks, clear water and service reservoirs balancing tanks, stand pipes, pumping stations etc. Pumping plants, distribution system, pressures and capacity. Specifications and construction of water works and pipelines. Economic and maintenance of water works.

Structural design of overhead reservoirs of brick reinforced concrete and steel

- 2) Wholesome water, standards of quality for public and Industrial use. Quality of water chemical and bacteriological Tests their significance. Principles of sedimentation coagulation, filtration, tests and odour control, disinfection of water including chlorination, water softening removal of iron. Analysis and specification of Chemicals used in water purification.

Design and construction of water purification plants rapid and slow sand filtration softening.

- 3) Detection and prevention of wastage of water in distribution system, Metering.
Various types of pipes used in the distribution system and details of their joints and jointing materials.
- 4) Various methods of sinking tubewells including those with the hand boring plant, and rotary rigs, water jet system etc. Development of tubewells by gravel shrouding, surging back blowing etc.
- 5) House drainage and plumbing work including the use of sanitary fittings such as water closets of European and Indian types, Lavatory basins, sink bath tub and slope sinks, their methods of installation, details, specifications, flushing tanks, flush pipe, water pipes, floor traps, gully traps, intercepting traps, grease traps etc.
- 6) Air conditioning, evaporative and refrigerative cooling etc. Comfort conditions including dry bulb temperature compressors of the centrifugal and reciprocating type pumps and condensers.
Steam and hot water boilers, cylinders etc. various systems of hot water circuit.
- 7) The role of bacteria, Collection of samples of sewerage, typical organisms of sewage, sludges etc. River pollution & beach pollution and their effect.
- 8) Design and investigation of sewerage and drainage project, Estimation of sewage, infiltration of ground water and storm water from data on population soil, intensity and duration of storms etc. Hydraulics and design of separate sewers, combined sewers and drains manholes, salt pits or catch pits etc., ventilation, cleaning and maintenance of drains and sewers. Design of sewage pumping stations and equipment.
- 9) Quality of sewage, chemical and bacteriological analysis and their significance. Principles of sedimentation of sewage, coagulation, disinfection of sewage effluents, Mannanila value of sewage dilution and irrigation.

- 10) Design and construction of structures for screening, grit removed sedimentation, Disposal of effluents on land water by subsoil irrigation and soakage pits, contact beds and biofilters and septic tanks, case pools street cleans, refuse collection and composing pail Depots.
- 11) Natures of wastes produced in the leadline industries in India such as Textiles. Paper tanning and Dying.

Paper - II

Time : 3 hours

Roads and Bridges

Marks : 100

PART 'A' ROADS

- i) Road transportation and Planning, classification of High ways.
- ii) Geomatic Design of High ways.
- iii) Traffic Engineering.
- iv) Engineering Survey.
- v) Roads Construction Materials.
- vi) Pavement Design.
- vii) High way Construction
- viii) High way tools and plant.
- ix) Road Drainage
- x) Roads satblization
- xi) Road side arboriculture.
- xii) Hill Roads
- xiii) Maintenance of roads

PART 'B' BRIDGES

- i) **General Principles of design:-** Aligenment; number of spans; Economic Span; Water-way calculations; Depth of foundations; scour depth.
- ii) **Loading:-** Dead load B.S.S. Recommendation and Indian Road Congress Recommendations for loading or road bridges; Indian Railway Board and Cooper's Railway Loadings; Impact tactors.
- iii) **Sub Structures:-** Different types of road railway bridges; choice of material and Bridges floors; Wearing surfaces on bridges; Methods of erection; Maintenance.
- iv) **Sub-Structures:-** Abutments, with walls and piers; Abutment piers, Conditions of stability, for
 a) Small bridges:- Box
 of construction and c
 vi) Approaches:- Influe
 of approaches

Paper - III

Material and construction

Time allowed : 3 hours

Marks 100

Materials and construction of Building & Roads Form, Conditions and Special Classes of Contracts. Co-ordination of schedule of rates and estimates with specifications. Specification of Building materials, lime, Surkhi, Cement, Sand.

Construction work; site and foundation work.

Plain and reinforced concrete.

Brick and stone masonry

Flooring

Wood work.

Iron work

Roofing.

Plastering, Painting, White washing and Colour, Water painting and Damp-proofing/Damp proof Course and Lightning Conductor.

a) i) Building

General various forms of contracts, conditions and special clauses of contracts.

Co-ordination of schedule of rates and estimates with specifications.

ii) **Building Material** :- Specification of building materials i.e. lime, surkhi, cement, sand timber, bricks stone etc. and their use in various situations.

iii) **Building Construction** :- Excavation of foundations, various types of footing i.e. spread footing, inverted arches, column footing, continuous footing, cantilever footing.

Brick works :- Various types of Brick work type of joints in Brick work.

Stone Masonry :- Different types of stone masonry.

Damp proofing :- Methods of damp proofing, types of damp proof course.

Doors and windows :- Different types of doors and windows wooden metal doors and windows.

Roofs :- Different types of plan and sloping roofs.

Floors :- Various types of flooring materials.

R.C.C. Works :- Principles of construction of slabs, column, footing beams, stairs, walls and precast roofing elements including structural designs and form work.

Steel Work :- Constructional features in the construction of steel building and workshops.

Temporary wood work :- Centering, scaffolding, shoring and underpinning, their design and working details.

b) ROADS

Preparation of projects including reports, specifications and estimates planning of roads, according to I.R.C. standard Geometric standards or various materials used in Road Construction. Method of road construction. Drainage of roads and equipments used for construction of roads.

Different types of culverts and their construction and design.

Paper - IV

Simple Mechanical and Electrical Engineering

Time allowed 3 hours

Marks 50

Centrifugal pumps of the Horizontal and vertical type, both for water supply and sewerage, Borchals pumps, submersible pumps rotary pumps, recerprocating pumps, air lift system of pumping, hydraulic rams, Design of the sizes of pumping machinery including calculations for total head, horse power requirements, Ejectors.

Various drivies such as direct coupled bold and V bold driven, goor heads for borche pump, crose bold drives etc.

2) Rotary Pump, Semi rotary hand, diapherm pumps etc.

Electric motors, starters for D.C. motors including Field Roostates, ammeters, volt meters.

Electric motors, A.C. Squireleage induction type, slipring type, totally enclosed, drip proof type cummutater type, motor starters for the above including direction line, star/delta, auto transformer, roter starter type etc. Float switches, Air break and oil unmersed type starters.

Air Compressor, stationery and portable horizontal and vertical type:

- 1) Simple wiring diagrams for Houses.
- 2) Circuits for community buildings.
- 3) Specifications of domestic fixtures.

Paper - V

Accounts and Office procedure

Time allowed 3 hours

Marks 100

Treasury Rules

Chapter II, III Chapter IV upto 4.21 to 4.181 appending 'D' and 'C'

C.S.R. Vol. Part-II

Chapter I, II, III, IV, V, VII, VIII, upto 8.91, 8.113 to 8.128, 8.130 to 8.140 Chapter IX, XII, XV.

Punjab C.S.R. Vol. II

Part-I

Pension

Part-II

Provident Fund

Punjab Civil Services Rules Vol. III

Whole

Punjab F.R. Vol. I

Chapter II Sub Sections I, II, III, and IV

Chapter V, Pay and allowance and pensions-General Rules.

Except rules 5.4, 5.5 and 5.11

Chapter VI, Pay, allowances etc. of Gazetted Government servants except rule 6.3

Chapter VII Pay allowances etc. of Establishment except rules 7.5 to 7.10

Chapter VIII contingencies except rules 8.1 to 8.5, 8.14, 8.21, 8.22 and 8.23

Chapter IX Whole

Chapter X Section II Loans and allowances
Chapter XV whole
Chapter XVI whole
Chapter XVII whole
Chapter XVIII - Powers of sanction except for rules 18.3 and 18.16
Chapter XIX whole
Punjab Financial Rules Vol. II Appendix and Forms
Appendix 2, 3, 4, 14, 15, 16, 18 and 19.

Audit Code

Section III Chapter 2 and 3
Section IV Chapter 2,3-and 4
Section V Chapter I.

Accounts Code Vol. I

Chapter III, IV, V and VI

Accounts Code Vol. III

Chapter I and IV.
Chapter III Section-I

Introduction to Government Audit and accounts

Portion relating to P.W.D.

Departmental Financial Rules.

Chapter I to X relating to P.W.D.

Punjab P.W.D. B & R Manual of orders.

Chapter 3, 5, 6, 7, 8, 9 and 10.

Punjab Budget Manual

Chapter 1, 4, 5, 7, 11, 12, 13, 14 and Appendix 'P' Punjab P.W.D. Code.

Paper VI

Viva-Voca

Marks 50

Prescribed Syllabus for Departmental Examination for Sub-Divisional Clerks

Name(s) of books

SYLLABUS

1. ACTS/ RULES

To impart knowledge of the provisions of Act & Rules.

1. HUDA Act, 1977 and Rules, 1978 made there-under as amended from time to time.

II. FOR WORKS ACCOUNTS

GENERAL

1. Public Works Deptt. Code
2. Departmental Financial Rules (Financial Hand Book No. III)
3. PWD Manual of orders
4. Accounts Code Vol. III
5. Haryana Schedule of Rates 1974 as amended from time to time.
6. Rules regarding Bin Card System.
7. Delegation of powers to HUDA Officers as approved by the Authority from time to time

- 1) Main out lines of PWD System of accounts.
- 2) Definitions of important account and technical terms.
- 3) Classification of transaction.
- 4) Cash Transactions & their records.
- 5) Stores Accounts (Bin Card System).

WORK ACCOUNTS

- 1) Register of works.
- 2) Contractor ledger.
- 3) Works Abstract.
- 4) Muster Rolls.
- 5) Measurement Books.
- 6) Contractor Bills.
- 7) Transfer Entry.
- 8) Work Charged Establishment.
- 9) Material at site accounts.
- 10) Road metal return.
- 11) Suspense Accounts (Deposits & Misc. Advances).
- 12) Knowledge of Departmental delegation of powers.
- 13) Preparation of Accounts and returns of Sub-Divisions and Divisional Offices.

III GENERAL RULES

KNOWLEDGE OF RULE RELATING TO

1. Pb. Civil Service Rules Vol. I, Part-I, Chapter I To V, VII, VIII, IX & XII.

- 1) General Conditions of Service.
- 2) Pay fixation.
- 3) Standard Rent of Govt. Building.
- 4) Leave Rules.
- 5) Suspension, Dismissal & removal.
- 6) Joining time/pay.
- 7) Pay & Allowances and leave to Officer/ Officials on deputation from Govt. Deptt.
- 8) Maintenance of services records (Service Books)
- 9) Reimbursement of medical charges.
- 1) Rules relating to contributory provident Fund. T.A. Rules.

2. Pb. Civil Service Rules Vol. II.
3. Pb. Civil Service Rules Vol. III

4. Pb. Financial Rules Vol. I. Chapters : II, V, VII, VIII, X, XV, & XVII.

IV. COMMERCIAL ACCOUNTING SYSTEM AS APPLICABLE TO HUDA

1. Book Keeping

V. MISCELLANEOUS

Knowledge of Rules Relating to

- 1) Cash transactions (receipt and expenditure).
- 2) Claims of pay etc. of staff.
- 3) Pay and Allowances.
- 4) Contingent Expenditure.
- 5) Loans and Advances.
- 6) Stores.
- 7) Preparation of budget and excess & surrender statement and re-appropriation.

KNOWLEDGE OF

- 1) Journal
 - 2) Ledger.
 - 3) Preparation of Bank reconciliation statement.
 - 4) P/L Accounts & Balance Sheet.
-
- 1) Office routine (noting & Drafting both Hindi and English).

Prescribed syllabus for departmental Examination for Assistant Draftsman

Paper -I Specification and Estimates

Total Marks : 150

Qualifying Marks 40%

Use of Public Works Department estimate from taking out perimeter and areas of plain figures and volumes of simple solids, tanks relating wells and channels.

Preparation and checking of original and maintenance estimates for works relating to water supply, drainage, sewerage and sanitary installations.

Preparation and checking of list of materials required for the above scheme and estimates.

Preparation of analysis of rates for the items generally used in public Health Engineering and for per Sft. rates relating to the pipes and drains P.H. and B & R Specifications and schedules.

Paper -II

Total Marks : 150

Qualifying Marks 40%

Drawing

Drawing instruments and equipments care and maintenance laying of measurements to scale. Use of pentagraph. Plainmeter and proportional compass.

Preparing plain, elevation and sections of buildings, tanks, culverts plotting of long and cross sections from field books and contour plans cross section of drawings, sewers and manholes.

Diagrams of geological strata of tubewells, showing position of pipes and strainers.

Preparation of lay-out plans of Head works site of water supply schemes based on canal water and of that based on tubewells or percolation wells etc. Principles of blue printing equipment and materials required for blue printings.

Paper -III

Engineering Designs

Total Marks : 100

Qualifying Marks 40%

Selection of site for Head works, Disposal

Works and tubewells

Shape design of retaining walls, R.S. Hoists, R.C. Beams, lintels, slabs and battens etc. safe bearing pressure distribution of pressure on foundations and footings.

Calculations of velocities, discharges, design of pipes Drawing and Sewers, Preparation of terminal head statements.

Combined and separate system of sewerage scheme, sewage disposal.

Sanitary appliances and const. house drains etc.

Design and B.H.P. of various types of pumping plant commonly used in W/S and sewerage schemes.

Yields and diameters of archlation walls tubewells standards for provisions of public Health

Amenities and Sanitary Installations.

Building Material and construction

Part -A

Total Marks : 100

PART -A

STONE	Various classifications of stone and their distinctive features Relative suitability of these for buildings, Bridges & Road Making Deterioration of stone and its artificial preservation in Buildings.
BRICKS	Manufacture of Katcha and pucca Bricks. Various type of bricks kilns, size of Bricks for Buildings. Use of tiles, firebricks and Terra Cotta Bricks. Classification of Bricks and defects in Bricks.
LIME	Availability of Lime stone manufacture of fat lime, Hydraulic Lime and its slaking. Storing of lime. Its use in Mortars.
CONCRETE	Various varieties of concrete of lime and cement, their relative uses, Materials required for the manufacturing of concrete.
TIMBER & STEEL	Various kinds of timber and their relative suitability Common defects in timber, its decay and preservation, Structural properties of timber. Properties of steel its structural uses and its preservation.
MISCELLANEOUS	Plastering, Painting, white and colour washing, distempers and paints. Roofing material in asbestos cement and galvanized iron.

PART-B

BRICK WORK	Joints of different types junction of walls, Hollow walls, Damp Proof courses, Different kinds of arches and their uses, lintels and joining old bricks work with new works.
STONE MASSONRY	Various type of stone masonry and their relative use stone lintels.
JOINERY	Joints in timber, doors and windows floors, roofs and ceilings.
FOUNDATIONS	Bearing capacity of soil types of foundations, foundations for bridges both open and well foundations Designs of simple building foundations Roofs of various types. Selection of site for a building and its orientation with regard to North South Line.
DESIGN OF	Timber planks and Beams. Steel Beams. R.C.C. Slabs for a roof lintel for a door or windows.

ROADS AND BRIDGES

Total Marks : 100

ROADS	Classification of roads according to Indian road, Congress Various kinds of roads according to material of construction used. Road Standards for formation width, metalled with, land width grades, curves, Cambers in roads, super elevation roundabouts, T-junction, Y. Junction Crossdrainage. Alignment of Roads in hills and plains section of road in cutting and in embankment. Retaining walls, breast walls and drains in a hill road. Maintenance of roads surface painting patch repair. Quantities of
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BRIDGES

materials for road construction surface painting, bituminous carpets. Brief description of roads in water logged areas and soil stabilised roads.

Calculation of discharge, scour depth and depth of foundations.

Type of loading for bridges and where used, piers and abutments, well sand well curbs, scab bridges, beam and girder bridges, cantilever bridges of timber used of R.S.J.S. in bridges.

Type of bearing for bridges.

Pipe culverts.

Design of small culverts.

Design of small culverts approx. Sanction of abutments and pipe steel girder bridges (various type and uses only).

ESTIMATING AND COSTING AND SPECIFICATIONS.

Total Marks : 100

Preparation of estimates for bridges, buildings and roads working out quantities involved in a building. Road and bridges of a culvert and working out the cost. Analysis of rates for commonly used items of work and carriage of materials specifications.

CIVIL ENGINEERING DRAWING

Total Marks.

Drawing of a plan X cross section and elevation of a simple building, details of doors and windows. Drawing for a small slab, culverts, an arch culvert and a pipe culvert. Drawing for a pier and an abutment supported on wall.

Chief Administrator,
Haryana Urban Development Authority,
Panchkula.



Haryana Urban Development Authority Act, 1977

(HARYANA ACT NO. 13 OF 1977)

HARYANA URBAN DEVELOPMENT AUTHORITY ACT, 1977
ALONGWITH UP DATED NOTIFICATIONS.

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THE HARYANA URBAN DEVELOPMENT AUTHORITY ACT
1977

HARYANA ACT NO. 13 OF 1977

[Received the assent of the President of India on the 30th April, 1977. and first published in *Haryana Government Gazette (Extraordinary)*, May 2 1977.]

1	2	3	4
Year	No.	Short Title	Whether repealed or otherwise affected by legislation
1977	13	The Haryana Urban Development Authority Act, 1977.	—

An Act to provide for the establishment of an Urban Development Authority for undertaking urban development in the State of Haryana and for matters ancillary thereto.

Be it enacted by the Legislature of the State of Haryana in the Twenty-eighth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Haryana Urban Development Authority Act, 1977.

Short title and extent.

(2) It extends to the whole of the State of Haryana.

(2) In this Act, unless the context otherwise requires,—

Definitions.

(a) "amenity" includes roads, water-supply, street lighting, drainage, sewerage, public works, tourist spots, open spaces, parks, landscaping and play fields, and such other conveniences as the State Government may, by notification, specify to be an amenity for the purposes of this Act ;

(b) "Authority" means the Haryana Urban Development Authority constituted under sub-section (1) of section 3 ;

(c) "building" includes—

(i) a house, out-house, stable, latrine, godown, shed, hut, wall and any other structure whether of masonry, bricks, mud, wood, metal or any other material whatsoever ;

(ii) a structure on wheels or simply resting on the ground without foundations ;

¹For Statement of Objects and Reasons see Haryana Government Gazette (Extraordinary) dated the 23rd March, 1977, page 412.

- (iii) a ship vessel, boat, tent, van and any other structure used for human habitation or used for keeping or storing any articles or goods ; and
- (iv) the gardens, grounds, carriages and stables, if any, appurtenant to any building which is intended to be used for residential, industrial, commercial or other purposes, whether actual use or not ;
- (d) "building operations" include re-building operations, structural alterations of, or additions to, buildings and other operations normally undertaken in connection with the construction of buildings ;
- (e) "Chief Administrator" means the Chief Administrator of the Authority ;
- (f) "Collector" means the Collector of the district and includes any other person appointed by the State Government performing the functions of the Collector under this Act ;
- (g) "Development" with its grammatical variations means the carrying out of building, engineering, mining or other operations in, on, over or under land or in; making of any material change, in any building or land and includes re-development ;
- (h) "development plan" means a plan prepared under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 or the Faridabad Complex (Regulation and Development) Act, 1971 ;
- (i) "Director" means the Director of Town and Country Planning, Haryana, and includes any person for the time being appointed by the State Government, by notification, to exercise and perform all or any of the powers and functions of the Director under this Act and the rules and regulations made thereunder ;
- (j) "engineering operations" include the formation or laying out of means of access to a road or the laying out of means of water-supply, drainage, sewerage or of electricity cables or lines or of telephone lines ;
- (k) "erect or re-erect any building" includes—
 - (i) any material alteration or enlargement of any building;
 - (ii) the conversion by structural alteration into a place for human habitation of any building not originally constructed for human habitation ;
 - (iii) the conversion into more than one place for human habitation of a building originally constructed as one such place ;
 - (iv) the conversion of two or more place of human habitation into a greater number of such places ;
 - (v) such alterations of a building as affect its drainage or sanitary arrangements, or materially affects its security;
 - (vi) the addition of any rooms, buildings, out-houses or other structures to any building ;
 - (vii) the construction in a wall adjoining any street or land not belonging to the owner of the wall, of a door opening on to such street or land ;

- (l) "Estate Officer" means a person appointed by the Authority to perform the functions of an Estate Officer under this Act in one or more than one urban area ;
- (m) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth ;
- (n) "local authority" means a municipal committee, a notified area committee, a Town Improvement Trust, the Faridabad Complex Administration or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund ;
- (o) "means of access" includes any means of access, whether private, or public, for vehicles or for pedestrians and includes a road ;
- (p) "member" means a member of the Authority and includes the Chairman, the Vice-Chairman and the Chief Administrator thereof ;
- (q) "occupier" means a person, including a firm or other body of individuals, whether incorporated or not, who occupies land or building sold, leased or transferred in any manner whatsoever under this Act and includes his successors and assignees ;
- (r) "operational construction" means any construction, whether temporary or permanent, which is necessary for the operation, maintenance, development or execution of any of the following services, namely ;—
- (i) railway ;
 - (ii) national highways ;
 - (iii) national waterways ;
 - (iv) major ports ;
 - (v) airways and aerodromes ;
 - (vi) posts and telegraphs, telephones, wireless, broadcasting and other like forms of communication ;
 - (vii) regional grid for electricity ;
 - (viii) any other service which the State Government may, if it is of the opinion that the operation, maintenance, development or execution of such service is essential to the life of the community, by notification, declare to be a service for the purposes of this clause,

Explanation.—For the removal of doubts, it is hereby declared that the construction of—

- (i) new residential buildings (other than gate lodges and quarters for limited essential operational staff and the like), roads and drains in railway colonies, hospitals clubs, institutions and schools, in the case of railways; and

(ii) a new building, new structure or new installation or any extension thereof, in the case of any other service.

shall not be deemed to be construction within the meaning of this clause ;

(s) "prescribed" means prescribed by rules made under this Act ;

(t) "public place" means any place or building which is open to the use and enjoyment of public whether it is actually used or enjoyed by the public or not, and whether the entry is regulated by any charge or not ;

(u) "regulation" means a regulation made under this Act by the Authority ;

(v) "Secretary" means the Secretary of the Authority ;

(w) "transfer" includes a sale or lease of land or building under section 15 ;

(x) "transferee" means a person, including a firm or other body of individuals, whether incorporated or not, to whom land or building is sold, leased or transferred in any manner whatsoever under this Act, and includes his successors and assignees ;

(y) "urban area" means—

(i) the area comprised within the jurisdiction of any local authority and also any such area in the vicinity as the State Government may, having regard to the extent of, and the scope for, the urbanisation of that area or other relevant considerations, specify in this behalf by notification ; and

(ii) such other area as the State Government may, by notification, declare to be an urban area, which in the opinion of the State Government is likely to be urbanised, and includes any area declared as controlled area under the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, or the Faridabad Complex (Regulation and Development) Act, 1971.

CHAPTER II

ESTABLISHMENT OF AUTHORITY

Establishment
and constitu-
tion of Authority.

3. (1) With effect from such date as the State Government may, by notification, specify in this behalf, the State Government shall establish, for the purposes of this Act, an Authority to be known as the Haryana Urban Development Authority with headquarters at such place as the State Government may specify.

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire,

hold and dispose of property, both movable and immovable, and to contract; and shall, by the said name, sue and be sued.

(3) The Authority shall consist of a Chairman, a Vice-Chairman, a Chief Administrator and such other members, not more than twelve and not less than six, as the State Government may, from time to time, by notification, appoint ;

Provided that the number of non-official members shall not, at any time, exceed three.

4. (1) The terms of office and conditions of service of the members shall be such, as may be prescribed.

Terms of office and conditions of service of members.

(2) The Chief Administrator shall be entitled to receive from the fund of the Authority such salary and such allowances, if any, as may be prescribed.

(3) Any member other than the Chief Administrator, may be paid from the fund of the Authority such allowances, if any as may be prescribed.

(4) The members shall hold office during the pleasure of the State Government.

(5) A member may resign his office by giving notice in writing to the State Government and, on such resignation being accepted by the State Government, he shall cease to be a member.

5. The State Government may remove, from office, any member--

Power to remove members.

(i) who, without excuse, sufficient in the opinion of the State Government, is absent for more than four consecutive meetings of the Authority ;

(ii) who has, in the opinion of the State Government, so abused his position as a member as to render his continuance on the Authority detrimental to the interest of the Authority.

6. Upon occurrence of any vacancy in the office of Chairman, Vice-Chairman, Chief Administrator or member, a new Chairman, Vice-Chairman, Chief Administrator or member, as the case may be, shall be appointed.

Filling of vacancies.

7. (i) The Authority shall meet at such times and places and subject to the provisions of sub-sections (2) and (3) observe such rules of procedure in regard to the transaction of its business at such meetings as may be provided by regulations

Meetings.

(2) At every meeting of the Authority, the Chairman, if present, or in his absence, the Vice-Chairman, and if there be no Chairman or Vice-Chairman, present, then, any one of its members, whom the members present, may elect, shall preside.

(3) All questions at a meeting of the Authority shall be decided by a majority of votes of the members present and voting and in the case of equality of votes, the member presiding shall have a second or casting vote.

(4) Minutes shall be kept of the names of the members present, and of the proceedings at each meeting in a book to be kept for the purpose ; which shall be signed at the next ensuing meeting by the member presiding at such meeting and shall be open to inspection by any member during office hours.

(5) For the transaction of business at a meeting of the Authority, the quorum shall be one-third of the number of members actually serving for the time being but shall not, in any case, be less than four.

Appointment
of committees.

8 Subject to any rules made in this behalf, the Authority may, from time to time, appoint one or more committees for the purpose of securing the efficient discharge of the functions of the Authority and in particular for the purpose of ensuring the efficient maintenance of public amenities and development projects.

Temporary asso-
ciation of
persons.

9. (1) The Authority or any committee appointed under section 8 may associate with itself in such manner and for such purpose, as may be prescribed, any person whose assistance or advice it may require in performing any of its functions under this Act.

(2) Any person associated with it by the Authority under sub-section (1) for any purpose shall have a right to take part in the discussion of the Authority relevant to that purpose but shall not have a right to vote at a meeting.

Validation of
acts and pre-
ceedings.

10. No act done or proceedings taken under this Act shall be questioned on the ground merely of—

- (a) the existence of any vacancy in, or any defect in the constitution of, the Authority ;
- (b) any person, associated under section 9, having voted in contravention of the provisions of this Act in this behalf ;
- (c) the failure to serve a notice on any person where no substantial injustice has resulted from such failure ;
- (d) any omission, defect or irregularity not affecting the merits of the case.

Staff.

11. (1) Subject to such control and restrictions, as may be prescribed, the Authority may appoint such number of officers and other employees including experts for technical and legal work, as may be necessary for the efficient performance of its functions and may determine their designations and grades.

(2) The officers and other employees of the Authority shall be entitled to receive, from the fund of the Authority, such salaries and allowances, if any, and shall be governed by such conditions of service as may be determined by regulations made in this behalf,

(3) The exercise of any powers or discharge of any duties or functions under sub-section (1) by any officer or other employee shall be subject to such restrictions, conditions and limitations, if any, as may be laid down by the Authority, and shall also be subject to its control and supervision,

General disquali-
fications of
officers and
employees.

12. No person who has, directly or indirectly, by himself or through his partner or agent, in any share or interest in any contract by or on behalf of the Authority, or any employment under, by or on behalf of the Authority, otherwise than as an officer or employee thereof, shall become or remain an officer or employee of the Authority,

13. The objects of the Authority shall be to promote and secure the development of all or any of the areas comprised in an urban area and for that purpose, the Authority shall have the powers to acquire by way or purchase, transfer, exchange or gift, hold, manage, plan, develop and mortgage or otherwise dispose of land and other property, to carry out by itself or through any agency on its behalf, building engineering, mining and other operations, to execute works in connection with supply of water, disposal of sewerage, control of pollution and any other services and amenities and generally to do anything, with the prior approval, or on direction, of the State Government, for carrying out of the purposes of this Act.

Objects and functions of Authority.

CHAPTER III

ACQUISITION AND DISPOSAL OF LAND

14. (1) If in the opinion of the State Government, any land other than the land owned by the Central Government is required for the purpose of development, or for any other purpose, under this Act, the State Government may acquire such land under the provisions of the Land Acquisition Act 1894.

Compulsory acquisition of land.

(2) Where any land has been acquired by the State Government, it may, after taking possession thereof, transfer it to the Authority on payment by the Authority of the compensation awarded under the Land Acquisition Act, 1894, and of the charges incurred by the State Government in connection with the acquisition.

15 (1) Subject to any directions given by the State Government under this Act and to the provisions of sub-section (5), the Authority may dispose of—

Disposal of land.

(a) any land acquired by it or transferred to it by the State Government without undertaking or carrying out any development thereof ; 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 of 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 considera-

tion 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 rights 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.

Institution of
penalty and
mode of reco-
very of arrears.

16. (1) Where any person makes default in the payment of—

- (i) any rent due in respect of any lease of any land or building or both, as the case may be, under section 15 ; or
- (ii) any fee or contribution payable under this Act in respect of any land or building or both.

the Estate Officer may direct that in addition to the amount of arrears, a sum not exceeding that amount shall be recovered from the person by way of penalty :

Provided that no such direction shall be made unless the person affected thereby has been given a reasonable opportunity of being heard in the matter.

(2) Where any person makes default in the payment of any amount being the arrears or penalty or both directed to be paid under sub-section (1), such amount may be recovered from him, in the same manner as arrears of land revenue.

Resumption and
forfeiture for
breach of con-
ditions of
transfer.

17. (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 thirty days, why a penalty, which shall not exceed ten per cent 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 alongwith 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 the amount due together with the penalty in accordance with the order made under sub-section (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 thirty 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 ten per cent of the total amount of the consideration money, interest and other dues payable in respect of the sale of the 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 sub-section (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 directing 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 thirty 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 thirty 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 from and may 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 record 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 Chief Administrator shall not pass an order under this section prejudicial to any person without giving him a reasonable opportunity of being heard.

*Appeal
Authority*

CHAPTER IV

POWER TO EVICT PERSONS FROM PREMISES OF THE AUTHORITY

18 (1) If the Collector is satisfied —

(a) that any person authorised to occupy any premises of the Authority has—

(i) not paid rent lawfully due from him in respect of such premises for a period of more than two months ; or

(ii) sublet, without the permission of the Estate Officer, the whole or any part of such premises ; or

(iii) otherwise acted in contravention of any of the terms expressed or implied, under which he is authorised to occupy such premises ; or

(b) that any person is in unauthorised occupation of any premises of the Authority, the Collector may, notwithstanding anything contained in any law for the time being in force, by notice served by post or by affixing a copy of it on the outer door or some other conspicuous part of such premises, or in such other manner as may be prescribed, order that that person as well as any other person, who may be in occupation of the whole or any part of the premises, shall vacate them within a period of thirty days from the date of the service of the notice :

Power to evict
persons from
premises of
Authority.

Provided that no such order shall be passed unless such person has been afforded an opportunity to show cause as to why such order should not be made.

(2) If any person refuses or fails to comply with an order made under sub-section (1), the Collector may evict that person from, and take possession of the premises and may for that purpose use such force as may be necessary.

(3) If a person, who has been ordered to vacate any premises under sub-clause (i) or sub-clause (iii) of clause (a) of sub-section (1), within a period of thirty days of the date of service of the notice or such longer time as the Collector may allow, pays to the Estate Officer the rent in arrears or carries out or otherwise complies with the terms contravened by him to the satisfaction of the Collector, as the case may be, the Collector shall, in lieu of evicting such person under sub-section (2), cancel his order made under sub-section (1) and thereupon such person shall hold the premises on the same terms on which he held them immediately before such notice was served on him.

Power to recover
damages as ar-
rears of land
revenue.

19. Where any person is in unauthorised occupation of any premises of the Authority, the Collector may, in the prescribed manner, assess such damages on account of the use and occupation of the premises as he may deem fit and may by notice served by post, or by affixing a copy of it on the outer door or some other conspicuous part of such premises or in such other manner as may be prescribed, order that person to pay the damages within such time not being less than thirty days as may be specified in the notice. If any person refuses or fails to pay the damages within the time specified in the notice, the damages may be recovered from him as arrears of land revenue.

Appeal.

20. (1) Any person aggrieved by an order of the Collector under section 18 or section 19 may, within a period of thirty days from the date of the service of notice under section 18 or section 19, as the case may be, prefer an appeal to the Director, or such other authority, as the State Government may appoint in this behalf:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Where an appeal is preferred under sub-section (1), the appellate authority may stay the enforcement of the order of the Collector for such period and on such conditions, as it deems fit.

(3) Every appeal under this section shall be disposed of by the appellate authority as expeditiously as possible.

CHAPTER V

FINANCE, ACCOUNTS AND AUDIT

Fund of Authority.

21. (1) The authority shall have and maintain its own fund to which shall be credited—

(a) all moneys received by the Authority from the State Government and the Central Government by way of grants loans, advances or otherwise :

- (b) all moneys borrowed by the Authority, from sources other than the Government, by way of loans or debentures ;
 - (c) all fees received by the Authority under this Act ;
 - (d) all moneys received by the Authority from the disposal of lands, buildings and other properties, movable and immovable ; and
 - (e) all moneys received by the Authority by way of rents and profits or in any other manner or from any other source.
- (2) The fund shall be applied towards meeting—
 - (a) expenditure incurred in the administration of this Act ;
 - (b) cost of acquisition of land for purposes of this Act ;
 - (c) expenditure for development of land ; and
 - (d) expenditure for such other purposes as the State Government may direct or permit.
 - (3) The Authority shall keep its fund in any Scheduled Bank.
 - (4) The Authority may invest any portion of its fund in such securities or in such other manner as may be prescribed.
 - (5) The income resulting from investments mentioned in subsection (4) and proceeds of the sale of the same shall be credited to the fund of the Authority.

22. The State Government may make such grants, advances and loans to the Authority, as the State Government may deem necessary, for the performance of the functions under this Act and all grants, loans and advances so made shall be on such terms and conditions, as the State Government may determine.

Power of State Government to make grants advances and loans to Authority.

23. (1) The Authority may, from time to time, borrow money by way of loans or debentures from such sources other than the State Government, and on such terms and conditions, as may be prescribed.

Power of Authority to borrow or advance money

(2) The Authority may advance money for residential, industrial or commercial purposes on such terms and conditions as may be prescribed.

24. All payments due from the Authority on account of interest on loans or the repayment of loans shall be made in priority to all other dues from the Authority.

Priority of payment for interest and repayment of loans.

25. The Authority shall prepare in such form, and at such time every year, as may be prescribed, a budget, in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Authority and shall forward to the State Government such number of copies thereof, as may be prescribed.

Budget.

26. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts and including the balance sheet in such form, as may be prescribed.

Accounts and Audit.

(2) The accounts of the Authority shall be subject to audit annually by the Accountant General of the State Government and any expenditure incurred by him in connection with such audit shall be payable by the Authority to the Accountant General.

(3) The Accountant General or any person appointed by him in connection with the audit of accounts of the Authority shall have the same right, privilege and Authority in connection with such audit as the Accountant General has in connection with the audit of the Government Accounts, and in particular shall have the right to demand the production of books, accounts connected vouchers and other documents and papers.

(4) The Accounts of the Authority as certified by the Accountant General or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the State Government.

Annual Report.

27. The Authority shall prepare, for every year, a report on its activities during that year and submit the report to the State Government in such form, and on or before such date, as may be prescribed.

Provident Fund.

28. The Authority shall constitute, for the benefit of its whole-time paid members and of its officers and other employees in such manner and subject to such conditions, as may be prescribed, such provident fund as it may deem fit.

CHAPTER VI

RELATIONS BETWEEN THE GOVERNMENT, THE AUTHORITY AND THE LOCAL AUTHORITIES, ETC.

Power of Authority to require local authority to assume responsibility for amenities in certain cases.

29. Where any area has been developed by the Authority, the Authority may entrust the local Authority, within whose local limits the area so developed is situated, with the responsibility for the maintenance of the amenities which have been provided in the area by the Authority and for the provisions of the amenities which have not been provided by the Authority but which in its opinion should be provided on terms and conditions agreed upon between the Authority and the local authority, and where such terms and conditions cannot be agreed upon, on terms and conditions settled by the State Government in consultation with the local authority on a reference of the matter to the State Government by the Authority.

Control by State Government.

30. (1) The Authority shall carry out such directions as may be issued to it, from time to time, by the State Government for the efficient administration of this Act.

(2) The State Government may, at any time either on its own motion or on application made to it in this behalf, call for the records of any case disposed of, or order passed by the Authority for the purpose of satisfying itself as to the legality or correctness of any order passed or direction issued and may pass such order or issue such direction in relation thereto as it thinks fit:

Provided that the State Government shall not pass an order adversely affecting any person without affording such person an opportunity of being heard.

(3) The State Government may depute any officer to inspect or examine the office of the Authority, or its development works and to report thereon and the officer so deputed may, for the purposes of such inspection or examination, call for—

- (a) any extract from any proceedings of the Authority or any committee constituted under this Act, record, correspondence, plan or other documents ;
- (b) any return, estimates, statement of accounts or statistics ;
- (c) any report,

and the Authority shall furnish the same.

31. The Authority shall furnish to the State Government such reports, returns, record and other information as the State Government may, from time to time, require.

Returns and information.

32. (1) Notwithstanding anything contained in any other law for the time being in force, where the State Government considers it expedient, it may, in the prescribed manner, suspend any of the powers of local authority relating to the control on development and use of lands and buildings under the Haryana Municipal Act, 1973, the Punjab Gram Panchayat Act, 1952, the Punjab Panchayat Samitis Act, 1961, the Punjab Town Improvement Act, 1922, or the Faridabad Complex (Development and Regulation) Act, 1971, and transfer such powers to the Authority.

Power of State Government to transfer powers of Municipal Committees, Panchayats, Panchayat Samitis, Improvement trust and Faridabad Complex Administration, to Authority

(2) Where such powers are transferred to the Authority, the Authority shall be deemed to be the local authority concerned, the Chief Administrator shall be deemed to be the committee of the municipality or the Sarpanch of the Gram Panchayat or the Chairman of the Panchayat Samiti or the Chairman of the Improvement Trust or the Chief Administrator of the Faridabad Complex Administration, as the case may be, and the Estate Officer shall be deemed to be the Executive Authority thereof, and the Authority shall strictly exercise the powers transferred to it under sub-section (1) within the area under the territorial jurisdiction of the local authority concerned.

CHAPTER VII

INSPECTION AND PENALTIES

33. The Authority may authorise any person to enter into or upon any land or building other than the land or building owned by the Central Government with or without assistants or workmen for the purpose of—

Power of entry.

- (a) making any enquiry, inspection, measurement or survey or taking levels of such land or building ;
- (b) examining works under construction and ascertaining the course of sewers and drains ;
- (c) digging or boring into the sub-soil ;
- (d) setting out boundaries and intended lines of work ;

- (e) marking levels, boundaries and lines by placing marks and cutting trenches ;
- (f) doing any other thing necessary for the efficient administration of this Act ;

Provided that—

- (i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building ;
- (ii) sufficient opportunity shall in every instance be given to enable women, if any, to withdraw from such land or building ;
- (iii) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building entered.

Penalties.

34. Any person who obstructs the entry of a person authorised under section 33 to enter into or upon any land or building other than the land or building owned by the Central Government or molests such person after such entry shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both.

Offences by Companies.

35. (1) If the person committing an offence under this Act is a company, every person, who, at the time the offence was committed, was in charge of and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly ;

Provided that nothing contained in this sub-section* shall render any such person liable to any punishment provided under this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section—

- (a) “company” means a body corporate and includes a firm or other association of individuals ; and
- (b) “director” in relation to a firm means a partner in the firm.

Fines when realised to be paid to Authority.
Composition offences.

36. All fines realised in connection with prosecutions under this Act shall be paid to the Authority.

37. (1) Any offence made punishable under this Act may either before or after the institution of proceedings, be compounded by the Authority or by any person authorised by the Authority in this behalf.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

CHAPTER VIII

MISCELLANEOUS

38. Where, in the opinion of the State Government, it is necessary that the amenities provided by the Authority in an urban area should be extended to any land or building situated within the said area or within such distance from the said area as it may deem expedient, such amenities shall be extended to such land or building and the owner of such land or building shall be liable to pay to the Authority, in the manner prescribed, such development charges therefor, as may be fixed by the State Government having regard to the expenses to be incurred for providing such amenities and the benefits to be extended to the land or building.

Charge for extension of amenities.

39. All members, officers and other employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860.

Members, officers and employees to be public servants.

40. No court inferior to that of a Magistrate of the first class shall try an offence punishable under this Act.

Jurisdiction of courts.

41. No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Authority or any officer authorised by the Authority,

Sanction for prosecution.

42. (1) All notices, all orders and other documents required by this Act or any rule or regulation made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rule or regulation, be deemed to be duly served—

Service of notice, etc.

(a) where the person to be served is a company, if the document is addressed to the Secretary of the said company, at its registered office or at its principal office or place of business and is either—

(i) sent by registered post ; or

(ii) delivered at the registered office or at the principal office or place of business of the said company ;

(b) where the person to be served is a partnership firm, if the document is addressed to the said partnership firm, at its principal place of business, identifying it by the name or style under which its business is carried on and is either—

(i) sent by registered post ; or

(ii) delivered at the said place of business ;

(c) where the person to be served is a public body, or a corporation or society or other body, if the document is addressed to the Secretary, Treasurer or other head of office of that body, corporation or society, at its principal office and is either—

(i) sent by registered post : or

(ii) delivered at the said office ;

(d) in any other case, if the document is addressed to the person to be served and—

(i) is given or tendered to him ; or

(ii) is sent by registered post to the person ; or

(iii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business, if within an urban area or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed "the owner" or "the occupier" as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served—

(a) if the document so addressed is sent to be delivered in accordance with clause (b) of sub-section (1) ; or

(b) if the document so addressed, or a copy thereof so addressed, is delivered to any person on the land or building or where there is no person on the land or building to whom it can be delivered is affixed to some conspicuous part of the land or building.

(3) Where a document is served on a partnership firm in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any property, the Secretary may, by notice in writing, require the occupier, if any, of the property to state the name and address of the owner thereof.

(5) Where the person on whom a document is to be served is a minor, the service upon his guardian or any adult member of his family shall be deemed to be service upon the minor.

Explanation.—A servant is not a member of the family within the meaning of this section

Notices, etc. to
fix reasonable,
time.

43 Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed in this Act or the rule or regulation, the notice, order or other document shall specify a reasonable time for doing the same.

Authentication.

44. All permissions, orders, decisions, notices and other documents of the Authority shall be authenticated by the signature of the Secretary or any other officer authorised by the Authority in this behalf.

Mode of proof
of records of
Authority.

45. A copy of any receipt, application, plan, notice, entry in a register, or other document in the possession of the Authority, if duly certified by the legal keeper thereof, or other person authorised by the Authority in this behalf, shall be received as *prima facie* evidence of the existence of the document and shall be admitted as evidence of the matters and transactions therein recorded in every case, where, and to the same extent as, the original document would, if produced, have been admissible to prove such matters.

46. No member, officer or other employee of the Authority shall, in any legal proceedings to which the Authority is not a party, be required, to produce any register or document the contents of which can be proved under the preceding section by a certified copy, or to appear as a witness to prove the matters and transactions recorded therein, unless by order of the court made for special cause.

Restriction on summoning of members, officers and other employees of Authority.

47. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

Promotion of action taken in good faith.

48. It shall be the duty of every police officer—

Relation of Authority with police.

(i) to communicate without delay to the proper officer or the employee of the Authority any information which he receives of a design to commit or of the commission of any offence against this Act or any rule or regulation made thereunder; and

(ii) to assist the member or any officer or other employee of the Authority in the lawful exercise of any power vesting in such member, officer or other employee under this Act or any rule or regulation made thereunder.

49. (1) A police officer, not below the rank of sub-inspector, shall arrest any person who commits, in his view any offence against this Act or any rule made thereunder, if the name and address of such person be unknown to him and if such person, on demand, declines to give his name and address, or gives such name or address which such officer has reason to believe to be false.

Arrest of offenders.

(2) The person so arrested shall, without unavoidable delay, be produced before the Magistrate authorised to try the offence for which the arrest has been made, and no person, so arrested, shall be detained in custody for a period exceeding twenty-four hours without an order from the above mentioned Magistrate.

50. (1) Save as otherwise expressly provided in this Act, every order passed or direction issued by the State Government or order passed or notice issued by the Authority or its officer under this Act shall be final and shall not be questioned in any suit or other legal proceedings.

Finality of orders and bar of jurisdiction of civil courts.

(2) No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter the cognizance of which can be taken and disposed of by any authority empowered by this Act or the rules or regulations made thereunder.

51. (1) The Authority may, by resolution, authorise that any power exercisable by it under this Act or the rules or regulations made thereunder, except the power to make regulations, may also be exercised by such officers of the Authority or State Government or local authority, as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.

Power to delegate.

(2) The State Government may, by notification, direct that any power exercisable by it under this Act, except the power to make rules, may also be exercised by such officer as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.

- (m) the manner and constitution of the provident fund for whole time paid members and officers and other employees of the Authority and the conditions subject to which such fund may be constituted under section 28 ; and
- (n) any other matter which has to be, or may be, prescribed by rules.

(3) Every rule made under this section shall be laid as soon as may be after it is made before the House of State Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

54. The Authority may, with the previous approval of the State Government, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act and without prejudice to the generality of this power such regulations may provide for—

Power to make regulations.

- (a) the summoning or holding of the meetings of the Authority, the time and place where such meetings are to be held and the conduct of business at such meeting ;
- (b) the powers and duties of the officers and other employees of the Authority ;
- (c) the salaries, allowances and conditions of service of officer and other employees of the Authority
- (d) the erection of buildings ;
- (e) the terms and conditions on which transfer of any right, title and interest in any land or building may be permitted ;
- (f) the management of the properties of the Authority ; and
- (g) any other matter which has to be, or may be, determined by regulations.

55. Except as otherwise provided for in this Act, any contravention of any of the rules or regulations made thereunder shall be punishable with fine which may extend to five hundred rupees, and in the case of a continuing contravention, with an additional fine, which may extend to fifty rupees, for each day during which such contravention continues after the first conviction ; and the court, while passing any sentence on conviction of any person for the contravention of any rule or regulation, may direct that any property or part thereof, in respect of which the rule or regulation has been contravened, shall be forfeited to the Authority.

Penalty for breach of rules and regulations.

56. Nothing in this Act shall apply to the operational constructions.

Exemption

57. (1) Where the State Government is satisfied that the purposes for which the Authority is constituted under this Act, have been

Dissolution of Authority.

been substantially achieved so as to return the continued existence of the Authority in the opinion of the State Government unnecessary, the State Government may, by notification declare that the Authority shall be dissolved with effect from such date as may be specified in the notification ; and the Authority shall be deemed to be dissolved accordingly.

(2) From the date specified under sub section (1) —

- (a) all properties, funds and dues which are vested in, or realisable by the Authority, shall vest in, or be realisable by, the State Government ;
- (b) all liabilities which are enforceable against the Authority shall be enforceable against the State Government ; and
- (c) for the purpose of carrying out any development which has not been fully carried out by the Authority and for the purpose of realising properties, funds and dues referred to in clause (a), the functions of the Authority shall be discharged by the State Government.

Repeal and savings.

58. (1) As from the date of the constitution of the Authority, the Punjab Urban Estates (Development and Regulation) Act, 1964, in its application to the State of Haryana, shall stand repealed

(2) Notwithstanding the provisions of sub-section (1) —

- (a) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab Urban Estates (Development and Regulation) Act, 1964, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (b) all property, movable and immovable and all interests of whatsoever nature and kind therein, vested in the State Government under the Punjab Urban Estates (Development and Regulations) Act, 1964, before the commencement of this Act shall vest in the Authority ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab Urban Estates (Development and Regulation) Act, 1964, before the commencement of this Act, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, immediately before the commencement of this Act shall be deemed to be due to the Authority ; and
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, may be continued or instituted by, for or against the Authority.

Removal of difficulty.

59. If any difficulties arises in giving effect to the provisions of this Act, the State Government may, by notified order, not inconsistent with the provisions of this Act, remove the difficulty.

60. (1) The Haryana Urban Development Authority Ordinance, 1977 (Haryana Ordinance No. 1 of 1977), is hereby repealed.

Repeal and Saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 10th day of January, 1977.

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HARYANA GOVT. GAZ. (EXTRA.) JAN. 13, 1977

(PAUSA 23, 1898 SAKA)

PART III

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 13th January, 1977

No. S.S.5/H.O./1/77/S.3/77.- In exercise of the powers conferred by sub-section(I) of section 3 of the Haryana Urban Development Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana Development Authority with headquarters at Chandigarh with effect from the date of publication of this notification in official gazette.

A. BANERJEE,
Commissioner and Secretary to Govt. Hr.
Town & Country Planning Department.

PART III

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 13th January, 1977

No. S.S. 5/H.O./1/77/S.3/77.- In exercise of the powers conferred by sub-section(I) of section 3 of the Haryana Urban Development Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana Development Authority with headquarters at Chandigarh with effect from the date of publication of this notification in official gazette.

A. BANERJEE,
Commissioner and Secretary to Govt. Hr.
Town & Country Planning Department.

NOTIFICATIONS - 13-1-1977

(i) Establishment of Haryana Urban Development Authority.

--No. S.O. 5/H.O./77/S. 3/77--In exercise of the powers conferred by sub-section (1) of section 3 of the Haryana Urban Development Authority Ordinance, 1977 and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana * [Urban] Development Authority with headquarter at Chandigarh with effect from the date of publication of this notification in the Official Gazette [See Hr. Gaz. legislative Supp. Pt. III Dt. 13-1-77 p. 33].

PART III
HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification
The 13th January, 1977.

No. S.O. 6/H.O. 1/77/S.3/77. - In exercise of the powers conferred by sub-section (3) of section 3 of the Haryana Urban Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the following persons as Chairman, Vice-Chairman, Chief Administrator and members respectively of the Haryana Urban Development Authority, namely:-

- | | |
|--|----------------------------|
| 1. Minister Incharge Town & Country Planning Deptt. | Chairman. |
| 2. Chief Secretary to Government, Haryana. | Vice-Chairman. |
| 3. Director, Town & Country Planning Department. | Chief Administrator. |
| 4. Secretary to Government, Haryana, Town & Country Planning Department. | Member |
| 5. Secretary to Government, Haryana, Finance Deptt. | Member |
| 6. Secretary to Government, Haryana Local Govt. Department. | Member |
| 7. Principal Secretary to the Chief Minister. | Member |
| 8. Chairman, Haryana State Electricity Board. | Member |
| 9. Chairman, Housing Board, Haryana. | Member |
| 10. Director of Industries. | Member |
| 11. Chief Engineer, P.W.D. (B&R). | Member |
| 12. Chief Engineer, P.W.D. (P.H.) | Member |
| 13. Shri. Yashdev Aggarwal, Chairman, Improvement Trust, Hisar. | Member
(Non Official) |
| 14. Shri Sri Kishan Dass, MLA, Chairman, Improvement Trust, Rohtak. | Member
(Non Official) |
| 15. Shri Om Parkash Garg, MLA, Thanesar (Kurukshetra). | Member
(Non Official) |

A. BANERJEE,

NOTIFICATION-16-5-1977

(ii) Secretary Town and Country Planning as Revisional Authority

--No. 2116-2T, C.P-77/14788--In exercise of the powers conferred by sub-section (2) of section 51 of the Haryana Urban Development Authority Act, 1977, the President of India hereby directs that the revisional powers exercisable by the State Government under sub-section (2) of section 30 thereof, shall also be exercisable by the Secretary to Government, Haryana, Town and Country Planning Department [See Hr. Gaz. Extra dated 16-5-1977 page 856].

¹ Haryana Urban Development Authority (Conduct of Meetings) Regulations, 1977

1. *Short title.*-- These regulations shall be called the Haryana Urban Development Authority (Conduct of Meetings) Regulations, 1977.

2. *Definitions.*--In these regulations unless there is anything repugnant in the subject or context--

- (a) 'Authority' means the Haryana Urban Development Authority.
- (b) 'Agenda' means the item of business proposed to be transacted at a Meeting.
- (c) 'Chairman' means the Chairman of the Authority.
- (d) 'Chief Administrator' means the Chief Administrator of the Authority.
- (e) 'Member' means a member of the Authority.
- (f) 'Minutes' means the record of proceedings of a meeting of the Authority.
- (g) 'Presiding Authority' means the Chairman or, in his absence the Vice Chairman or such other Member chosen to preside by the Members present at the meeting.
- (h) 'Quorum' means the minimum number of members of the Authority/Committee whose presence is essential for the proper or valid transaction of business at a meeting.
- (i) 'Secretary' means Secretary of the Authority.

3. *Holding of Meetings.*--The Authority may hold a meeting either ordinary or special for the transaction of business, adjourn and or regulate it and its proceedings as deemed fit, provided, however that an ordinary meeting shall be held once at least every 3 months. There shall ordinarily be not, an interval or more than 90 days between any two successive meetings.

4. *Who may call a meeting.*--The Chairman may, at any time, and shall on receipt of written request of two third of the number of members actually serving for the time being, convene a meeting of the Authority, provided that the special meeting shall be called by the Chairman alone, whenever there is an urgent matter for consideration at such a meeting.

5. *Date, time and place of Meeting.*--The meeting of the Authority shall normally be held at the head office of the Authority during office hours. The exact date, time and place of each meeting shall be fixed by the Secretary of the Authority with the prior approval of the Chairman.

6. *Quorum.*--The quorum for every meeting of the Authority shall be one third of the number of members actually serving for the time-being but shall not, in any case, be less than four. The quorum for a meeting of the Committee shall, however, be three members except where the total number of members in a Committee is itself three, the quorum shall be two.

7. *When quorum not present at a meeting.*--

(i) If within fifteen minutes from the time appointed for the meeting, a quorum is not present, the meeting if convened on the written request of the members as laid down under regulation 4, shall be dissolved, but in any other case shall stand adjourned to any future day or to any hour of the same day, as the Presiding Authority may determine and announce at the time of adjournment. If at such adjourned meeting, a quorum is still not present within 15 minutes from the time appointed, the meeting shall stand dissolved.

(ii) When the quorum has once been constituted and the business of the meeting properly started, it shall continue, unless some member objects and calls the attention of the Presiding Authority to the absence of quorum. In such circumstances, the Presiding Authority would make a count and if there is no quorum within next fifteen minutes, he shall adjourn the meeting to any future day or to any hour of the same day, as he may determine. The procedure thereafter shall be as prescribed in regulation 7 (i).

8. *Power to adjourn meeting.*--The Presiding Authority may, if he thinks it necessary or expedient, and shall, if so directed by the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at the adjourned meeting other than the business left unfinished at the meeting which had been adjourned. When an adjourned meeting is to be held within 48 hours, it shall not be necessary to give a fresh notice. A notice shall be sent to all the members in the case of a regular meeting.

9. *Decisions in a meeting in which quorum is present.*--All questions or items at such a meeting shall be decided by a majority of votes of the members present and voting and in case of equality of votes, the member presiding shall have a second or casting vote.

10. *Who shall preside at the meeting.*--The Chairman shall preside at every meeting, or in his absence, the Vice-Chairman and if there be no Chairman or Vice-Chairman, present, then any one of the members present, whom the members present may elect, shall preside.

11. *Agenda for meetings.*--The agenda for each meeting of the Authority shall be prepared by the Secretary, on the basis of the proposals received from the Chief Administrator. Before any item is included in the Agenda, the Secretary shall ensure that the item has been approved for inclusion by the Chief Administrator. Each item to be included in the agenda should be self-explanatory. If approval of the Authority is required on any item by calculation, approval of the Chief Administrator shall be obtained by the Secretary before circulation of that item.

12. *Notice for the meeting.*--

(i) At least seven days' notice in writing for an ordinary meeting shall be given to each member by the Secretary. An extra-ordinary meeting could, however, be convened at 24 hours' notice. A copy of the agenda for meeting shall also be sent to the members either with the notice or as soon thereafter as possible, but at least 3 days before the ordinary meeting.

(ii) If any member is out of India, or is otherwise not in a position to attend the meeting, the service of notice on such a member may be dispensed with by the Secretary with the prior approval of the Chief Administrator, provided that if any member is present without issue of

notice, the proceedings of such meeting shall not be challenged on the ground of non-issuance of notice.

- (iii) A notice shall be deemed to be duly served, if it is sent within the prescribed time limit to the member personally by hand or by post at the registered address communicated by the member in writing to the Authority.

13. *Constitution of Committee.*--The authority may appoint committees and Sub-committees consisting of such members as it may think fit and with such powers and functions as it may specify.

14. *Participation of non-members in the deliberation of the meeting of the Authority.*--

- (i) The Chairman shall have power to invite in a meeting any person (s) whose assistance or advice is considered necessary. Such person (s) shall have the right to attend such meeting of the Authority and to take part in their deliberations, but not the right to vote.
- (ii) The Secretary and any other officer (s)/official (s) of the Authority permitted by the Chairman shall attend the meeting and shall furnish or explain any information as may be asked by the Authority. The Secretary will participate in the discussion as and when required, but shall have no right to vote.

15. *Recording and confirmation of minutes.*--

- (i) Minutes shall be kept of the names of the members present and of the proceedings at each meeting in a book to be provided for the purpose, which shall be signed at the next ensuing meeting by the person presiding at such meeting, and shall be open to inspection by any member during office hours.
- (ii) The proceedings of each meeting shall be prepared by the Secretary, after approval and signatures of the Presiding Authority, the proceedings shall be duly kept by the Secretary in his personal custody.
- (iii) No person shall be entitled to object to the text of the minutes of any meeting unless he was present at the meeting to which they relate.

16. *Removal from membership.*--The State Government may remove, from office of any member--

- (i) who, without excuse, sufficient in the opinion of the State Government, is absent for more than four consecutive meetings of the Authority.
- (ii) who has, in the opinion of the State Government so abused his position as a member as to render his continuance on the Authority detrimental to the interest of the Authority.

NOTIFICATION - 3-7-1978

(iii) Appointment of Estate Officer as Collector

--No. 1880--8(2)-3 TCP-78-In exercise of the powers conferred by clause (f) of section 2 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana is pleased to appoint the Estate Officers of Haryana Urban Development Authority at Faridabad, Panchkula, Rohtak, Hissar and Karnal to perform the functions of Collector under the said Act within the limits of their respective jurisdiction in the State of Haryana [See Hr. Gaz. Extra Dt. 3-7-1978 P. 863.]

PART I

LEGISLATIVE DEPARTMENT

Notification

The 10th January, 1979

No. 4-Leg./79.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th January 1979 and is hereby published for general information :—

Haryana Act No. 4 of 1979

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1978

AN
ACT

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1978. Short title.

2. After sub-section (3) of section 51 of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the principal Act), the following sub-section shall be inserted, namely :— Amendment of section 51 of Haryana Act 13 of 1977.

“(4) The State Government may, by notification, direct that any power exercisable by the Chief Administrator under this Act may be exercised by such other officer of the Authority as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.”.

3. To section 55 of the principal Act, the following provisos shall be added, namely :— Amendment of section 55 of Haryana Act 13 of 1977.

“(4) Provided that if a building is begun, erected or re-erected in contravention of 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 thereof, within six months of its having begun or having been completed, as the case may be. 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 :

Provided further that the Chief Administrator may, instead of requiring the alteration or demolition of any such building, accept by way of composition, such sum as he may deem reasonable.”.

B. S. YADAV,

Secretary to Government, Haryana,
Legislative Department.

NOTIFICATION - 11-4-1979

(iv) Powers Conferred on Administrators and Estate Officers

--No. 1293-18(50)-3 TCP-79--In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, of Governor of Haryana hereby directs that--

- (i) the powers exercisable by the Chief Administrator, Haryana Development Authority under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrators, Haryana Urban Development Authority, Panchkula and Faridabad, in respect of the urban areas under their respective jurisdiction.
- (ii) the power to alter or demolish buildings exercisable by the Chief Administrator, Haryana Urban Development Authority, under the first proviso to section 55 of the Haryana Urban Development Authority Act, 1977, shall also be exercisable by all the Estate officers, Haryana Urban Development Authority in the Haryana State in respect of the Urban Areas under their respective jurisdiction [Hr. Gaz, Extra. Dt. 11-4-1979 P. 733]

NOTIFICATIONS - 20-4-79

(viii) Authorities Panchkula and Faridabad to be Appellate Authorities

--No. 1450--8(2)3 TCP-79--In the exercise of the powers conferred by sub-section (1) of section 20 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the Administrators, Haryana Urban Development Authority, Panchkula and Faridabad as appellate authorities for the purposes of section 20 of the Haryana Urban Development Authority Act, 1977, in respect of the urban areas under their respective jurisdiction for appeals against the orders of the Collectors appointed vide Haryana Government Town and Country Planning Department notification No. 1880-8(2)3 TCP-78, dated the 9th June, 1978, published in Haryana Government Gazette, dated the 3rd July, 1978. [See Hr. Gaz. Extra Dt. 20-4-1979 Page 793].

NOTIFICATIONS - 10-7-1984

(ix) HUDA Chief Administrator to act as Administrator under Pb. New Mandi Township.

--No. 2913-2TCP/MA III.--In pursuance of the provisions of clause (a) of section 2 of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, the Governor of Haryana is pleased to designate the Chief Administrator, Haryana, Urban Development Authority, to perform the functions of an Administrator under the said Act. [See Hr. Gaz. Pt. I. Dt. 10-7-1984 Page 753-754].

**HARYANA GOVERNMENT
HARYANA URBAN DEVELOPMENT AUTHORITY**

Notification

The 6th December, 1979

No. L.O.-79/22925.—In exercise of the powers conferred by section 54 of the Haryana Urban Development Authority Act, 1977, and with the previous approval of the State Government conveyed, *vide* their memo No. 3119-2TPC-79, dated 27th November, 1979, the Haryana Urban Development Authority hereby publishes the following Regulations for the preservation of trees in the Urban Estates set up by the Authority :—

1. **Title and commencement.**—(a) These Regulations shall be called the Haryana Urban Development Authority (Preservation of Trees) Regulations, 1979.

(b) These shall come into force at once.

2. **Definitions.**—In these Regulations, unless there is anything repugnant in the subject or context:—

(i) "Authorised Officer" means an officer of the Authority specifically authorised to perform certain functions under these Regulations.

(ii) "Operational land", means land which is used by public service undertakers for the purpose of carrying on the undertaking of such undertakers ;

(iii) "Owner" includes a mortgagee with possession ;

(iv) "Public Service Undertakers" means a person (including a firm or other body of individuals whether incorporated or not) who is carrying on or is authorised to carry on any public utility service including a railway, light railway, or is engaged in road transport water transport, disposal of waste, or in the supply of electricity or water ;

(v) "Zoning Plan" shall mean the detailed lay-out plan of the sector or a part thereof as approved by the Chief Administrator showing the sub-division of plots, open spaces, streets, position of protected trees and other features and in respect of each plot, permitted land use building lines and restrictions with regard to the use and development of each plot in addition to those laid down in the erection of building regulations.

3. **Application for permission.**—(i) No person shall, except with the previous permission in writing of the Estate Officer or such other authorised officer cut down, lop or destroy or cause or permit the cutting down, lopping or destruction of any tree in any part of the wood-land area shown in the zoning plan as "protected trees" or "protected wood land areas".

(ii) An application under sub-regulation (i) shall be in writing and shall specify the trees, group of trees or the wood land area to which the application relates, and the operations for the carrying out of which the permission is required ; and where necessary for the identification of such trees, groups of trees or wood-land area, the application shall also be accompanied by a map or plan on a scale as may be required by the Estate Officer or such other authorised officer.

4. **Permission or refusal.**—(i) The Estate Officer or such other authorised officer may grant such permission either unconditionally or subject to such conditions (including conditions requiring the replacement of any one tree by one or more trees of the same or a specified kind on the site or in the immediate vicinity thereof) as he may deem fit, or he may refuse permission.

(ii) Where the Estate Officer or such other authorised officer refuses permission under these Regulations or grants such permission subject to conditions, he shall, while refusing or granting permission, certify that in respect of any tree, groups of trees or any wood-land area for which he has so refused or granted permission, he is satisfied that :—

(a) the refusal or permission is in the interest of good forestry, or

(b) in the case of a wood-land area, it has amenity value in relation to the wood-land character of the area, or

(c) in the case of trees or groups of trees, the trees have an outstanding amenity value for offering shade to the building or roads, or

(d) there is any other special amenity provided by the trees or wood-land area.

5. **Register of applications.**—The Estate Officer or such other authorised officer shall keep and maintain a register of all applications for permission under these Regulations containing information as to the nature of the application, name of the applicant, the decision of the competent authority thereon and any directions as to the replanting of the trees, etc., and every such register shall be available for inspection.

6. **Applications deemed to have been sanctioned.**—An application made under regulation 3 of these Regulations shall be deemed to be sanctioned if a decision thereon is not conveyed to the applicant within two months of the receipt of the application by the Estate Officer.

7. **Register of trees.**—The protected tree or trees, groups of trees or wood-land area shall be listed by the Estate Officer or such other authorised officer in a register.

8. **Numbering of trees.**—All protected trees or groups of trees or wood-land area shown on the zoning plan or listed in the register of trees shall bear a number corresponding to its number in the register of trees.

9. **Replanting.**—Where permission is granted under these regulations or otherwise, the Estate Officer or such other Authorised officer may give direction to the owner of any site as to the planting or replanting of any trees or kinds of trees.

Any such direction may include requirements as to :—

- (a) Species of trees ;
- (b) Planting distance ;
- (c) The erection and maintenance of fencing necessary for protection of the planted or replanted trees ;
- (d) The preparation of ground, drainage, removal of brushwood, lop and top ; and
- (e) Protective measures against drought or fire.

10. **Exemption.**—These Regulations shall not apply :—

- (a) To the cutting down, topping or lopping of any tree in an operational land ;
- (b) For normal forestry operations in young plantations such as weeding, brushing and high pruning ;
- (c) The usual pruning or trimming of a tree from time to time.

11. **Appeal.**—Any person aggrieved by an order of Estate Officer or such other authorised officer under these regulations may, within a period of thirty days of the date of communication to him of such order, prefer an appeal to the Administrator concerned in such form and manner, as may be prescribed :

Provided that the appellate authority may entertain the appeal after the expiry of thirty days, it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

12. **Power of relaxation.**—The Authority may with the previous approval of the State Government relax the provisions of any of these regulations in respect of any class or category of persons, if in the opinion of the Authority, but for such relaxation, the regulations would operate harshly.

13. **Penalty for breach of Regulations.**—Any contravention of these regulations shall be liable for punishment in accordance with the provisions of section 55 of the H.U.D.A. Act, 1977.

M.S. RATHEE,
I.A.S.,

Chief Administrator,
Haryana Urban Development Authority, Chandigarh.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 16th July, 1984

No. Leg.23/84.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 13th July, 1984, and is hereby published for general information :—

Haryana Act No. 18 of 1984

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1984

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1984.

Short title and commencement.

(2) It shall be deemed to have come into force with effect from the 2nd May, 1977.

2. For section 14 of the Haryana Urban Development Authority Act, 1977, the following section shall be substituted, namely:—

Substitution of section 14 of Haryana Act 13 of 1977.

“14. Acquisition of the land.—(1) When any land, other than the land owned by the Central Government, is required for the purposes of this Act, the State Government may, at the request of the Authority, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, and on payment by the Authority of the compensation awarded under that Act and of any other charges incurred in acquiring the land, the land shall vest in the Authority.

(2) For the purposes of the Land Acquisition Act, 1894, the Authority shall be deemed to be a local authority.”.

3. The Haryana Urban Development Authority (Amendment) Ordinance, 1984 (Haryana Ordinance No. 3 of 1984) is hereby repealed.

Repeal.

SHIV CHARAN DAS BAJAJ,

Secretary to Government, Haryana,
Legislative Department.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 4th December, 1984

No. Leg. 34/84.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on 22nd December, 1984, and is hereby published for general information:—

Haryana Act No. 26 of 1984.

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Urban Development Authority (Second Amendment) Act, 1984.

Short title and commencement.

(2) It shall be deemed to have come into force with effect from the 2nd May, 1977.

2. In clause (n) of section 2 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words "Faridabad Complex Administration", the sign and words, "the Haryana Urban Development Authority" shall be inserted.

Amendment of section 2 of Haryana Act 13 of 1977.

3. In sub-section (2) of section 3 of the principal Act, after the words "body corporate", the words "as well as a local authority" shall be inserted.

Amendment of section 3 of Haryana Act 13 of 1977.

4. In sub-section (2) of section 14 of the principal Act, after the words and figures "the Land Acquisition Act, 1894", the words "and any other law for the time being in force" shall be inserted.

Amendment of section 14 of Haryana Act 13 of 1977.

5. In section 29 of the principal Act, after the words "entrust the local authority," the words "discharging municipal functions," shall be inserted.

Amendment of section 29 of Haryana Act 13 of 1977.

6. The Haryana Urban Development Authority (Second Amendment) Ordinance, 1984 (Haryana Ordinance No. 6 of 1984), is hereby repealed.

Repeal.

The above Bill was passed by the Haryana Vidhan Sabha on the 5th September, 1984.

SHIV CHARAN DAS BAJAJ,
Secretary to Government, Haryana,
Legislative Department.

15483 LR (II)—Govt. Press, U.T., Chd.

URBAN ESTATE DEPARTMENT

Notification

The 12th February, 1987

No. 16/243/86-3TCP.—In exercise of the powers conferred by clause (f) of section 2 of the Haryana Urban Development Authority Act, 1977 the Governor of Haryana is pleased to appoint the Estate Officer of Haryana Urban Development Authority at Gurgaon to perform the functions of Collector under the said Act within the limits of his respective jurisdiction in the State of Haryana.

R. S. MANN,

Commissioner and Secy. to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 12 फरवरी, 1987

संख्या 16/243/86-3टी. सी. पी. ०.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 2 के खण्ड (च) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इस के द्वारा हरियाणा सम्पदा अधिकारी, नगरीय विकास प्राधिकरण, गुरुगांव की हरियाणा राज्य में उसकी अपनी अधिकारिता की सीमाओं के भीतर कलक्टर के कृत्यों का पालन करने के लिए नियुक्त करते हैं।

आर० एस० मान,

आयुक्त एवं सचिव, हरियाणा सरकार,

नगर तथा ग्राम आयोजना विभाग,

य गुरुगढ़ी सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

(हिन्दी अनुवाद)

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 12 फरवरी, 1987

सं० 16/243/86-3टी०सी०पी०.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 20 की उप-धारा (I) द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल इसके द्वारा प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुरुगांव को हरियाणा सरकार राजपत्र, दिनांक 3 जुलाई, 1978 में प्रकाशित हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग अधिसूचना सं० 1880-बी (2)-3टी०सी०पी०-78, दिनांक 9 जून, 1978 द्वारा निम्नलिखित कलक्टरों के प्रादेशों के विस्तार अधीनों के लिए, अपनी अधिकारता के भीतर शहरी क्षेत्रों के सम्बन्ध में हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 20 के प्रयोजनों के लिये अधीन प्राधिकारी नियुक्त करते हैं।

भार० एस० मान,

भायुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग २,
शहरी सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

[Extract from Haryana Government Gazette (Extra.), dated the 27th February, 1987]

HARYANA GOVERNMENT
URBAN ESTATE DEPARTMENT

Notification

The 12th February, 1987

No. 16/243/86-3TCP.—In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby directs that the powers exercisable by the Chief Administrator, Haryana, under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrator, Haryana Urban Development Authority, Gurgaon, in respect of the Urban areas under his jurisdiction and the powers exercisable by the Chief Administrator, under the first proviso to section 55 of the Haryana Urban Development Authority Act, 1977, shall also be exercisable by all the Estate Officers of the Haryana Urban Development Authority in the Haryana State in respect of Urban areas under their respective jurisdiction of the Administrator, Haryana Urban Development Authority, Gurgaon.

R. S. MANN,

Commissioner and Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

प्रसिद्धि

दिनांक 12 फरवरी, 1987

संख्या 16/243/88-3टी०सी०पी०—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 51 की उप-धारा (4) द्वारा प्रदान की गई शक्तों तथा इस निमित्त उन्हें सम्पन्न करने वाली सभी अन्य शक्तों का प्रयोग करते हुये, हरियाणा के राज्यपाल इसके द्वारा निम्नलिखित निदेश करते हैं कि उक्त अधिनियम की धारा 12 की उप-धारा (5), (6) तथा (7) और धारा 55 के दूसरे परन्तुक के अधीन मुख्य प्रशासक द्वारा प्रयोज्य शक्तियाँ प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुडगांव द्वारा उसकी अधिकारिता के भीतर शहरी क्षेत्रों के सम्बन्ध में प्रयोज्य होंगी और हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 55 के प्रथम परन्तुक के अधीन मुख्य प्रशासक, हरियाणा नगरीय विकास प्राधिकरण द्वारा भवनों परिवर्तन करने तथा गिराने के लिये प्रयोज्य शक्तियाँ प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुडगांव की अपनी अधिकारिता के भीतर शहरी क्षेत्रों के सम्बन्ध में हरियाणा राज्य में हरियाणा नगरीय विकास प्राधिकरण के सभी सम्पदा अधिकारियों द्वारा भी प्रयोज्य होंगी।

धार ८ एस० मान,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग व शहरी
सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

PART II

HARYANA GOVERNMENT

LEGISLATIVE DEPARTMENT

Notification

The 11th September, 1987.

No. Leg. 18/87.—The following Ordinance of the Governor of Haryana promulgated under clause (1) of article 213 of the Constitution of India, on the 11th September, 1987, is hereby published for general information :—

Haryana Ordinance No. 4 of 1987

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ORDINANCE, 1987.**

AN

Ordinance

to amend the Haryana Urban Development Authority Act, 1977.

Promulgated by the Governor of Haryana in the Thirty-eighth Year of the Republic of India.

Whereas the Legislature of the State of Haryana is not in session and the Governor is satisfied that circumstances exist which rendere it necessary for him to take immediate action.

AND whereas instructions of the President of India to promulgate the Ordinance have been obtained ;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Haryana hereby promulgates the following Ordinance:—

1. This Ordinance may be called the Haryana Urban Development Authority (Amendment) Ordinance, 1987.

Short title.

2. After sub-section (2) of section 58 of the Haryana Urban Development Authority Act, 1977, the following sub-section shall be inserted, namely :—

Amendment
of section
58 of
Haryana
Act 13 of
1977.

“(3) Notwithstanding anything contained in any other law for the time being in force,—

“(a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;

- (b) anything done or any action taken including any notification order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by any thing done or any action taken under this Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, immediately before the commencement of this Act, shall be deemed to be due to the Authority ;
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority.”.

Dated, the
11th September, 1987.

S.M.H. BURNEY,
Governor of Haryana.

SHIV CHARAN DASS BAJAJ,
Secretary to Government, Haryana,
Legislative Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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CHANDIGARH, FRIDAY, DECEMBER 18, 1987
(AGRAHAYANA 27, 1909 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 18th December, 1987

No. 20-H.L.A. of 1987/93. The Haryana Urban Development Authority (Amendment) Bill, 1987 is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :—

Bill No. 20-H.L.A. of 1987

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) BILL, 1987

A

BILL

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987.

Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted.

Amendment
of section 14
of Haryana
Act 13 of
1977.

Price : Re. 1.00

(1987)

been substantially achieved so as to returned the continued existence of the Authority in the opinion of the State Government unnecessary, the State Government may, by notification declare that the Authority shall be dissolved with effect from such date as may be specified in the notification ; and the Authority shall be deemed to be dissolved accordingly.

(2) From the date specified under sub section (1) —

- (a) all properties, funds and dues which are vested in, or realisable by the Authority, shall vest in, or be realisable by, the State Government ;
- (b) all liabilities which are enforceable against the Authority shall be enforceable against the State Government ; and
- (c) for the purpose of carrying out any development which has not been fully carried out by the Authority and for the purpose of realising properties, funds and dues referred to in clause (a), the functions of the Authority shall be discharged by the State Government.

Repeal and savings.

58. (1) As from the date of the constitution of the Authority, the Punjab Urban Estates (Development and Regulation) Act, 1964, in its application to the State of Haryana, shall stand repealed

(2) Notwithstanding the provisions of sub-section (1) —

- (a) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab Urban Estates (Development and Regulation) Act, 1964, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (b) all property, movable and immovable and all interests of whatsoever nature and kind therein, vested in the State Government under the Punjab Urban Estates (Development and Regulations) Act, 1964, before the commencement of this Act shall vest in the Authority ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab Urban Estates (Development and Regulation) Act, 1964, before the commencement of this Act, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, immediately before the commencement of this Act shall be deemed to be due to the Authority ; and
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, may be continued or instituted by, for or against the Authority.

Removal of difficulty.

59. If any difficulties arises in giving effect to the provisions of this Act, the State Government may, by notified order, not inconsistent with the provisions of this Act, remove the difficulty.

60. (1) The Haryana Urban Development Authority Ordinance, 1977 (Haryana Ordinance No. 1 of 1977), is hereby repealed.

Repeal and Saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 10th day of January, 1977.

22

HARYANA GOVT. GAZ. (EXTRA.) JAN. 13, 1977

(PAUSA 23, 1898 SAKA)

PART III

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 13th January, 1977

No. S.S.5/H.O./1/77/S.3/77.- In exercise of the powers conferred by sub-section(I) of section 3 of the Haryana Urban Development Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana Development Authority with headquarters at Chandigarh with effect from the date of publication of this notification in official gazette.

A. BANERJEE,
Commissioner and Secretary to Govt. Hr.
Town & Country Planning Department.

PART III

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 13th January, 1977

No. S.S. 5/H.O./1/77/S.3/77.- In exercise of the powers conferred by sub-section(I) of section 3 of the Haryana Urban Development Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana Development Authority with headquarters at Chandigarh with effect from the date of publication of this notification in official gazette.

A. BANERJEE,
Commissioner and Secretary to Govt. Hr.
Town & Country Planning Department.

NOTIFICATIONS - 13-1-1977

(i) Establishment of Haryana Urban Development Authority.

--No. S.O. 5/H.O./77/S. 3/77--In exercise of the powers conferred by sub-section (1) of section 3 of the Haryana Urban Development Authority Ordinance, 1977 and all other powers enabling him in this behalf, the Governor of Haryana hereby establishes an Authority to be known as the Haryana *[Urban] Development Authority with headquarter at Chandigarh with effect from the date of publication of this notification in the Official Gazette [See Hr. Gaz. legislative Supp. Pt. III Dt. 13-1-77 p. 33].

PART III
HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification
The 13th January, 1977.

No. S.O. 6/H.O. 1/77/S.3/77. - In exercise of the powers conferred by sub-section (3) of section 3 of the Haryana Urban Authority Ordinance, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the following persons as Chairman, Vice-Chairman, Chief Administrator and members respectively of the Haryana Urban Development Authority, namely:-

- | | |
|--|----------------------------|
| 1. Minister Incharge Town & Country Planning Deptt. | Chairman. |
| 2. Chief Secretary to Government, Haryana. | Vice-Chairman. |
| 3. Director, Town & Country Planning Department. | Chief Administrator. |
| 4. Secretary to Government, Haryana, Town & Country Planning Department. | Member |
| 5. Secretary to Government, Haryana, Finance Deptt. | Member |
| 6. Secretary to Government, Haryana Local Govt. Department. | Member |
| 7. Principal Secretary to the Chief Minister. | Member |
| 8. Chairman, Haryana State Electricity Board. | Member |
| 9. Chairman, Housing Board, Haryana. | Member |
| 10. Director of Industries. | Member |
| 11. Chief Engineer, P.W.D. (B&R). | Member |
| 12. Chief Engineer, P.W.D. (P.H.) | Member |
| 13. Shri. Yashdev Aggarwal, Chairman, Improvement Trust, Hisar. | Member
(Non Official) |
| 14. Shri Sri Kishan Dass, MLA, Chairman, Improvement Trust, Rohtak. | Member
(Non Official) |
| 15. Shri Om Parkash Garg, MLA, Thanesar (Kurukshetra). | Member
(Non Official) |

A. BANERJEE,

NOTIFICATION-16-5-1977

(ii) Secretary Town and Country Planning as Revisional Authority

--No. 2116-2T, C.P-77/14788--In exercise of the powers conferred by sub-section (2) of section 51 of the Haryana Urban Development Authority Act, 1977, the President of India hereby directs that the revisional powers exercisable by the State Government under sub-section (2) of section 30 thereof, shall also be exercisable by the Secretary to Government, Haryana, Town and Country Planning Department [See Hr. Gaz. Extra dated 16-5-1977 page 856].

¹ Haryana Urban Development Authority (Conduct of Meetings) Regulations, 1977

1. *Short title.*-- These regulations shall be called the Haryana Urban Development Authority (Conduct of Meetings) Regulations, 1977.

2. *Definitions.*--In these regulations unless there is anything repugnant in the subject or context--

- (a) 'Authority' means the Haryana Urban Development Authority.
- (b) 'Agenda' means the item of business proposed to be transacted at a Meeting.
- (c) 'Chairman' means the Chairman of the Authority.
- (d) 'Chief Administrator' means the Chief Administrator of the Authority.
- (e) 'Member' means a member of the Authority.
- (f) 'Minutes' means the record of proceedings of a meeting of the Authority.
- (g) 'Presiding Authority' means the Chairman or, in his absence the Vice Chairman or such other Member chosen to preside by the Members present at the meeting.
- (h) 'Quorum' means the minimum number of members of the Authority/Committee whose presence is essential for the proper or valid transaction of business at a meeting.
- (i) 'Secretary' means Secretary of the Authority.

3. *Holding of Meetings.*--The Authority may hold a meeting either ordinary or special for the transaction of business, adjourn and or regulate it and its proceedings as deemed fit, provided, however that an ordinary meeting shall be held once at least every 3 months. There shall ordinarily be not, an interval or more than 90 days between any two successive meetings.

4. *Who may call a meeting.*--The Chairman may, at any time, and shall on receipt of written request of two third of the number of members actually serving for the time being, convene a meeting of the Authority, provided that the special meeting shall be called by the Chairman alone, whenever there is an urgent matter for consideration at such a meeting.

5. *Date, time and place of Meeting.*--The meeting of the Authority shall normally be held at the head office of the Authority during office hours. The exact date, time and place of each meeting shall be fixed by the Secretary of the Authority with the prior approval of the Chairman.

6. *Quorum.*--The quorum for every meeting of the Authority shall be one third of the number of members actually serving for the time-being but shall not, in any case, be less than four. The quorum for a meeting of the Committee shall, however, be three members except where the total number of members in a Committee is itself three, the quorum shall be two.

7. *When quorum not present at a meeting.*--

(i) If within fifteen minutes from the time appointed for the meeting, a quorum is not present, the meeting if convened on the written request of the members as laid down under regulation 4, shall be dissolved, but in any other case shall stand adjourned to any future day or to any hour of the same day, as the Presiding Authority may determine and announce at the time of adjournment. If at such adjourned meeting, a quorum is still not present within 15 minutes from the time appointed, the meeting shall stand dissolved.

(ii) When the quorum has once been constituted and the business of the meeting properly started, it shall continue, unless some member objects and calls the attention of the Presiding Authority to the absence of quorum. In such circumstances, the Presiding Authority would make a count and if there is no quorum within next fifteen minutes, he shall adjourn the meeting to any future day or to any hour of the same day, as he may determine. The procedure thereafter shall be as prescribed in regulation 7 (i).

8. *Power to adjourn meeting.*--The Presiding Authority may, if he thinks it necessary or expedient, and shall, if so directed by the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at the adjourned meeting other than the business left unfinished at the meeting which had been adjourned. When an adjourned meeting is to be held within 48 hours, it shall not be necessary to give a fresh notice. A notice shall be sent to all the members in the case of a regular meeting.

9. *Decisions in a meeting in which quorum is present.*--All questions or items at such a meeting shall be decided by a majority of votes of the members present and voting and in case of equality of votes, the member presiding shall have a second or casting vote.

10. *Who shall preside at the meeting.*--The Chairman shall preside at every meeting, or in his absence, the Vice-Chairman and if there be no Chairman or Vice-Chairman, present, then any one of the members present, whom the members present may elect, shall preside.

11. *Agenda for meetings.*--The agenda for each meeting of the Authority shall be prepared by the Secretary, on the basis of the proposals received from the Chief Administrator. Before any item is included in the Agenda, the Secretary shall ensure that the item has been approved for inclusion by the Chief Administrator. Each item to be included in the agenda should be self-explanatory. If approval of the Authority is required on any item by calculation, approval of the Chief Administrator shall be obtained by the Secretary before circulation of that item.

12. *Notice for the meeting.*--

(i) At least seven days' notice in writing for an ordinary meeting shall be given to each member by the Secretary. An extra-ordinary meeting could, however, be convened at 24 hours' notice. A copy of the agenda for meeting shall also be sent to the members either with the notice or as soon thereafter as possible, but at least 3 days before the ordinary meeting.

(ii) If any member is out of India, or is otherwise not in a position to attend the meeting, the service of notice on such a member may be dispensed with by the Secretary with the prior approval of the Chief Administrator, provided that if any member is present without issue of

notice, the proceedings of such meeting shall not be challenged on the ground of non-issuance of notice.

- (iii) A notice shall be deemed to be duly served, if it is sent within the prescribed time limit to the member personally by hand or by post at the registered address communicated by the member in writing to the Authority.

13. *Constitution of Committee.*--The authority may appoint committees and Sub-committees consisting of such members as it may think fit and with such powers and functions as it may specify.

14. *Participation of non-members in the deliberation of the meeting of the Authority.*--

- (i) The Chairman shall have power to invite in a meeting any person (s) whose assistance or advice is considered necessary. Such person (s) shall have the right to attend such meeting of the Authority and to take part in their deliberations, but not the right to vote.
- (ii) The Secretary and any other officer (s)/official (s) of the Authority permitted by the Chairman shall attend the meeting and shall furnish or explain any information as may be asked by the Authority. The Secretary will participate in the discussion as and when required, but shall have no right to vote.

15. *Recording and confirmation of minutes.*--

- (i) Minutes shall be kept of the names of the members present and of the proceedings at each meeting in a book to be provided for the purpose, which shall be signed at the next ensuing meeting by the person presiding at such meeting, and shall be open to inspection by any member during office hours.
- (ii) The proceedings of each meeting shall be prepared by the Secretary, after approval and signatures of the Presiding Authority, the proceedings shall be duly kept by the Secretary in his personal custody.
- (iii) No person shall be entitled to object to the text of the minutes of any meeting unless he was present at the meeting to which they relate.

16. *Removal from membership.*--The State Government may remove, from office of any member--

- (i) who, without excuse, sufficient in the opinion of the State Government, is absent for more than four consecutive meetings of the Authority.
- (ii) who has, in the opinion of the State Government so abused his position as a member as to render his continuance on the Authority detrimental to the interest of the Authority.

NOTIFICATION - 3-7-1978

(iii) Appointment of Estate Officer as Collector

--No. 1880--8(2)-3 TCP-78-In exercise of the powers conferred by clause (f) of section 2 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana is pleased to appoint the Estate Officers of Haryana Urban Development Authority at Faridabad, Panchkula, Rohtak, Hissar and Karnal to perform the functions of Collector under the said Act within the limits of their respective jurisdiction in the State of Haryana [See Hr. Gaz. Extra Dt. 3-7-1978 P. 863.]

PART I

LEGISLATIVE DEPARTMENT

Notification

The 10th January, 1979

No. 4-Leg./79.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th January 1979 and is hereby published for general information :—

Haryana Act No. 4 of 1979

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1978

AN
ACT

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1978. Short title.

2. After sub-section (3) of section 51 of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the principal Act), the following sub-section shall be inserted, namely :— Amendment of section 51 of Haryana Act 13 of 1977.

“(4) The State Government may, by notification, direct that any power exercisable by the Chief Administrator under this Act may be exercised by such other officer of the Authority as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.”.

3. To section 55 of the principal Act, the following provisos shall be added, namely :— Amendment of section 55 of Haryana Act 13 of 1977.

“(4) Provided that if a building is begun, erected or re-erected in contravention of 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 thereof, within six months of its having begun or having been completed, as the case may be. 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 :

Provided further that the Chief Administrator may, instead of requiring the alteration or demolition of any such building, accept by way of composition, such sum as he may deem reasonable.”.

B. S. YADAV,

Secretary to Government, Haryana,
Legislative Department.

NOTIFICATION - 11-4-1979

(iv) Powers Conferred on Administrators and Estate Officers

--No. 1293-18(50)-3 TCP-79--In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, of Governor of Haryana hereby directs that--

- (i) the powers exercisable by the Chief Administrator, Haryana Development Authority under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrators, Haryana Urban Development Authority, Panchkula and Faridabad, in respect of the urban areas under their respective jurisdiction.
- (ii) the power to alter or demolish buildings exercisable by the Chief Administrator, Haryana Urban Development Authority, under the first proviso to section 55 of the Haryana Urban Development Authority Act, 1977, shall also be exercisable by all the Estate officers, Haryana Urban Development Authority in the Haryana State in respect of the Urban Areas under their respective jurisdiction [Hr. Gaz, Extra. Dt. 11-4-1979 P. 733]

NOTIFICATIONS - 20-4-79

(viii) Authorities Panchkula and Faridabad to be Appellate Authorities

--No. 1450--8(2)3 TCP-79--In the exercise of the powers conferred by sub-section (1) of section 20 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the Administrators, Haryana Urban Development Authority, Panchkula and Faridabad as appellate authorities for the purposes of section 20 of the Haryana Urban Development Authority Act, 1977, in respect of the urban areas under their respective jurisdiction for appeals against the orders of the Collectors appointed vide Haryana Government Town and Country Planning Department notification No. 1880-8(2)3 TCP-78, dated the 9th June, 1978, published in Haryana Government Gazette, dated the 3rd July, 1978. [See Hr. Gaz. Extra Dt. 20-4-1979 Page 793].

NOTIFICATIONS - 10-7-1984

(ix) HUDA Chief Administrator to act as Administrator under Pb. New Mandi Township.

--No. 2913-2TCP/MA III.--In pursuance of the provisions of clause (a) of section 2 of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, the Governor of Haryana is pleased to designate the Chief Administrator, Haryana, Urban Development Authority, to perform the functions of an Administrator under the said Act. [See Hr. Gaz. Pt. I. Dt. 10-7-1984 Page 753-754].

**HARYANA GOVERNMENT
HARYANA URBAN DEVELOPMENT AUTHORITY**

Notification

The 6th December, 1979

No. L.O.-79/22925.—In exercise of the powers conferred by section 54 of the Haryana Urban Development Authority Act, 1977, and with the previous approval of the State Government conveyed, *vide* their memo No. 3119-2TPC-79, dated 27th November, 1979, the Haryana Urban Development Authority hereby publishes the following Regulations for the preservation of trees in the Urban Estates set up by the Authority :—

1. **Title and commencement.**—(a) These Regulations shall be called the Haryana Urban Development Authority (Preservation of Trees) Regulations, 1979.

(b) These shall come into force at once.

2. **Definitions.**—In these Regulations, unless there is anything repugnant in the subject or context:—

(i) "Authorised Officer" means an officer of the Authority specifically authorised to perform certain functions under these Regulations.

(ii) "Operational land", means land which is used by public service undertakers for the purpose of carrying on the undertaking of such undertakers ;

(iii) "Owner" includes a mortgagee with possession ;

(iv) "Public Service Undertakers" means a person (including a firm or other body of individuals whether incorporated or not) who is carrying on or is authorised to carry on any public utility service including a railway, light railway, or is engaged in road transport water transport, disposal of waste, or in the supply of electricity or water ;

(v) "Zoning Plan" shall mean the detailed lay-out plan of the sector or a part thereof as approved by the Chief Administrator showing the sub-division of plots, open spaces, streets, position of protected trees and other features and in respect of each plot, permitted land use building lines and restrictions with regard to the use and development of each plot in addition to those laid down in the erection of building regulations.

3. **Application for permission.**—(i) No person shall, except with the previous permission in writing of the Estate Officer or such other authorised officer cut down, lop or destroy or cause or permit the cutting down, lopping or destruction of any tree in any part of the wood-land area shown in the zoning plan as "protected trees" or "protected wood land areas".

(ii) An application under sub-regulation (i) shall be in writing and shall specify the trees, group of trees or the wood land area to which the application relates, and the operations for the carrying out of which the permission is required ; and where necessary for the identification of such trees, groups of trees or wood-land area, the application shall also be accompanied by a map or plan on a scale as may be required by the Estate Officer or such other authorised officer.

4. **Permission or refusal.**—(i) The Estate Officer or such other authorised officer may grant such permission either unconditionally or subject to such conditions (including conditions requiring the replacement of any one tree by one or more trees of the same or a specified kind on the site or in the immediate vicinity thereof) as he may deem fit, or he may refuse permission.

(ii) Where the Estate Officer or such other authorised officer refuses permission under these Regulations or grants such permission subject to conditions, he shall, while refusing or granting permission, certify that in respect of any tree, groups of trees or any wood-land area for which he has so refused or granted permission, he is satisfied that :—

(a) the refusal or permission is in the interest of good forestry, or

(b) in the case of a wood-land area, it has amenity value in relation to the wood-land character of the area, or

(c) in the case of trees or groups of trees, the trees have an outstanding amenity value for offering shade to the building or roads, or

(d) there is any other special amenity provided by the trees or wood-land area.

5. **Register of applications.**—The Estate Officer or such other authorised officer shall keep and maintain a register of all applications for permission under these Regulations containing information as to the nature of the application, name of the applicant, the decision of the competent authority thereon and any directions as to the replanting of the trees, etc., and every such register shall be available for inspection.

6. **Applications deemed to have been sanctioned.**—An application made under regulation 3 of these Regulations shall be deemed to be sanctioned if a decision thereon is not conveyed to the applicant within two months of the receipt of the application by the Estate Officer.

7. **Register of trees.**—The protected tree or trees, groups of trees or wood-land area shall be listed by the Estate Officer or such other authorised officer in a register.

8. **Numbering of trees.**—All protected trees or groups of trees or wood-land area shown on the zoning plan or listed in the register of trees shall bear a number corresponding to its number in the register of trees.

9. **Replanting.**—Where permission is granted under these regulations or otherwise, the Estate Officer or such other Authorised officer may give direction to the owner of any site as to the planting or replanting of any trees or kinds of trees.

Any such direction may include requirements as to :—

- (a) Species of trees ;
- (b) Planting distance ;
- (c) The erection and maintenance of fencing necessary for protection of the planted or replanted trees ;
- (d) The preparation of ground, drainage, removal of brushwood, lop and top ; and
- (e) Protective measures against drought or fire.

10. **Exemption.**—These Regulations shall not apply :—

- (a) To the cutting down, topping or lopping of any tree in an operational land ;
- (b) For normal forestry operations in young plantations such as weeding, brushing and high pruning ;
- (c) The usual pruning or trimming of a tree from time to time.

11. **Appeal.**—Any person aggrieved by an order of Estate Officer or such other authorised officer under these regulations may, within a period of thirty days of the date of communication to him of such order, prefer an appeal to the Administrator concerned in such form and manner, as may be prescribed :

Provided that the appellate authority may entertain the appeal after the expiry of thirty days, it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

12. **Power of relaxation.**—The Authority may with the previous approval of the State Government relax the provisions of any of these regulations in respect of any class or category of persons, if in the opinion of the Authority, but for such relaxation, the regulations would operate harshly.

13. **Penalty for breach of Regulations.**—Any contravention of these regulations shall be liable for punishment in accordance with the provisions of section 55 of the H.U.D.A. Act, 1977.

M.S. RATHEE,
I.A.S.,

Chief Administrator,
Haryana Urban Development Authority, Chandigarh.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 16th July, 1984

No. Leg.23/84.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 13th July, 1984, and is hereby published for general information :—

Haryana Act No. 18 of 1984

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1984

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1984.

Short title and commencement.

(2) It shall be deemed to have come into force with effect from the 2nd May, 1977.

2. For section 14 of the Haryana Urban Development Authority Act, 1977, the following section shall be substituted, namely:—

Substitution of section 14 of Haryana Act 13 of 1977.

“14. Acquisition of the land.—(1) When any land, other than the land owned by the Central Government, is required for the purposes of this Act, the State Government may, at the request of the Authority, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, and on payment by the Authority of the compensation awarded under that Act and of any other charges incurred in acquiring the land, the land shall vest in the Authority.

(2) For the purposes of the Land Acquisition Act, 1894, the Authority shall be deemed to be a local authority.”

3. The Haryana Urban Development Authority (Amendment) Ordinance, 1984 (Haryana Ordinance No. 3 of 1984) is hereby repealed.

Repeal.

SHIV CHARAN DAS BAJAJ,

Secretary to Government, Haryana,
Legislative Department.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 4th December, 1984

No. Leg. 34/84.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on 22nd December, 1984, and is hereby published for general information:—

Haryana Act No. 26 of 1984.

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Urban Development Authority (Second Amendment) Act, 1984.

Short title and commencement.

(2) It shall be deemed to have come into force with effect from the 2nd May, 1977.

2. In clause (n) of section 2 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words "Faridabad Complex Administration", the sign and words, "the Haryana Urban Development Authority" shall be inserted.

Amendment of section 2 of Haryana Act 13 of 1977.

3. In sub-section (2) of section 3 of the principal Act, after the words "body corporate", the words "as well as a local authority" shall be inserted.

Amendment of section 3 of Haryana Act 13 of 1977.

4. In sub-section (2) of section 14 of the principal Act, after the words and figures "the Land Acquisition Act, 1894", the words "and any other law for the time being in force" shall be inserted.

Amendment of section 14 of Haryana Act 13 of 1977.

5. In section 29 of the principal Act, after the words "entrust the local authority," the words "discharging municipal functions," shall be inserted.

Amendment of section 29 of Haryana Act 13 of 1977.

6. The Haryana Urban Development Authority (Second Amendment) Ordinance, 1984 (Haryana Ordinance No. 6 of 1984), is hereby repealed.

Repeal.

The above Bill was passed by the Haryana Vidhan Sabha on the 5th September, 1984.

SHIV CHARAN DAS BAJAJ,
Secretary to Government, Haryana,
Legislative Department.

15483 LR (II)—Govt. Press, U.T., Chd.

URBAN ESTATE DEPARTMENT

Notification

The 12th February, 1987

No. 16/243/86-3TCP.—In exercise of the powers conferred by clause (f) of section 2 of the Haryana Urban Development Authority Act, 1977 the Governor of Haryana is pleased to appoint the Estate Officer of Haryana Urban Development Authority at Gurgaon to perform the functions of Collector under the said Act within the limits of his respective jurisdiction in the State of Haryana.

R. S. MANN,

Commissioner and Secy. to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 12 फरवरी, 1987

संख्या 16/243/86-3टी० सी० पी०.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 2 के खण्ड (च) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इस के द्वारा हरियाणा सम्पदा अधिकारी, नगरीय विकास प्राधिकरण, गुरुगांव की हरियाणा राज्य में उसकी अपनी अधिकारिता की सीमाओं के भीतर कलक्टर के कृत्यों का पालन करने के लिए नियुक्त करते हैं।

आर० एस० मान,

आयुक्त एवं सचिव, हरियाणा सरकार,

नगर तथा ग्राम आयोजना विभाग,

य गुरुगढ़ी सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

(हिन्दी अनुवाद)

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 12 फरवरी, 1987

सं० 16/243/86-3टी०सी०पी०.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 20 की उप-धारा (I) द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल इसके द्वारा प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुरुगांव को हरियाणा सरकार राजपत्र, दिनांक 3 जुलाई, 1978 में प्रकाशित हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग अधिसूचना सं० 1880-बी (2)-3टी०सी०पी०-78, दिनांक 9 जून, 1978 द्वारा निम्नलिखित कलक्टरों के प्रादेशों के विस्तार अधीनों के लिए, अपनी अधिकारता के भीतर शहरी क्षेत्रों के सम्बन्ध में हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 20 के प्रयोजनों के लिये अधीन प्राधिकारी नियुक्त करते हैं।

भार० एस० मान,

भायुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग २,
शहरी सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

[Extract from Haryana Government Gazette (Extra.), dated the 27th February, 1987]

HARYANA GOVERNMENT
URBAN ESTATE DEPARTMENT

Notification

The 12th February, 1987

No. 16/243/86-3TCP.—In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the Governor of Haryana hereby directs that the powers exercisable by the Chief Administrator, Haryana, under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrator, Haryana Urban Development Authority, Gurgaon, in respect of the Urban areas under his jurisdiction and the powers exercisable by the Chief Administrator, under the first proviso to section 55 of the Haryana Urban Development Authority Act, 1977, shall also be exercisable by all the Estate Officers of the Haryana Urban Development Authority in the Haryana State in respect of Urban areas under their respective jurisdiction of the Administrator, Haryana Urban Development Authority, Gurgaon.

R. S. MANN,

Commissioner and Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

प्रसिद्धि

दिनांक 12 फरवरी, 1987

संख्या 16/243/88-3टी०सी०पी०—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 51 की उप-धारा (4) द्वारा प्रदान की गई शक्तों तथा इस निमित्त उन्हें सम्पन्न करने वाली सभी अन्य शक्तों का प्रयोग करते हुये, हरियाणा के राज्यपाल इसके द्वारा निम्नलिखित निदेश करते हैं कि उक्त अधिनियम की धारा 12 की उप-धारा (5), (6) तथा (7) और धारा 55 के दूसरे परन्तुक के अधीन मुख्य प्रशासक द्वारा प्रयोज्य शक्तियाँ प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुडगांव द्वारा उसकी अधिकारिता के भीतर शहरी क्षेत्रों के सम्बन्ध में प्रयोज्य होंगी और हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 की धारा 55 के प्रथम परन्तुक के अधीन मुख्य प्रशासक, हरियाणा नगरीय विकास प्राधिकरण द्वारा भवनों परिवर्तन करने तथा गिराने के लिये प्रयोज्य शक्तियाँ प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, गुडगांव की अपनी अधिकारिता के भीतर शहरी क्षेत्रों के सम्बन्ध में हरियाणा राज्य में हरियाणा नगरीय विकास प्राधिकरण के सभी सम्पदा अधिकारियों द्वारा भी प्रयोज्य होंगी।

धार ८ एस० भान,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग व शहरी
सम्पदा विभाग।

24043 CS(H)—Govt. Press, U.T., Chd.

PART II

HARYANA GOVERNMENT

LEGISLATIVE DEPARTMENT

Notification

The 11th September, 1987.

No. Leg. 18/87.—The following Ordinance of the Governor of Haryana promulgated under clause (1) of article 213 of the Constitution of India, on the 11th September, 1987, is hereby published for general information :—

Haryana Ordinance No. 4 of 1987

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ORDINANCE, 1987.**

AN

Ordinance

to amend the Haryana Urban Development Authority Act, 1977.

Promulgated by the Governor of Haryana in the Thirty-eighth Year of the Republic of India.

Whereas the Legislature of the State of Haryana is not in session and the Governor is satisfied that circumstances exist which rendere it necessary for him to take immediate action.

AND whereas instructions of the President of India to promulgate the Ordinance have been obtained ;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Haryana hereby promulgates the following Ordinance:—

1. This Ordinance may be called the Haryana Urban Development Authority (Amendment) Ordinance, 1987.

Short title.

2. After sub-section (2) of section 58 of the Haryana Urban Development Authority Act, 1977, the following sub-section shall be inserted, namely :—

Amendment
of section
58 of
Haryana
Act 13 of
1977.

“(3) Notwithstanding anything contained in any other law for the time being in force,—

“(a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;

- (b) anything done or any action taken including any notification order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by any thing done or any action taken under this Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, immediately before the commencement of this Act, shall be deemed to be due to the Authority ;
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority.”.

Dated, the
11th September, 1987.

S.M.H. BURNEY,
Governor of Haryana.

SHIV CHARAN DASS BAJAJ,
Secretary to Government, Haryana,
Legislative Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

© Govt. of Haryana

CHANDIGARH, FRIDAY, DECEMBER 18, 1987
(AGRAHAYANA 27, 1909 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 18th December, 1987

No. 20-H.L.A. of 1987/93. The Haryana Urban Development Authority (Amendment) Bill, 1987 is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :—

Bill No. 20-H.L.A. of 1987

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) BILL, 1987

A

BILL

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987.

Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted.

Amendment of section 14 of Haryana Act 13 of 1977.

Price : Re. 1.00

(1983)

Amendment
of section 58
of Haryana
Act 13 of
1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :—

“(3) Notwithstanding anything contained in any other law for the time being in force,—

- (a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;
- (b) any thing done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under the Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912 may be continued or instituted by, for or against the Authority.”.

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

Consequent upon the winding up of the Colonization Department w.e.f. 30th September, 1983, the Governot of Haryana was pleased to order that the mandi portion of the Mandi Township established by the Colonization Department shall be transferred to the Haryana State, Haryana Agriculture Mraketing Board and the remaining portion of the Mandi Township to the Haryana Urban Development Authority.

2. As a result of winding up of the Colonization Department, a great difficulty was being experienced that under what Act action is to be taken i.e. New Mandi Township Act, 1960/Colonization of Government Lands Act, 1912 or Haryana Urban Development Authority Act, 1977. Because of this infirmity in the Act, lot of encroachments are taking place on Government land.

3. In order to overcome this difficulty, it was felt necessary to amend Section 58 of the Haryana Urban Development Authority Act so that allotment made, apreement done or any action taken under the New Mandi Township Act should be deemed to have been taken under Haryana Urban Development Authority Act.

4. This being the emergent matter, it was felt necessary to amend the Act immediately and issue the ordinance whereas the legislation of the State of Haryana was not in session. Therefore, an ordinance was promulgated after getting the instructions of the President of India. Now this ordinance is to be replaced by the Bill. Hence the Bill has been prepared by the Legislative Department.

SAMPAT SINGH,

Industries Minister, Haryana.

Chandigarh :

G.L.BATRA,

The 18th December, 1987.]

Secretary.

MEMORANDUM EXPLAINING THE REASONS FOR MODIFYING
THE BILL

An Ordinance was promulgated to amend the Haryana Urban Development Authority, Act, 1977 to overcome the difficulty arising as a result of binding up of the Colonization Department and its transfer to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Development Authority.

A Bill to replace the Ordinance is proposed to be introduced in the Legislative Assembly. As at this appropriate time a minor but essential amendment is also required, therefore, the Bill has been modified to include an amendment in section 14 of the Act *ibid*.

(प्राधिकृत अनुवाद)

1987 का विधेयक सं. 20-एच. एल. ए.

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) विधेयक, 1987

हरियाणा नगरीय विकास प्राधिकरण अधिनियम,
1977, को संशोधित करने के लिए
प्राधिकृत

भारत गणराज्य के अड़तीसवें वर्ष में हरियाणा राज्य विधानमंडल द्वारा निम्न-
लिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987, कहा जा सकता है।

संक्षिप्त नाम।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (जिसे इसमें इसके बाद मूल अधिनियम कहा गया है), की धारा 14 की उपधारा (1) में, "भूमि अर्जन अधिनियम, 1894", शब्दों और अंक में पहले "समय-समय पर यथासंशोधित" शब्द रखे जायेंगे।

1977 के
हरियाणा अधि-
नियम 13 की
धारा 14 का
संशोधन।

3. मूल अधिनियम की धारा 58 की उपधारा (2) के पश्चात्, निम्नलिखित उप-
धारा रखी जाएगी, अर्थात्:—

1977 के
हरियाणा अधि-
नियम 13 की
धारा 58 का
संशोधन।

"(3) उस समय लागू किसी अन्य विधि में किसी बात के होते हुये भी,—

(क) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार में निहित सभी सम्पत्ति, चल तथा अचल और सभी हित चाहे उनका स्वरूप और किस्म कुछ भी हो, उपनिवेशन विभाग द्वारा स्थापित मंडी नगर-क्षेत्र के मंडी प्रभाग के सिवाय, प्राधिकरण में निहित हो जाएंगे ;

(ख) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के किन्हीं उपबंधों के अधीन जारी की गई किसी अधि-योजना, किये गये आवेदन, बनाई गई स्कीम या नियम, दी गई अनुज्ञा सहित की गई कोई बात या कार्रवाई, जहां तक यह इस अधिनियम के उपबंधों से असंगत नहीं है, तब तक इस अधिनियम के उपबंधों के अधीन लागू रहेंगी और की गई समझी जायेंगी जब तक यह इस अधिनियम के अधीन की गई किसी बात या किसी कार्रवाई द्वारा अधिकृत नहीं कर दी जाती ;

- (ग) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार द्वारा उसके साथ या उसके लिये उपगत सभी अधूरा, बाध्यताएं और दायित्व, की गई सभी संविदाएं तथा किये जाने वाले घचनबद्ध सभी मामले और बातें प्राधिकरण द्वारा, उसके साथ अथवा उसके लिये उपगत किये गये/की गई, अथवा की जाने के लिये घचनबद्ध समझी जाएंगी ;
- (घ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार को देय सभी कर, फीस और अन्य धनराशियां, प्राधिकरण को देय समझी जाएंगी ;
- (ङ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, तथा सरकारी भूमि उपनिवेशन (पंजाब) अधिनियम, 1912, के अधीन राज्य सरकार द्वारा या उसके विरुद्ध संस्थित किए गए, या जो संस्थित किए जा सकते थे, सभी वाद, अग्न-योजन तथा अन्य विधिक कार्यवाहियां प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध चालू रहीं या संस्थित की, जा सकती है।"

निरसन ।

4. हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अध्यादेश, 1987 (1987 का हरियाणा अध्यादेश सं. 4), इसके द्वारा निरसित किया जाता है ।

उद्देश्यों और कारणों का विवरण

30-9-83 से उपनिवेशन विभाग के समाप्त हो जाने के फलस्वरूप हरियाणा के राज्यपाल ने आदेश दिया था कि उपनिवेशन विभाग द्वारा स्थापित मण्डी नगरक्षेत्र का मण्डी प्रभाग, हरियाणा राज्य कृषि मंडीकरण बोर्ड को तथा मंडी नगरक्षेत्र का शेष प्रभाग, हरियाणा नगरीय विकास प्राधिकरण को अन्तर्लिखित किया जायेगा।

2. उपनिवेशन विभाग के समाप्त होने के फलस्वरूप, एक बड़ी कठिनाई का अनुभव किया जा रहा था कि किस अधिनियम के अधीन कार्यवाही की जाये अर्थात् नये मण्डी नगरक्षेत्र अधिनियम, 1960, के अधीन या सरकारी भूमि उपनिवेशन अधिनियम, 1912 के अधीन या हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 के अधीन। अधिनियम में इस त्रुटि के कारण, सरकारी भूमि पर बहुत से अधिक्रमण हो रहे हैं।

3. इस कठिनाई पर काबू पाने के लिये यह आवश्यक समझा गया कि हरियाणा नगरीय विकास प्राधिकरण अधिनियम की धारा 58 को संशोधित किया जाये ताकि नये मण्डी नगरक्षेत्र अधिनियम के अधीन विपणन आदेशन वशर या की गई किसी भी कार्यवाही को उसे समझा जाये कि मानो वह हरियाणा नगरीय विकास प्राधिकरण अधिनियम के अधीन की गई हो।

4. यह सामाजिक मामला होने के कारण, आवश्यक समझा गया कि अधिनियम को तुरन्त संशोधित किया जाये और अध्यादेश जारी किया जाये, जबकि हरियाणा राज्य विधान मण्डल का सत्र नहीं हो रहा था। इसलिये, भारत के राष्ट्रपति के निर्देश प्राप्त करने के पश्चात् एक अध्यादेश प्रस्तापित किया जाये। अब, इस अध्यादेश के स्थान पर, विधेयक लाया जाना है। अतः विधायी विभाग द्वारा विधेयक तैयार किया गया है।

सम्मत सिंह,
उद्योग मंत्री, हरियाणा।

चण्डीगढ़ :
18 दिसम्बर, 1987।

जी. एल. बत्ता,
सचिव।

विधेयक को उपान्तरित करने के कारण स्पष्ट करने वाला ज्ञापन

उपनिवेशन विभाग के गमादा हो जाने तथा उसके हरियाणा राज्य के हरियाणा वृषि मंडीकरण बोर्ड को तथा मण्डी नगरक्षेत्र के पुनर्वांग भाग के हरियाणा नगरीय विकास प्राधिकरण को अन्तरित करने के परिणामस्वरूप उत्पन्न हुई कठिनाई को दूर करने के लिये हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 को संशोधित करने के लिये एक अध्यादेश प्रख्यापित किया गया था। अध्यादेश के स्थान पर एक विधेयक को विधान सभा में पुरास्थापित करने का प्रस्ताव किया गया है। क्योंकि इस उपयुक्त समय पर एक छोटा परन्तु अनिवार्य संशोधन लाना अपेक्षित है, इसलिये, पूर्वोक्त अधिनियम की धारा 14 में एक संशोधन सम्मिलित करने के लिये विधेयक को उपान्तरित किया गया है।

HARYANA VIDHAN SABHA

Bill No. 20-HLA of 1987

THE HARYANA URBAN DEVELOPMENT AUTHORITY (AMENDMENT) BILL, 1987

A BILL

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987. Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted. Amendment of section 14 of Haryana Act 13 of 1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :— Amendment of section 58 of Haryana Act 13 of 1977.

"(3) Notwithstanding anything contained in any other law for the time being in force,—

(a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority;

(b) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act;

(c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority;

(d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;

(e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority."

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS :

Consequent upon the winding up of the Colonization Department w.e.f. 30th September, 1983, the Governor of Haryana was pleased to order that the mandi portion of the Mandi Township established by the Colonization Department shall be transferred to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Urban Development Authority.

2. As a result of winding up of the Colonization Department, a great difficulty was being experienced that under what Act action is to be taken i.e. New Mandi Township Act, 1960/Colonization of Government Lands Act, 1912 or Haryana Urban Development Authority Act, 1977. Because of this infirmity in the Act, lot of encroachments are taking place on Government land.

3. In order to overcome this difficulty, it was felt necessary to amend Section 58 of the Haryana Urban Development Authority Act so that allotment made, agreement done or any action taken under the New Mandi Township Act should be deemed to have been taken under Haryana Urban Development Authority Act.

4. This being the emergent matter, it was felt necessary to amend the Act immediately and issue the Ordinance whereas the legislation of the State of Haryana was not in session. Therefore, an Ordinance was promulgated after getting the instructions of the President of India. Now this Ordinance is to be replaced by the Bill. Hence the Bill has been prepared by the Legislative Department.

SAMPAT SINGH,

Industries Minister, Haryana.

Chandigarh :

The 18th December, 1987.

G. L. BATRA,

Secretary.

N.B.—The the above Bill was published in the *Haryana Government Gazette (Extraordinary)*, dated the 18th December, 1987, under proviso to rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

MEMORANDUM EXPLAINING THE REASONS FOR MODIFYING THE BILL

An Ordinance was promulgated to amend the Haryana Urban Development Authority Act, 1977 to overcome the difficulty arised as a result of binding up of the Colonization Department and its transfer to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Development Authority.

A Bill to replace the Ordinance is proposed to be introduced in the Legislative Assembly. As at this appropriate time a minor but essential amendment is also required, therefore, the Bill has been modified to include an amendment in section 14 of the Act *ibid.*

ANNEXURE

Extract from the Haryana Urban Development Authority Act, 1977

* * * * *

Acquisition
of land.

14. (1) When any land, other than the land owned by the Central Government, is required for the purposes of this Act, the State Government may, at the request of the Authority, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, and on payment by the Authority of the compensation awarded under that Act and of any other charges incurred in acquiring the land, the land shall vest in the Authority.

(2) * * * * *

Repeal and
sayings.

53. (1) As from the date of the constitution of the Authority, the Punjab Urban Estates (Development and Regulation) Act, 1964, in its application to the State of Haryana, shall stand repealed.

(2) Notwithstanding the provisions of sub-section (1)—

- (a) anything done or any action taken including any notification order, scheme, permission or rule made, granted or issued under any provisions of the Punjab Urban Estates (Development and Regulation) Act, 1964, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (b) all property, movable and immovable and all interests of whatsoever nature and kind therein, vested in the State Government under the Punjab Urban Estates (Development and Regulations) Act, 1964, before the commencement of this Act shall vest in the Authority ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab Urban Estates (Development and Regulation) Act, 1964, before the commencement of this Act, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, immediately before the commencement of this Act shall be deemed to be due to the Authority ; and
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, may be continued or instituted by, for or against the Authority.

* * * * *

PART I
LEGISLATIVE DEPARTMENT
Notification

The 15th February, 1988

No. Leg. 9/88.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 5th February, 1988, and is hereby published for general information :—

Haryana Act No. 9 of 1988

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1987

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987.

Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted.

Amendment of section 14 of Haryana Act 13 of 1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :—

Amendment of section 58 of Haryana Act 13 of 1977.

"(3) Notwithstanding anything contained in any other law for the time being in force,—

- (a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;
- (b) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;

(d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;

(e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority."

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

SURINDER SARUP,
Secretary to Government, Haryana,
Legislative Department.

विधायी विभाग

56

9 जून, 1989

दि हरियाणा अर्बन डिवेलपमेंट आथॉरिटी (अमेन्डमेंट) ऐक्ट, 1987, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यापाल के तिथि 31 मई, 1989 के प्राधिकार के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4-क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा:—

1988 का हरियाणा अधिनियम सं० 9

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987,

हरियाणा नगरीय विकास प्राधिकरण अधिनियम,

1977, को संशोधित करने के लिए

अधिनियम ।

भारत गणराज्य के अड़तीसवें वर्ष में हरियाणा राज्य विधानमंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987, कहा जा सकता है । संक्षिप्त नाम ।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (जिसे इसमें इसके बाद मूल अधिनियम कहा गया है); की धारा 14 की उपधारा (1) में, "भूमि अर्जन अधिनियम, 1894," शब्दों और अंक से पहले "समय-समय पर यथा संशोधित" शब्द रखे जायेंगे । 1977 के हरियाणा अधिनियम 13 की धारा 14 का संशोधन ।

3. मूल अधिनियम की धारा 58 की उपधारा (2) के पश्चात् निम्नलिखित उपधारा रखी जाएगी, अर्थात् :— 1977 के हरियाणा अधिनियम 13 की धारा 58 का संशोधन ।

"(3) उस समय लागू किसी अन्य विधि में किसी बात के होते हुए भी :—

(क) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार में निहित सभी सम्पत्ति, चल तथा अचल, और सभी हित, चाहे उनका स्वरूप और किस्म कुछ भी हो, उप-निवेशन विभाग द्वारा स्थापित, मंडी नगर क्षेत्र के मंडी प्रभाग के सिवाय, प्राधिकरण में निहित हो जाएंगे;

(ख) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के किन्हीं उपबंधों के अर्वाह जारी की गई किसी अधिसूचना, किये गये आदेश, बनाई गई स्कीम, या नियम दी गई अनुज्ञा सहित की

गई कोई बात या कार्रवाई, जहां तक यह इस अधिनियम के उपबंधों के असंगत नहीं है, तब तक इस अधिनियम के उपबंधों के अधीन लागू रहेंगी और की गई समझी जायगी जब तक यह इस अधिनियम के अधीन की गई किसी बात या किसी कार्रवाई द्वारा अधिकांत नहीं कर दी जाती ;

(ग) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार द्वारा, उसके साथ या उसके लिये उपगत सभी भूखण, बाध्यताएं और दायित्व, की गई सभी संविदाएं तथा किये जाने वाले वचनबद्ध सभी मामले और बातें प्राधिकरण द्वारा, उसके साथ अथवा उसके लिये उपगत, किये गये/की गई, अथवा की जाने के लिये वचनबद्ध समझी जाएंगी ;

(घ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार को देय सभी कर, फीस और अन्य धनराशियां, प्राधिकरण को देय समझी जाएंगी ;

(ङ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, तथा सरकारी भूमि उपनिवेशन (पंजाब) अधिनियम, 1912, के अधीन राज्य सरकार द्वारा या उसके विरुद्ध संस्थित किए गए, या जो संस्थित किए जा सकते थे, सभी वाद, अभियोजन तथा अन्य विधिक कार्यवाहियां प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध चालू रखी या संस्थित की जा सकती हैं । " ।

निरसन ।

4. हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अध्यादेश, 1987 (1987 का हरियाणा अध्यादेश सं० 4), इसके द्वारा निरसित किया जाता है ।

सुरेन्द्र सरूप,

सचिव, हरियाणा सरकार,
विश्राम विभाग ।

10

HARYANA GOVT GAZ. (EXTRA.), JAN. 8, 1991
(PAUSA 18, 1912 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 8th January, 1991

No. S.O. 3/H.A. 13/77/S. 20/91.—In exercise of the powers conferred by sub-section (i) of section 20 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby appoints the Administrator, Haryana Urban Development Authority, Hisar as the authority for the purpose of the said section in respect of the urban areas under his jurisdiction.

TARSEM LAL,

Commissioner and
Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 8 जनवरी, 1991

संख्या का० आ० 3/ह० अ० 13/77/घा० 20/91.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 20 की उप-धारा (1) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल, इसके द्वारा उक्त धारा के प्रयोजनों के लिए, प्रशासक, हरियाणा शहरी विकास प्राधिकरण, हिसार को प्राधिकारी के रूप में नियुक्त करते हैं।

तरसेम लाल,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

8

HARYANA GOVT. GAZ. (EXTRA.), JAN. 8, 1991
(PAUSA 18, 1912 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 8th January, 1991

No. S.O. 2/H.A. 13/77/S. 51/91.—In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby directs that the powers exercisable by the Chief Administrator, Haryana Urban Development Authority, under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrator, Haryana Urban Development Authority, Hissar, in respect of the urban areas under his jurisdiction.

TARSEM LAL,

Commissioner and
Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 8 जनवरी, 1991

संख्या का० आ० 2/ह० अ० 13/77/धा० 51/91.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 51 की उप-धारा (4) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा निदेश देते हैं कि धारा 17 की उप-धारा (5), (6) और (7) के अधीन तथा उक्त अधिनियम की धारा (55) के द्वितीय परन्तुक के अधीन मुख्य प्रशासक, हरियाणा शहरी विकास प्राधिकरण हिसार द्वारा प्रयोज्य शक्तियां, प्रशासक, हरियाणा शहरी विकास प्राधिकरण, हिसार द्वारा उसकी अधिकारिता के अधीन शहरी क्षेत्रों के सम्बन्ध में प्रयोज्य होंगी।

तरसेम लाल,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Dated 25-4-1991

No. 1/14/91-1TCP :- In exercise of the powers conferred by sub section (3) of section 3 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the President of India hereby appoints "Chief Secretary to Government, Haryana" as Chairman of the Haryana Urban Development Authority, with immediate effect.

TARSEM LAL

Dated Chandigarh,
the 25th April, 1991.

Commissioner & Secretary to Govt. Haryana
Town & Country Planning Department,

...

No. 1/14/91-1TCP,

Dated Chandigarh, the 2-5-91

A copy is forwarded to the Central Office of Printing and Stationery, DT, Chandigarh, with the request that this notification may be got published in the Haryana Government Gazette Extraordinary and 200 printed copies of the same may be supplied to the undersigned immediately.

Joint Secretary,
for Commissioner & Secretary to Govt. Haryana,
Town & Country Planning Department.

A copy is forwarded to :-

1. Chief Secretary to Govt. Haryana (in P.O. Fr.)
2. All the Financial Commissioners/ Commissioner & Secretaries to Govt. Haryana.
3. Secretary to Governor, Haryana, Chandigarh, for information and necessary action.

Joint Secretary,
for Commissioner & Secretary to Govt. Haryana,
Town & Country Planning Department.

Haryana Urban Development Authority, Investment of Funds Rules, 1995

No. G.S.R. 80/II.A. 13/77/S.53/95. - In exercise of the powers conferred by clause (h) of sub-section (2) of section 53 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby makes the following rules for regulating the investment of funds of the Haryana Urban Development Authority, namely : -

PART I

GENERAL

1. *Short title.* - These rules may be called the Haryana Urban Development Authority, Investment of Funds Rules, 1995.

2. *Definitions.* - In these rules, unless the context otherwise requires, -

(a) "Act" means the Haryana Urban Development Authority Act, 1977 ;

(b) any other expression used in these rules shall have the same meaning as is assigned to it in the Act.

PART II

INVESTMENT OF FUNDS

3. *Manner and extent of Investment.* - (a) The Authority may invest funds to the extent as may be decided by the Authority in the shape of equity in joint ventures with the participation of Overseas Corporate Bodies and/or foreign companies as permitted under the Reserve Bank of India guidelines for establishing high class technology parks or industrial parks having infrastructure comparable to international standards. Indian partners may also be associated (if need be) while forming such joint venture projects. The objective is to attract multi-national companies and other companies of repute to set up their units/manufacturing base in Haryana with the multi-national companies participating in such joint ventures, it will attract foreign investment coupled with new technologies, modern management practices and new work culture. Such ventures are also likely to generate new employment opportunities and will further help in boosting the export potential in the State.

(b) The participation will however be made on case to case basis depending upon the merits of the proposal after getting the approval of the Authority and the Government.

(c) The Authority may decide the pattern of equity participation management structure and other related issues on case to case basis.

(d) The income arising from such investment will be credited to the funds of the Authority, which will further be utilised within the objectives and ambit of the Act.



Haryana Government Gazette

Published by Authority

G. Govt. of Haryana

No. 11) CHANDIGARH, TUESDAY, MARCH 13, 2001 (PHALGUNA 22, 1922 SAKA)

PART III

Notifications, Advertisements and Notices, etc. by High Court, Industries

HARYANA URBAN DEVELOPMENT AUTHORITY

The 1st March, 2001

No. 6663.—In continuation of Haryana Government, Town and Country Planning Department Notification No. 429 CCP (NCR), dated 4th May, 1994, published in *extraordinary Haryana Government Gazette*, dated 4th May, 1994, the Haryana Urban Development Authority with the approval of the State Government sanction the creation of a fund to be called "NCR, Hisar Counter Magnet Development Fund" hereinafter as to Development Fund.

2. Receipt into the Development Fund :

The following receipts shall be credited into the development fund.

- (i) Money received from the NCR Planning Board in the shape of loan.
- (ii) Money provided by the State Government or HUDA from its own resources/grant-in-aid.
- (iii) Revenue generated by the schemes funded out of the Development Fund by way of sale of plots (residential/commercial), sale of residential flats, sale of shops etc. and other charges on the users etc. like toll, water charges etc.
- (iv) Miscellaneous receipts such as interest on deposits of the fund kept in the bank or any other financial institutions.

3. Utilisation of the Development Fund :

Money received into the Development Fund shall be utilized for the following purposes:—

- (i) Acquisition of the land in Hisar.
- (ii) Development of land in Hisar.
- (iii) Development of infrastructure for Hisar.
- (iv) Construction of shops, industrial sheds etc.
- (v) Payment of interest and the repayment of principle in respect of loan contributed by the NCR Planning Fund State Government or HUDA.
- (vi) Any other expenditure with the approval of the City Planning and Monitoring Committee for Hisar Counter Magnet, hereinafter referred to as the Committee and Chairman, HUDA.

Price : Re. 1.00

(41)

4. Maintenance and Submission of Accounts of the Development Fund :

The incurring of expenditure on the schemes, their accounting and auditing shall be done in accordance with the rules, regulations and procedures of HUDA. In addition, the accounts of the Development Fund shall be maintained on Performa basis as in the enclosed form 'A' on month to month basis and submitted to the NCR Planning Board at the end of each quarter showing progressive figures.

The HUDA shall also submit statement of completed schemes in form 'B' to the NCR Planning Board.

5. The NCR Planning Board shall have the authority to inspect the account of the Fund or call for any information that may be considered necessary by the Board in this behalf.

6. Operation of the Development Fund :

The Development Fund shall be operated by Administrator, HUDA, Hisar in accordance with scheme of delegation of powers, rules and procedure prescribed by the Chairman HUDA.

7. Maintenance of Separate Bank Account and Cash Book :

The money of the fund shall be kept in a Bank Account with any public sector bank. A separate cash book shall be maintained for all the transactions relating to the Development Fund. Any diversion of funds from the purposes mentioned above shall be only with the prior approval of Chairman, Haryana Urban Development Authority.

N. C. WADHWA,
Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

FORM 'A'

MONTHLY STATEMENT OF RECEIPTS AND PAYMENTS AND UTILISATION OF N.C.R. COUNTER MAGNET HISAR DEVELOPMENT FUND

NAME OF THE IMPLEMENTING AGENCY : HARYANA URBAN DEVELOPMENT AUTHORITY.

MONTH :

RECEIPTS				PAYMENT AND UTILISATION			
Sr. No.	Sub-head	During the month	progressive total	Sr. No.	Sub-head	During the month	Progressive total Rs
1	Balance b/f from previous month			1	Acquisition of land		
2	Loan assistance received from NCR Planning Board			2	Development of land		
3	Grants-in-aid/other receipts from the Board			3	Construction of shops/sheds etc.		
4	Loan Assistance/Grants-in-aid received from the State Government			4	Payment of Interest on loans taken from NCR Planning Board/ State Government		
5	Contribution from implementing Agency			5	Repayment of loan taken from N.C.R. Planning Board/State Government		
6	Sale proceeds of plots, shops, Sheds etc.			6	Misc. expenditure (residual heads for Misc. expenditure to be indicated objectwise)		
7	Interest on Banks deposits and other financial institutions			7	Total (Col. 8)		
8	Transfer of funds from other sources/schemes			8	Balance carried forward		
9	Total (Col. 4)			9	Balance carried forward		

Note : Please furnish the following information by way of footnote to this *proforma*, given year-wise break up :

(a) Total up-to-date assistance received from the NCR Planning Board

(i) Loan

(ii) Grant-in-aid

(b) Total up-to-date assistance received from the State Government.

(i) Loan

(ii) Grant-in-aid

FORM 'B'

NATIONAL CAPITAL REGION-COUNTER MAGNET HISSAR DEVELOPMENT FUND

STATEMENT OF COMPLETED SCHEMES FOR THE YEAR

NAME OF IMPLEMENTING AGENCY : Haryana Urban Development Authority

1. Name of the Scheme :

2. Estimated Cost Date of Start Date of Completion

.....

3. Actual Expenditure :

(i) (a) Cost of Acquisition of Land.....

(b) Cost of Development of Land.....

(c) Cost of Construction of Shops/

Sheds etc :

Sub Total (i)

(ii) Departmental Charges levied on
percentage basis as per rules of
the Agency :

(iii) Interest on borrowed Capital

(iv) Other Miscellaneous expenditure :

Total (i), (ii), (iii), and (iv)

4. Amount of Revenue generated :

(a) Sale of plots/Shops etc.

(b) Miscellaneous receipts

Total receipts (a+b)

5. Net accretion to the Fund

(difference of Column 3 and 4)

[12-1]

हरियाणा शहरी विकास प्राधिकरण

दिनांक 1 मार्च, 2001

संख्या 6668.—हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग की अधिसूचना क्रमांक 429 सी०सी०पी० (एन० सी० आर०) दिनांक 4 मई, 1994 जिसका प्रकाशन हरियाणा सरकार के असाधारण राजपत्र में दिनांक 4 मई, 1994 को हुआ, के अनुक्रम में हरियाणा शहरी विकास प्राधिकरण, सरकार को अनुमोदन उपरान्त हरियाणा "राष्ट्रीय राजधानी क्षेत्र, हिसार काउंटर-मैग्नेट विकास फंड" सृजन करने का अनुमोदन करती है, जिसे इसके बाद विकास "फंड" कहा जायेगा।

Amendment
of section 58
of Haryana
Act 13 of
1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :—

“(3) Notwithstanding anything contained in any other law for the time being in force,—

- (a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;
- (b) any thing done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under the Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912 may be continued or instituted by, for or against the Authority.”.

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

Consequent upon the winding up of the Colonization Department w.e.f. 30th September, 1983, the Governot of Haryana was pleased to order that the mandi portion of the Mandi Township established by the Colonization Department shall be transferred to the Haryana State, Haryana Agriculture Mraketing Board and the remaining portion of the Mandi Township to the Haryana Urban Development Authority.

2. As a result of winding up of the Colonization Department, a great difficulty was being experienced that under what Act action is to be taken i.e. New Mandi Township Act, 1960/Colonization of Government Lands Act, 1912 or Haryana Urban Development Authority Act, 1977. Because of this infirmity in the Act, lot of encroachments are taking place on Government land.

3. In order to overcome this difficulty, it was felt necessary to amend Section 58 of the Haryana Urban Development Authority Act so that allotment made, apreement done or any action taken under the New Mandi Township Act should be deemed to have been taken under Haryana Urban Development Authority Act.

4. This being the emergent matter, it was felt necessary to amend the Act immediately and issue the ordinance whereas the legislation of the State of Haryana was not in session. Therefore, an ordinance was promulgated after getting the instructions of the President of India. Now this ordinance is to be replaced by the Bill. Hence the Bill has been prepared by the Legislative Department.

SAMPAT SINGH,

Industries Minister, Haryana.

Chandigarh :

G.L.BATRA,

The 18th December, 1987.]

Secretary.

MEMORANDUM EXPLAINING THE REASONS FOR MODIFYING
THE BILL

An Ordinance was promulgated to amend the Haryana Urban Development Authority, Act, 1977 to overcome the difficulty arising as a result of binding up of the Colonization Department and its transfer to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Development Authority.

A Bill to replace the Ordinance is proposed to be introduced in the Legislative Assembly. As at this appropriate time a minor but essential amendment is also required, therefore, the Bill has been modified to include an amendment in section 14 of the Act *ibid*.

(प्राधिकृत अनुवाद)

1987 का विधेयक सं. 20-एच. एल. ए.

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) विधेयक, 1987

हरियाणा नगरीय विकास प्राधिकरण अधिनियम,
1977, को संशोधित करने के लिए
प्राधिकृत

भारत गणराज्य के अड़तीसवें वर्ष में हरियाणा राज्य विधानमंडल द्वारा निम्न-
लिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987, कहा जा सकता है।

संक्षिप्त नाम।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (जिसे इसमें इसके बाद मूल अधिनियम कहा गया है), की धारा 14 की उपधारा (1) में, "भूमि अर्जन अधिनियम, 1894", शब्दों और अंक में पहले "समय-समय पर यथासंशोधित" शब्द रखे जायेंगे।

1977 के
हरियाणा अधि-
नियम 13 की
धारा 14 का
संशोधन।

3. मूल अधिनियम की धारा 58 की उपधारा (2) के पश्चात्, निम्नलिखित उप-
धारा रखी जाएगी, अर्थात्:—

1977 के
हरियाणा अधि-
नियम 13 की
धारा 58 का
संशोधन।

"(3) उस समय लागू किसी अन्य विधि में किसी बात के होते हुये भी,—

(क) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार में निहित सभी सम्पत्ति, चल तथा अचल और सभी हित चाहे उनका स्वरूप और किस्म कुछ भी हो, उपनिवेशन विभाग द्वारा स्थापित मंडी नगर-क्षेत्र के मंडी प्रभाग के सिवाय, प्राधिकरण में निहित हो जाएंगे ;

(ख) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के किन्हीं उपबंधों के अधीन जारी की गई किसी अधि-योजना, किये गये आवेदन, बनाई गई स्कीम या नियम, दी गई अनुज्ञा सहित की गई कोई बात या कार्रवाई, जहां तक यह इस अधिनियम के उपबंधों से असंगत नहीं है, तब तक इस अधिनियम के उपबंधों के अधीन लागू रहेंगी और की गई समझी जायेंगी जब तक यह इस अधिनियम के अधीन की गई किसी बात या किसी कार्रवाई द्वारा अधिकृत नहीं कर दी जाती ;

(ग) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार द्वारा उसके साथ या उसके लिये उपगत सभी अधूरा, बाध्यताएं और दायित्व, की गई सभी संविदाएं तथा किये जाने वाले घचनबद्ध सभी मामले और बातें प्राधिकरण द्वारा, उसके साथ अथवा उसके लिये उपगत किये गये/की गई, अथवा की जाने के लिये घचनबद्ध समझी जाएंगी ;

(घ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार को देय सभी कर, फीस और अन्य धनराशियां, प्राधिकरण को देय समझी जाएंगी ;

(ङ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, तथा सरकारी भूमि उपनिवेशन (पंजाब) अधिनियम, 1912, के अधीन राज्य सरकार द्वारा या उसके विरुद्ध संस्थित किए गए, या जो संस्थित किए जा सकते थे, सभी वाद, अग्न-योजन तथा अन्य विधिक कार्यवाहियां प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध चालू रहीं या संस्थित की, जा सकती है।"

निरसन।

4. हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अध्यादेश, 1987 (1987 का हरियाणा अध्यादेश सं. 4), इसके द्वारा निरसित किया जाता है।

उद्देश्यों और कारणों का विवरण

30-9-83 से उपनिवेशन विभाग के समाप्त हो जाने के फलस्वरूप हरियाणा के राज्यपाल ने आदेश दिया था कि उपनिवेशन विभाग द्वारा स्थापित मण्डी नगरक्षेत्र का मण्डी प्रभाग, हरियाणा राज्य कृषि मंडीकरण बोर्ड को तथा मंडी नगरक्षेत्र का शेष प्रभाग, हरियाणा नगरीय विकास प्राधिकरण को अन्तर्लिखित किया जायेगा।

2. उपनिवेशन विभाग के समाप्त होने के फलस्वरूप, एक बड़ी कठिनाई का अनुभव किया जा रहा था कि किस अधिनियम के अधीन कार्यवाही की जाये अर्थात् नये मण्डी नगरक्षेत्र अधिनियम, 1960, के अधीन या सरकारी भूमि उपनिवेशन अधिनियम, 1912 के अधीन या हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 के अधीन। अधिनियम में इस त्रुटि के कारण, सरकारी भूमि पर बहुत से अधिक्रमण हो रहे हैं।

3. इस कठिनाई पर काबू पाने के लिये यह आवश्यक समझा गया कि हरियाणा नगरीय विकास प्राधिकरण अधिनियम की धारा 58 को संशोधित किया जाये ताकि नये मण्डी नगरक्षेत्र अधिनियम के अधीन विपणन आदेशों वगैरह की गई किसी भी कार्यवाही को उसे समझा जाये कि मानो वह हरियाणा नगरीय विकास प्राधिकरण अधिनियम के अधीन की गई हो।

4. यह सामाजिक मामला होने के कारण, आवश्यक समझा गया कि अधिनियम को तुरन्त संशोधित किया जाये और अध्यादेश जारी किया जाये, जबकि हरियाणा राज्य विधान मण्डल का सत्र नहीं हो रहा था। इसलिये, भारत के राष्ट्रपति के निर्देश प्राप्त करने के पश्चात् एक अध्यादेश प्रस्तापित किया जाये। अब, इस अध्यादेश के स्थान पर, विधेयक लाया जाना है। अतः विधायी विभाग द्वारा विधेयक तैयार किया गया है।

सम्मत सिंह,
उद्योग मंत्री, हरियाणा।

चण्डीगढ़ :
18 दिसम्बर, 1987।

जी. एल. बत्ता,
सचिव।

विधेयक को उपान्तरित करने के कारण स्पष्ट करने वाला ज्ञापन

उपनिवेशन विभाग के गमादा हो जाने तथा उसके हरियाणा राज्य के हरियाणा वृषि मंडीकरण बोर्ड को तथा मण्डी नगरक्षेत्र के पुनर्वांग भाग के हरियाणा नगरीय विकास प्राधिकरण को अन्तरित करने के परिणामस्वरूप उत्पन्न हुई कठिनाई को दूर करने के लिये हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 को संशोधित करने के लिये एक अध्यादेश प्रख्यापित किया गया था। अध्यादेश के स्थान पर एक विधेयक को विधान सभा में पुरास्थापित करने का प्रस्ताव किया गया है। क्योंकि इस उपयुक्त समय पर एक छोटा परन्तु अनिवार्य संशोधन लाना अपेक्षित है, इसलिये, पूर्वोक्त अधिनियम की धारा 14 में एक संशोधन सम्मिलित करने के लिये विधेयक को उपान्तरित किया गया है।

HARYANA VIDHAN SABHA

Bill No. 20-HLA of 1987

THE HARYANA URBAN DEVELOPMENT AUTHORITY (AMENDMENT) BILL, 1987

A BILL

to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987. Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted. Amendment of section 14 of Haryana Act 13 of 1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :— Amendment of section 58 of Haryana Act 13 of 1977.

"(3) Notwithstanding anything contained in any other law for the time being in force,—

(a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority;

(b) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Township (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act;

(c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority;

(d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;

(e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority."

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS :

Consequent upon the winding up of the Colonization Department w.e.f. 30th September, 1983, the Governor of Haryana was pleased to order that the mandi portion of the Mandi Township established by the Colonization Department shall be transferred to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Urban Development Authority.

2. As a result of winding up of the Colonization Department, a great difficulty was being experienced that under what Act action is to be taken i.e. New Mandi Township Act, 1960/Colonization of Government Lands Act, 1912 or Haryana Urban Development Authority Act, 1977. Because of this infirmity in the Act, lot of encroachments are taking place on Government land.

3. In order to overcome this difficulty, it was felt necessary to amend Section 58 of the Haryana Urban Development Authority Act so that allotment made, agreement done or any action taken under the New Mandi Township Act should be deemed to have been taken under Haryana Urban Development Authority Act.

4. This being the emergent matter, it was felt necessary to amend the Act immediately and issue the Ordinance whereas the legislation of the State of Haryana was not in session. Therefore, an Ordinance was promulgated after getting the instructions of the President of India. Now this Ordinance is to be replaced by the Bill. Hence the Bill has been prepared by the Legislative Department.

SAMPAT SINGH,

Industries Minister, Haryana.

Chandigarh :

The 18th December, 1987.

G. L. BATRA,

Secretary.

N.B.—The the above Bill was published in the *Haryana Government Gazette (Extraordinary)*, dated the 18th December, 1987, under proviso to rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

MEMORANDUM EXPLAINING THE REASONS FOR MODIFYING THE BILL

An Ordinance was promulgated to amend the Haryana Urban Development Authority Act, 1977 to overcome the difficulty arised as a result of binding up of the Colonization Department and its transfer to the Haryana State, Haryana Agriculture Marketing Board and the remaining portion of the Mandi Township to the Haryana Development Authority.

A Bill to replace the Ordinance is proposed to be introduced in the Legislative Assembly. As at this appropriate time a minor but essential amendment is also required, therefore, the Bill has been modified to include an amendment in section 14 of the Act *ibid.*

ANNEXURE

Extract from the Haryana Urban Development Authority Act, 1977

* * * * *

Acquisition
of land.

14. (1) When any land, other than the land owned by the Central Government, is required for the purposes of this Act, the State Government may, at the request of the Authority, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, and on payment by the Authority of the compensation awarded under that Act and of any other charges incurred in acquiring the land, the land shall vest in the Authority.

(2) * * * * *

Repeal and
sayings.

53. (1) As from the date of the constitution of the Authority, the Punjab Urban Estates (Development and Regulation) Act, 1964, in its application to the State of Haryana, shall stand repealed.

(2) Notwithstanding the provisions of sub-section (1)—

- (a) anything done or any action taken including any notification order, scheme, permission or rule made, granted or issued under any provisions of the Punjab Urban Estates (Development and Regulation) Act, 1964, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (b) all property, movable and immovable and all interests of whatsoever nature and kind therein, vested in the State Government under the Punjab Urban Estates (Development and Regulations) Act, 1964, before the commencement of this Act shall vest in the Authority ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab Urban Estates (Development and Regulation) Act, 1964, before the commencement of this Act, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;
- (d) all taxes, fees and other sums of money due to the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, immediately before the commencement of this Act shall be deemed to be due to the Authority ; and
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the State Government under the Punjab Urban Estates (Development and Regulation) Act, 1964, may be continued or instituted by, for or against the Authority.

* * * * *

PART I
LEGISLATIVE DEPARTMENT
Notification

The 15th February, 1988

No. Leg. 9/88.—The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 5th February, 1988, and is hereby published for general information :—

Haryana Act No. 9 of 1988

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 1987**

AN

ACT

to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Thirty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 1987.

Short title.

2. In sub-section (1) of section 14 of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act), after the words and figures "Land Acquisition Act, 1894", the words "as amended from time to time" shall be inserted.

Amendment of section 14 of Haryana Act 13 of 1977.

3. After sub-section (2) of section 58 of the principal Act, the following sub-section shall be inserted, namely :—

Amendment of section 58 of Haryana Act 13 of 1977.

"(3) Notwithstanding anything contained in any other law for the time being in force,—

- (a) all property, movable and immovable and all interests of whatsoever nature and kind therein vested in the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, except Mandi portion of the Mandi Townships established by the Colonization Department shall vest in the Authority ;
- (b) anything done or any action taken including any notification, order, scheme, permission or rule made, granted or issued under any provisions of the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under this Act ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government, under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority ;

(d) all taxes, fees and other sums of money due to the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960, shall be deemed to be due to the Authority ;

(e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, or against the State Government under the Punjab New Mandi Townships (Development and Regulation) Act, 1960 and the Colonization of Government Lands (Punjab) Act, 1912, may be continued or instituted by, for or against the Authority."

Repeal.

4. The Haryana Urban Development Authority (Amendment) Ordinance, 1987 (Haryana Ordinance No. 4 of 1987), is hereby repealed.

SURINDER SARUP,
Secretary to Government, Haryana,
Legislative Department.

विधायी विभाग

56

9 जून, 1989

दि हरियाणा अर्बन डिवेलपमेंट आथॉरिटी (अमेन्डमेंट) ऐक्ट, 1987, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यापाल के तिथि 31 मई, 1989 के प्राधिकार के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4-क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा:—

1988 का हरियाणा अधिनियम सं० 9

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987,

हरियाणा नगरीय विकास प्राधिकरण अधिनियम,

1977, को संशोधित करने के लिए

अधिनियम ।

भारत गणराज्य के अड़तीसवें वर्ष में हरियाणा राज्य विधानमंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1987, कहा जा सकता है । संक्षिप्त नाम ।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (जिसे इसमें इसके बाद मूल अधिनियम कहा गया है); की धारा 14 की उपधारा (1) में, "भूमि अर्जन अधिनियम, 1894," शब्दों और अंक से पहले "समय-समय पर यथा संशोधित" शब्द रखे जायेंगे । 1977 के हरियाणा अधिनियम 13 की धारा 14 का संशोधन ।

3. मूल अधिनियम की धारा 58 की उपधारा (2) के पश्चात् निम्नलिखित उपधारा रखी जाएगी, अर्थात् :— 1977 के हरियाणा अधिनियम 13 की धारा 58 का संशोधन ।

"(3) उस समय लागू किसी अन्य विधि में किसी बात के होते हुए भी :—

(क) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार में निहित सभी सम्पत्ति, चल तथा अचल, और सभी हित, चाहे उनका स्वरूप और किस्म कुछ भी हो, उप-निवेशन विभाग द्वारा स्थापित, मंडी नगर क्षेत्र के मंडी प्रभाग के सिवाय, प्राधिकरण में निहित हो जाएंगे;

(ख) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के किन्हीं उपबंधों के अर्वाह जारी की गई किसी अधिसूचना, किये गये आदेश, बनाई गई स्कीम, या नियम दी गई अनुज्ञा सहित की

गई कोई बात या कार्रवाई, जहां तक यह इस अधिनियम के उपबंधों के असंगत नहीं है, तब तक इस अधिनियम के उपबंधों के अधीन लागू रहेंगी और की गई समझी जायगी जब तक यह इस अधिनियम के अधीन की गई किसी बात या किसी कार्रवाई द्वारा अधिकांत नहीं कर दी जाती ;

(ग) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार द्वारा, उसके साथ या उसके लिये उपगत सभी भूदान, बाध्यताएं और दायित्व, की गई सभी संविदाएं तथा किये जाने वाले वचनबद्ध सभी मामले और बातें प्राधिकरण द्वारा, उसके साथ अथवा उसके लिये उपगत, किय गये/की गई, अथवा की जाने के लिये वचनबद्ध समझी जाएंगी ;

(घ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, के अधीन राज्य सरकार को देय सभी कर, फीस और अन्य धनराशियां, प्राधिकरण को देय समझी जाएंगी ;

(ङ) पंजाब नए मंडी नगर-क्षेत्र (विकास और विनियमन) अधिनियम, 1960, तथा सरकारी भूमि उपनिवेशन (पंजाब) अधिनियम, 1912, के अधीन राज्य सरकार द्वारा या उसके विरुद्ध संस्थित किए गए, या जो संस्थित किए जा सकते थे, सभी वाद, अभियोजन तथा अन्य विधिक कार्यवाहियां प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध चालू रही या संस्थित की जा सकती हैं । " ।

निरसन ।

4. हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अध्यादेश, 1987 (1987 का हरियाणा अध्यादेश सं० 4), इसके द्वारा निरसित किया जाता है ।

सुरेन्द्र सरूप,

सचिव, हरियाणा सरकार,
विश्राम विभाग ।

10

HARYANA GOVT GAZ. (EXTRA.), JAN. 8, 1991
(PAUSA 18, 1912 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 8th January, 1991

No. S.O. 3/H.A. 13/77/S. 20/91.—In exercise of the powers conferred by sub-section (i) of section 20 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby appoints the Administrator, Haryana Urban Development Authority, Hisar as the authority for the purpose of the said section in respect of the urban areas under his jurisdiction.

TARSEM LAL,

Commissioner and
Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 8 जनवरी, 1991

संख्या का० आ० 3/ह० अ० 13/77/घा० 20/91.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 20 की उप-धारा (1) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल, इसके द्वारा उक्त धारा के प्रयोजनों के लिए, प्रशासक, हरियाणा शहरी विकास प्राधिकरण, हिसार को प्राधिकारी के रूप में नियुक्त करते हैं।

तरसेम लाल,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

8

HARYANA GOVT. GAZ. (EXTRA.), JAN. 8, 1991
(PAUSA 18, 1912 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 8th January, 1991

No. S.O. 2/H.A. 13/77/S. 51/91.—In exercise of the powers conferred by sub-section (4) of section 51 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby directs that the powers exercisable by the Chief Administrator, Haryana Urban Development Authority, under sub-sections (5), (6) and (7) of section 17 and under the second proviso to section 55 of the said Act, shall be exercisable by the Administrator, Haryana Urban Development Authority, Hissar, in respect of the urban areas under his jurisdiction.

TARSEM LAL,

Commissioner and
Secretary to Government, Haryana,
Town and Country Planning Department.

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 8 जनवरी, 1991

संख्या का० आ० 2/ह० अ० 13/77/धा० 51/91.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 51 की उप-धारा (4) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल इसके द्वारा निदेश देते हैं कि धारा 17 की उप-धारा (5), (6) और (7) के अधीन तथा उक्त अधिनियम की धारा (55) के द्वितीय परन्तुक के अधीन मुख्य प्रशासक, हरियाणा शहरी विकास प्राधिकरण हिसार द्वारा प्रयोज्य शक्तियां, प्रशासक, हरियाणा शहरी विकास प्राधिकरण, हिसार द्वारा उसकी अधिकारिता के अधीन शहरी क्षेत्रों के सम्बन्ध में प्रयोज्य होंगी।

तरसेम लाल,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Dated 25-4-1991

No. 1/14/91-1TCP :- In exercise of the powers conferred by sub section (3) of section 3 of the Haryana Urban Development Authority Act, 1977, and all other powers enabling him in this behalf, the President of India hereby appoints "Chief Secretary to Government, Haryana" as Chairman of the Haryana Urban Development Authority, with immediate effect.

TARSEM LAL

Dated Chandigarh,
the 25th April, 1991.

Commissioner & Secretary to Govt. Haryana
Town & Country Planning Department,

...

No. 1/14/91-1TCP,

Dated Chandigarh, the 2-5-91

A copy is forwarded to the Central Office of Printing and Stationery, DT, Chandigarh, with the request that this notification may be got published in the Haryana Government Gazette Extraordinary and 200 printed copies of the same may be supplied to the undersigned immediately.

Joint Secretary,
for Commissioner & Secretary to Govt. Haryana,
Town & Country Planning Department.

A copy is forwarded to :-

1. Chief Secretary to Govt. Haryana (in P.O. Fr.)
2. All the Financial Commissioners/ Commissioner & Secretaries to Govt. Haryana.
3. Secretary to Governor, Haryana, Chandigarh, for information and necessary action.

Joint Secretary,
for Commissioner & Secretary to Govt. Haryana,
Town & Country Planning Department.

Haryana Urban Development Authority, Investment of Funds Rules, 1995

No. G.S.R. 80/H.A. 13/77/S.53/95. - In exercise of the powers conferred by clause (h) of sub-section (2) of section 53 of the Haryana Urban Development Authority Act, 1977, the Governor of Haryana hereby makes the following rules for regulating the investment of funds of the Haryana Urban Development Authority, namely : -

PART I

GENERAL

1. *Short title.* - These rules may be called the Haryana Urban Development Authority, Investment of Funds Rules, 1995.

2. *Definitions.* - In these rules, unless the context otherwise requires, -

(a) "Act" means the Haryana Urban Development Authority Act, 1977 ;

(b) any other expression used in these rules shall have the same meaning as is assigned to it in the Act.

PART II

INVESTMENT OF FUNDS

3. *Manner and extent of Investment.* - (a) The Authority may invest funds to the extent as may be decided by the Authority in the shape of equity in joint ventures with the participation of Overseas Corporate Bodies and/or foreign companies as permitted under the Reserve Bank of India guidelines for establishing high class technology parks or industrial parks having infrastructure comparable to international standards. Indian partners may also be associated (if need be) while forming such joint venture projects. The objective is to attract multi-national companies and other companies of repute to set up their units/manufacturing base in Haryana with the multi-national companies participating in such joint ventures, it will attract foreign investment coupled with new technologies, modern management practices and new work culture. Such ventures are also likely to generate new employment opportunities and will further help in boosting the export potential in the State.

(b) The participation will however be made on case to case basis depending upon the merits of the proposal after getting the approval of the Authority and the Government.

(c) The Authority may decide the pattern of equity participation management structure and other related issues on case to case basis.

(d) The income arising from such investment will be credited to the funds of the Authority, which will further be utilised within the objectives and ambit of the Act.



Haryana Government Gazette

Published by Authority

G. Govt. of Haryana

No. 11) CHANDIGARH, TUESDAY, MARCH 13, 2001 (PHALGUNA 22, 1922 SAKA)

PART III

Notifications, Advertisements and Notices, etc. by High Court, Industries

HARYANA URBAN DEVELOPMENT AUTHORITY

The 1st March, 2001

No. 6663.—In continuation of Haryana Government, Town and Country Planning Department Notification No. 429 CCP (NCR), dated 4th May, 1994, published in *extraordinary Haryana Government Gazette*, dated 4th May, 1994, the Haryana Urban Development Authority with the approval of the State Government sanction the creation of a fund to be called "NCR, Hisar Counter Magnet Development Fund" hereinafter as to Development Fund.

2. Receipt into the Development Fund :

The following receipts shall be credited into the development fund.

- (i) Money received from the NCR Planning Board in the shape of loan.
- (ii) Money provided by the State Government or HUDA from its own resources/grant-in-aid.
- (iii) Revenue generated by the schemes funded out of the Development Fund by way of sale of plots (residential/commercial), sale of residential flats, sale of shops etc. and other charges on the users etc. like toll, water charges etc.
- (iv) Miscellaneous receipts such as interest on deposits of the fund kept in the bank or any other financial institutions.

3. Utilisation of the Development Fund :

Money received into the Development Fund shall be utilized for the following purposes:—

- (i) Acquisition of the land in Hisar.
- (ii) Development of land in Hisar.
- (iii) Development of infrastructure for Hisar.
- (iv) Construction of shops, industrial sheds etc.
- (v) Payment of interest and the repayment of principle in respect of loan contributed by the NCR Planning Fund State Government or HUDA.
- (vi) Any other expenditure with the approval of the City Planning and Monitoring Committee for Hisar Counter Magnet, hereinafter referred to as the Committee and Chairman, HUDA.

Price : Re. 1.00

(41)

4. Maintenance and Submission of Accounts of the Development Fund :

The incurring of expenditure on the schemes, their accounting and auditing shall be done in accordance with the rules, regulations and procedures of HUDA. In addition, the accounts of the Development Fund shall be maintained on Performa basis as in the enclosed form 'A' on month to month basis and submitted to the NCR Planning Board at the end of each quarter showing progressive figures.

The HUDA shall also submit statement of completed schemes in form 'B' to the NCR Planning Board.

5. The NCR Planning Board shall have the authority to inspect the account of the Fund or call for any information that may be considered necessary by the Board in this behalf.

6. Operation of the Development Fund :

The Development Fund shall be operated by Administrator, HUDA, Hisar in accordance with scheme of delegation of powers, rules and procedure prescribed by the Chairman HUDA.

7. Maintenance of Separate Bank Account and Cash Book :

The money of the fund shall be kept in a Bank Account with any public sector bank. A separate cash book shall be maintained for all the transactions relating to the Development Fund. Any diversion of funds from the purposes mentioned above shall be only with the prior approval of Chairman, Haryana Urban Development Authority.

N. C. WADHWA,
Chief Administrator,
Haryana Urban Development Authority,
Panchkula.

FORM 'A'

MONTHLY STATEMENT OF RECEIPTS AND PAYMENTS AND UTILISATION OF N.C.R. COUNTER MAGNET HISAR DEVELOPMENT FUND

NAME OF THE IMPLEMENTING AGENCY : HARYANA URBAN DEVELOPMENT AUTHORITY.

MONTH :

RECEIPTS				PAYMENT AND UTILISATION			
Sr. No.	Sub-head	During the month	progressive total	Sr. No.	Sub-head	During the month	Progressive total Rs
1	Balance b/f from previous month			1	Acquisition of land		
2	Loan assistance received from NCR Planning Board			2	Development of land		
3	Grants-in-aid/other receipts from the Board			3	Construction of shops/sheds etc.		
4	Loan Assistance/Grants-in-aid received from the State Government			4	Payment of Interest on loans taken from NCR Planning Board/ State Government		
5	Contribution from implementing Agency			5	Repayment of loan taken from N.C.R. Planning Board/State Government		
6	Sale proceeds of plots, shops, Sheds etc.			6	Misc. expenditure (residual heads for Misc. expenditure to be indicated objectwise)		
7	Interest on Banks deposits and other financial institutions			7	Total (Col. 8)		
8	Transfer of funds from other sources/schemes			8	Balance carried forward		
9	Total (Col. 4)			9	Balance carried forward		

Note : Please furnish the following information by way of footnote to this *proforma*, given year-wise break up :

(a) Total up-to-date assistance received from the NCR Planning Board

(i) Loan

(ii) Grant-in-aid

(b) Total up-to-date assistance received from the State Government.

(i) Loan

(ii) Grant-in-aid

FORM 'B'

NATIONAL CAPITAL REGION-COUNTER MAGNET HISSAR DEVELOPMENT FUND

STATEMENT OF COMPLETED SCHEMES FOR THE YEAR

NAME OF IMPLEMENTING AGENCY : Haryana Urban Development Authority

1. Name of the Scheme :

2. Estimated Cost Date of Start Date of Completion

.....

.....

3. Actual Expenditure :

(i) (a) Cost of Acquisition of Land.....

(b) Cost of Development of Land.....

(c) Cost of Construction of Shops/

Sheds etc :

Sub Total (i)

(ii) Departmental Charges levied on
percentage basis as per rules of
the Agency :

(iii) Interest on borrowed Capital

(iv) Other Miscellaneous expenditure :

Total (i), (ii), (iii), and (iv)

4. Amount of Revenue generated :

(a) Sale of plots/Shops etc. ?

(b) Miscellaneous receipts

Total receipts (a+b)

5. Net accretion to the Fund

(difference of Column 3 and 4)

[12-1]

हरियाणा शहरी विकास प्राधिकरण

दिनांक 1 मार्च, 2001

संख्या 6668.—हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग की अधिसूचना क्रमांक 429 सी०सी०पी० (एन० सी० आर०) दिनांक 4 मई, 1994 जिसका प्रकाशन हरियाणा सरकार के असाधारण राजपत्र में दिनांक 4 मई, 1994 को हुआ, के अनुक्रम में हरियाणा शहरी विकास प्राधिकरण, सरकार को अनुमोदन उपरान्त हरियाणा "राष्ट्रीय राजधानी क्षेत्र, हिसार काउंटर-मैग्नेट विकास फंड" सृजन करने का अनुमोदन करती है, जिसे इसके बाद विकास "फंड" कहा जायेगा।

2. विकास फंड में पावतियां :

विकास फंड में निम्नलिखित पावतियां जमा की जायेंगी :—

- (i) राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड से ऋण के रूप में प्राप्त राशि।
- (ii) हरियाणा सरकार अथवा हरियाणा शहरी विकास प्राधिकरण के अपने स्त्रोत/सहायता से उपलब्ध करवाई गई राशि।
- (iii) विकास फंड के माध्यम से चलाई जा रही रकमों में 'लाटो (रिहायशी/वाणिज्यिक) की विक्री से उत्पादित आय से प्राप्ति, रिहायशी फ्लैट्स की विक्री तथा उपभोक्ता पर लगाये जाने वाले अन्य खर्च जैसा कि टोल टैक्स एवं पानी के चार्जिस इत्यादि से अन्य प्राप्ति।
- (iv) विविध प्राप्ति जो कि बैंक अथवा अन्य वित्तीय उपक्रम में जमा फंड से प्राप्त व्याज।

3. विकास फंड का उपयोग :

विकास फंड में प्राप्त राशि निम्नलिखित उद्देश्यों के लिए उपयोग की जायेगी :—

- (i) हिसार में भूमि अभिवृद्धि।
- (ii) हिसार में भूमि विकास।
- (iii) हिसार के लिए वांछित सुविधाओं का विकास।
- (iv) दुकानों व औद्योगिक इकाइयों का निर्माण।
- (v) राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, हरियाणा सरकार अथवा हरियाणा शहरी विकास प्राधिकरण द्वारा प्रदान की जाने वाली ऋण के मूल्यांकन एवं व्याज की अदायगी।
- (vi) कोई भी अन्य खर्च जो हिसार काउंटर मैनेज की शहरी योजना एवं अनुश्रवण समिति जिसे बाद में "समिति" कहा जायेगा तथा अध्यक्ष, हरियाणा शहरी विकास प्राधिकरण से अनुमोदित हो।

4. विकास फंड के लेखा का रखरखाव एवं प्रस्तुति :

स्कीमों पर खर्च उसका लेखा एवं ऑडिट हरियाणा शहरी विकास प्राधिकरण के नियमों, अधिनियमों अथवा पद्धतियों अनुसार किया जायेगा। इसके अतिरिक्त विकास फंड का लेखा निर्धारित प्रपत्र अनुसार संलग्नित फार्म "ए" पर प्रति माह के आधार पर रखा जायेगा एवं इसे प्रत्येक त्रैमासी के अंत में प्रगति बारे निर्धारित प्रपत्र पर सूचना दर्शाते हुए राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड को प्रेषित किया जायेगा।

हरियाणा शहरी विकास प्राधिकरण सम्पूर्ण हुई योजनाओं की विवरणी भी संलग्नित फार्म "बी" पर राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड को प्रेषित करेगी।

5. राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड फंड के लेखा निरीक्षण करने में सक्षम होगा अथवा इस संबंध में कोई भी सूचना जिसे वह आवश्यक समझता है, मंगवा सकता है।

6. विकास फंड का क्रियान्वयन :

विकास फंड का क्रियान्वयन प्रशासक, हुड्डा, हिसार द्वारा उसको प्रदान की गई शक्तियों, नियमों एवं अध्यक्ष, हरियाणा शहरी विकास प्राधिकरण के द्वारा निर्धारित प्रणाली अनुसार किया जायेगा।

7. अलग से बैंक खाता एवं कैश बुक लगाना :

फंड की राशि किसी भी सरकार उपक्रम बैंक खाता में रखी जायेगी। विकास फंड के सभी आदान प्रदान के लिए पृथक से रोकड़ किताब रखी जायेगी।

ऊपर वर्णित उद्देश्यों के अतिरिक्त इस फंड का व्यय केवल हुड्डा के अध्यक्ष की पूर्ण अनुमति से होगा।

एन० सी० बघवा,

मुख्य प्रशासक,

हरियाणा शहरी विकास प्राधिकरण,
पंचकुला।

फार्म क

कांजंडर मैंगेड नगर, हिसार के विकास को की प्राप्ति, भुगतान एवं उपयोग की मासिक विवरणों

कार्यान्वयन संस्था का नाम

मास,

हरियाणा शहरी विकास प्राधिकरण

प्रत्येक मासिक विवरण मासिक रूप से भुगतान किया जाएगा

मासिक विवरण

प्राप्तियां

भुगतान एवं उपयोग

अनुक्रमांक	उपशीर्षक	चालू माह में	जोड़	अनुक्रमांक	उपशीर्षक	चालू माह में	जोड़
1	2	3	4	5	6	7	8
1.	पिछले माह का शेष			1.	भूमि अधिग्रहण	(i)	
2.	रा. रा. क्षे. यो. बोर्ड से प्राप्त ऋण सहायता			2.	भूमि विकास	(ii)	
3.	बोर्ड से सहायता राशि/ग्रन्थ प्राप्तियां			3.	दुकानें/शेड्स का निर्माण	(iii)	
4.	राज्य सरकार से प्राप्त ऋण सहायता/सहायता राशि			4.	रा. रा. क्षे. यो. बोर्ड/राज्य सरकार से प्राप्त ऋण के व्याज का भुगतान	(iv)	
5.	कार्यान्वयन संस्था से अंशदान			5.	रा. रा. क्षे. यो. बोर्ड/राज्य सरकार से प्राप्त ऋण का भुगतान	(v)	
6.	प्लॉट, दुकानें, शेड्स वगैरह की बेच से प्राप्त राशि			6.	फुटकर खर्च (फुटकर खर्च के लिए शेष शीर्षक उद्देश्य अनुसार दिखाये जायें)	(vi)	
7.	बैंक तथा अन्य वित्तीय उपक्रम में जमा राशि से प्राप्त व्याज			7.	योग (खाना क्रमांक-8)	(vii)	
8.	अन्य स्त्रोतों/योजनाओं से स्वयंसेवक कोष			8.	शेष प्राप्ति ले जाया गया	(viii)	
9.	योग (खाना क्रमांक-4)						

नोट :— निम्नलिखित सूचना इस फार्म के नीचे प्रतिवर्ष अनुसार दी जाए :—

(क) रा. रा. क्षे. यो. बोर्ड से प्राप्त ऋण सहायता का नवीनतम योग

(i) ऋण

(ii) सहायता राशि

(ख) राज्य सरकार से प्राप्त सहायता का नवीनतम योग

(i) ऋण

(ii) सहायता राशि

(H) - Govt. Proc. U. T. Chd.

फार्म ख

काउंटर मैनेज नगर, हिसार का विकास फंड

पूर्ण हो चुकी योजनाओं की विवरणी, वर्ष

कार्यान्वयन संस्था का नाम, हरियाणा शहरी विकास प्राधिकरण

1. योजना का नाम

प्रारम्भ की तिथि

समाप्ति की तिथि

2. अनुमानित खर्चा

3. वास्तविक खर्चा :

(i) (क) भूमि अधिग्रहण की कीमत

(ख) भूमि विकास की कीमत

(ग) दुकानों/शेड्स के निर्माण की कीमत

(i) का जोड़

(ii) कार्यान्वयन संस्था के नामों के अनुसार

विभागीय खर्चा प्रतिशत के आधार पर

(iii) उधार लिये गये कैपिटल पर व्याज

(iv) अन्य फुटकर खर्चा

(i) (ii) (iii) (iv) का जोड़

4. (क) राशि का प्लॉटों/दुकानों इत्यादि की बिक्री से

(ख) फुटकर प्राप्तियां

कुल प्राप्तियां (क+ख)

5. कोष के लिए कुल प्राप्तियां (खाने नं० 3 व 4 का अन्तर)

12-1]

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 5 सितम्बर, 2001

संख्या Auth. 2001/21982.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (1977 का 13), की धारा 2 के खण्ड (क) द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुये, हरियाणा के राज्यपाल, इस के द्वारा, उक्त खण्ड के प्रयोजनों के लिये “कल्य” को सुख सुविधा के रूप में विनिर्दिष्ट करते हैं।

भास्कर चैटर्जी,

आयुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

Haryana Urban Development Authority General Provident Fund Rules, 2001

Published in Haryana Govt. Gaz. Part I dated 22-10-2001 and published on
20-11-2001 at page 827

No. 28830. - In exercise of the powers conferred by the Sub-section (1) read with clause (m) of Sub-section (2) of Section 53 and Section 28 of the Haryana Urban Development Authority Act, 1977 (13 of 1977) and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules regulating the constitution and payment of General Provident Fund to the employees of the Haryana Urban Development Authority, namely :-

1. *Short Title, Commencement and Application.* --

- (1) These rules may be called the Haryana Urban Development Authority General Provident Fund Rules, 2001.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) The employees, who opt for these rules, in form A appended to these rules, shall be governed by these rules.

2. *Definitions.*--

In these rules, unless the context otherwise requires,-

- (1) "Competent Authority" means the authority competent to sanction General Provident Fund to the employees of Haryana Urban Development Authority. The competent authority for the purpose of these rules shall be the Chief Administrator of Haryana Urban Development Authority;
- (2) "Employees" means the regular employees of Haryana Urban Development Authority;
- (3) "General Provident Fund" means the General Provident Fund as defined in the Punjab Civil Services Rules, Volume II, as applicable to of Haryana State.

3. *Establishment of Fund Section 53 (1) (2) (m) and 28.* --

- (1) For the payment of General Provident Fund the fund, namely, the Haryana Urban Development Authority Employees General Provident (hereinafter called the "General Provident Fund"), shall be established. This shall comprise the total accumulated amount in contributory Provident Fund on behalf of the employee alongwith interest as on the date of notification and also further employee's monthly deduction to be made by the Haryana Urban Development Authority from the salary of employees as per provision contained in the Punjab Civil Services Rules, Volume II, as applicable to Haryana State.
- (2) The General Provident Fund shall be kept in the Bank at Head Quarter of Haryana Urban Development Authority. The rate of interest allowed shall be the maximum rate of interest fixed by the Bank and the

interest so earned shall also be an integral part of General Provident Fund.

4. Operation of Fund Section 53 (1) (2) (m) and 28. --

- (1) The General Provident Fund shall be administered by the competent authority.
- (2) All payments to be made to the employees of Haryana Urban Development Authority on account of General Provident Fund shall be withdrawn from the General Provident Fund.

5. Maintenance of Accounts Section 53 (1) (2) (m) and 28. --

The Accounts of General Provident Fund shall be maintained at Head Quarter of Haryana Urban Development Authority. The Bank through which General Provident Fund is disbursed shall also be required to keep accounts as per instructions issued from time to time.

6. Grant of General Provident Fund Section 53 (1) (2) (m) and 28. --

- (1) For the purpose of grant of General Provident Fund to the employees of Haryana Urban Development Authority, the rules regulating the General Provident Fund as contained in the Punjab Civil Services Rules Volume II, as applicable to Haryana State, shall apply mutatis mutandis to the employees and for this purpose the terms and expressions not otherwise defined in these rules, shall have the same meaning as respectively assigned to them in the Punjab Civil Services Rules Volume II, as applicable to Haryana State. For this purpose for the words "Government" and "Government Employees" wherever occurring in these rules *ibid*, the words "Haryana Urban Development Authority" and "employees of Haryana Urban Development Authority" shall be deemed to have been substituted respectively and for the words "Accountant General Haryana" wherever occurring in the aforesaid rules, the words "Chief Controller of Finance Haryana Urban Development Authority" shall be deemed to have been substituted. The instructions issued by the Haryana Government in this behalf from time to time shall also apply for this purpose.
- (2) On coming into force of the Haryana Urban Development Authority Pension Regulations, 2001 the employees who opt for pension scheme will be allotted General Provident Fund account number by the Haryana Urban Development Authority. The subscription portion of the employees in Contributory Provident Fund alongwith interest occurred thereon shall be credited to General Provident Fund account of the employees and shall be governed by the General Provident Fund Rules and further instructions issued by the Haryana Government from time to time.
- (3) Subject to the provisions of these rules, the rules contained to Chapter XIII of the Punjab Civil Services Rules Volume II, as applicable to Haryana State shall apply mutatis mutandis to the employees of Haryana Urban Development Authority who opt for these rules.

FORM A
[See rule 1 (3)]

HARYANA URBAN DEVELOPMENT AUTHORITY

1. I, _____ hereby opt for the Haryana Urban Development Authority General Provident Fund Rules, 2001. The option is conclusive, final and irrevocable.

Signature of the employee.

Name of the employee _____

Designation _____

Office _____

Contributory Provident

Fund Account No. _____

Haryana Urban Development Authority Employees Pension Regulations, 2001

Published in Haryana Govt. Gaz. Part I dated 22-10-2001 and published on
20-11-2001 at page 827

No. 28830.- In pursuance of the provisions of clause(c) of Section 54 read with Sub-section (2) of Section 11 of the Haryana Urban Development Authority Act, 1977 (13 of 1977) and with the previous approval of the State Government, the Haryana Urban Development Authority hereby makes the following regulations regulating the grant of pension to its officers and employees, namely:-

1. *Short title and application.* --

- (1) These regulations may be called the Haryana Urban Development Authority Employees Pension Regulations, 2001.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They shall apply to all the employees of Haryana Urban Development Authority established and constituted under the Haryana Urban Development Authority Act, 1977 (13 of 1977), who join the service on or after coming into force of these regulations and other employees already in service who opt for these regulations. The later category of employees shall have to exercise an option in form 'A' appended to these regulations within three months from the date of coming into force of these regulations.
- (4) The employees who do not opt for these regulations, shall be governed by the provisions contained in Haryana Urban Development Authority Employees' Provident Fund Rules, 2001.

2. *Definitions.* --

In these regulations, unless the context otherwise requires,

- (a) "competent authority" means the authority competent to sanction pension to the employees of Haryana Urban Development Authority. The competent authority for the purpose of these regulations shall be the Chief Administrator of Haryana Urban Development Authority;
- (b) "employees" means the regular employees of Haryana Urban Development Authority;
- (c) "pension" means the pension as defined in the Punjab Civil Services Rules, Volume II, as applicable to the State of Haryana.

3. *Establishment of fund.* --

- (1) For the purpose of payment of the fund i.e. the Haryana Urban Development Authority employees pension fund (hereinafter called the

"pension fund") shall be established. This shall comprise the total accumulated amount of contributory provident fund on behalf of the employer alongwith interest as on the date of publication of this notification in the Official Gazette alongwith employer's contributions to be made by the Haryana Urban Development Authority on monthly basis as per provisions contained in the Haryana Urban Development Authority Employees Provident Fund Rules, 2001.

- (2) The pension fund shall be kept in the bank at Head Quarter of Haryana Urban Development Authority. The rate of interest allowed shall be the maximum rate of interest fixed by the bank on the total accumulations and the interest so earned shall also be an integral part of pension fund.

4. Operation of fund. --

The pension fund shall be administered by the competent authority.

5. Maintenance of accounts. --

The accounts of pension fund shall be maintained at Head Quarter of Haryana Urban Development Authority. The bank through which pension is disbursed shall also be required to keep accounts as per instructions issued from time to time.

6. Grant of pension. --

For the purpose of grant of pension to the employees of Haryana Urban Development Authority, the rules regulating to the grant of pension as contained in the Punjab Civil Services Rules, Volume II, as applicable to the State of Haryana, shall apply *mutatis mutandis* to the employees and for this purpose the terms and expressions not otherwise defined in these regulations shall have the same meaning as assigned to them in the Punjab Civil Services Rules, Volume I, Part I, as applicable to the State of Haryana. For this purpose for the words "Government" and "Government Employees" wherever occurring in these rules *ibid*, the words "Haryana Urban Development Authority" and "employees of Haryana Urban Development Authority" shall deemed to have been substituted to have been substituted, respectively, and for the words "Accountant General Haryana" wherever occurring in the aforesaid rules, the words "Chief Controller of Finance, Haryana Urban Development Authority" shall be deemed to have been substituted. The instructions issued by the Haryana Government in this behalf from time to time shall also apply for this purpose.

7. Pension Payment Order. --

After completion of pension papers of the employees in the form and manner as provided in the Punjab Civil Services Rules, Volume II, as applicable to the State of Haryana, (with necessary amendments), the same shall be sent to the Chief Controller of Finance, Haryana Urban Development Authority for verification of qualifying service and emoluments. On the basis of which Pension Payment Order will be issued by the Chief Controller of Finance, Haryana Urban Development Authority with the concurrence of competent authority. He shall also issue a copy of Pension Payment Order to the bank authorising the bank to make payment of pension to the pensioner every month regularly till revised orders or instructions are issued by the competent authority.

8. Applications of treasury rules. --

While making payment of pension, the Pension Payment Authority shall be guided by rules 4.92 to 4.106 of the subsidiary treasury rules under the Punjab Treasury Rules which shall apply mutatis mutandis to the pensioner of the Haryana Urban Development Authority.

FORM A

[See regulation 1 (3)]

HARYANA URBAN DEVELOPMENT AUTHORITY

1. I, _____ hereby opt for the Haryana Urban Development Authority Employees' Pension Regulations, 2001. The option is conclusive, final and irrevocable.

2. I undertake to pay back the refundable/non-refundable advance taken out of employer's contribution to Contributory Provident Fund, if any, alongwith interest in lump sum or in such instalments as may be fixed by the Authority.

Signature of the employee.

Name of the employee _____

• Designation _____

Office _____

Contributory Provident

Fund Account No. _____

भाग III

हरियाणा सरकार

नगर तथा ग्राम आयोजना विभाग

अधिसूचना

दिनांक 9 सितम्बर, 2002

संख्या का० अ० 72/ह०अ० 13/1977/धा० 3/2002.—हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977(1977 का 13), की धारा 3 की उपधारा (I) द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग, अधिसूचना संख्या एस० एस० 5/एच०ओ०-1/77/एस० 3/77, दिनांक 13 जनवरी, 1977 में, निम्नलिखित संशोधन करते हैं, अर्थात् :—

संशोधन

हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग, अधिसूचना संख्या एस० एस० 5/एच०ओ०-1/77/एस० 3/77, दिनांक 13 जनवरी, 1977 में, “ इस अधिसूचना के प्रकाशन की तिथि से मुख्यालय चण्डीगढ़ सहित” शब्दों के स्थान पर “ इस अधिसूचना के प्रकाशन की तिथि से मुख्यालय पंचकूला सहित” शब्द रखे जायेंगे।

भास्कर चटर्जी,

वित्तियुक्त एवं सचिव, हरियाणा सरकार,
नगर तथा ग्राम आयोजना विभाग।

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458

HARYANA GOVT. GAZ., SEPT. 10, 2002
(BHDR. 19, 1924 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 9th September, 2002

No. S. O. 72/H.A 13/1977/S.3/2002.— In exercise of the powers conferred by sub-section (1) of section 3 of the Haryana Urban Development Authority Act, 1977 (13 of 1977), and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following amendment in the Haryana Government, Town and Country Planning Department, Notification No. S.S.5/H.O/1/77/S.3/77, dated 13th January, 1977, namely :—

AMENDMENT

In the Haryana Government, Town and Country Planning Department, Notification No. S.S.5/H.O/1/77/S.3/77, dated the 13th January, 1977, for the words “with headquarters at Chandigarh with effect from the date of publication of this notification”, the words “with headquarters at Panchkula with effect from the date of publication of this notification” shall be substituted.

BHASKAR CHATTERJEE,

Financial Commissioner and Secretary
to Government Haryana,
Town and Country Planning Department.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 18th December, 2002.

No. Leg. 28/2002.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 6th December, 2002, and is hereby published for general information :—

Haryana Act No. 26 of 2002

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) ACT, 2002**

AN

ACT

further to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Fifty-third Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 2002.

Short title.

2. In section 2 of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the principal Act),—

Amendment of
section 2 of
Haryana Act 13
of 1977.

(i) in clause (a), for the word and sign “sewerage”, the words and signs “sewerage, treatment and disposal of sewage, sullage and storm water”, shall be substituted ;

(ii) after clause (a), the following clause shall be inserted, namely:—

“(ai) “basic amenities” include metalled roads, wholesome water, sewerage and electrification;” and

(iii) in clause (j), for the word “sewerage”, the words and signs “sewerage, treatment and disposal of sewage, sullage and storm water”, shall be substituted.

3. In section 13 of the principal Act, for the words and sign “disposal of sewerage”, the words and signs “treatment and disposal of sewage, sullage and storm water”, shall be substituted.

Amendment of
section 13 of
Haryana Act 13
of 1977.

R. S. MADAN,

Secretary to Government Haryana,
Legislative Department.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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CHANDIGARH, MONDAY, SEPTEMBER 8, 2003
(BHADRA 17, 1925 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 8th September, 2003

No. 21-HLA of 2003/57.— The Haryana Urban Development Authority (Amendment) Bill, 2003, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :—

Bill No. 21—HLA of 2003

THE HARYANA URBAN DEVELOPMENT AUTHORITY
(AMENDMENT) BILL, 2003

A

BILL

further to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Fifty-fourth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 2003. Short title.

Price : Rs. 5.00

(1951)

Substitution of
Section 18 of
Haryana Act 13
of 1977.

2. For Section 18 of the Haryana Urban Development Authority Act, 1977, the following section shall be substituted, namely :—

“18. Power to evict persons from premises/land of Authority or building constructed thereon.—(1) If the Collector or any officer authorized by him is satisfied—

- (a) that any person authorized to occupy any premises of the Authority has—
 - (i) not paid rent lawfully due from him in respect of such premises for a period of more than two months ; or
 - (ii) sublet, without the permission of the Estate Officer, the whole or any part of such premises ; or
 - (iii) otherwise acted in contravention of any of the terms expressed or implied, under which he is authorized to occupy such premises ; or
- (b) that any person is in unauthorized occupation of any land of the Authority or building constructed thereon,

the Collector or any officer authorized by him may, notwithstanding anything contained in any law, for the time being in force, by notice served by post and if a person avoids service, or is not available for service of notice, or refuses to accept notice, then by affixing a copy of it on the outer door or some other conspicuous part of such premises/land or building or in such other manner as may be prescribed, call upon any person, who has committed a breach of the provisions of this Act or the rules framed thereunder, to vacate the said premises/land or building constructed thereon or demolish unauthorized construction and to appear and show cause why he should not be ordered to restore to its original state or to bring it in conformity with the provisions of this Act or the rules framed thereunder, as the case may be, and if such person fails to show cause to the satisfaction of the Collector or any officer authorized by him within a period of seven days, the Collector or any officer authorized by him shall pass an order requiring him to vacate such premises/land or building constructed thereon or demolish unauthorized construction and restore to its original state or to bring it in conformity with the provisions of this Act or the rules framed thereunder, as the case may be, within a further period of seven days.

(2) If the order made under clause (a) or clause (b) of sub-section (1) is not carried out, within a specified period, the Collector or any

officer authorized by him at the expiry of the period of this order, shall evict that person from, and take possession of, the premises/land or building constructed thereon and shall for that purpose use such force as may be necessary and the cost incurred on such measures shall, if not paid on demand, being made to him, be recoverable from such person as arrears of land revenue.

(3) Even before the expiry of the period of seven days mentioned under sub-section (1), if the Collector or such officer authorized by him is satisfied that instead of vacation of premises/land or building constructed thereon or demolition of unauthorized construction, as the case may be, the person continues with the contravention, the Collector shall himself or any officer authorized by him take such measures as may appear necessary to give effect to the order and the cost of such measures shall, if not paid on demand, being made to him, be recoverable from such person as arrears of land revenue.

(4) If a person, who has been ordered to vacate any premises under sub-clause (i) or sub-clause (iii) of clause (a) of sub-section (1), within a period of seven days of the date of service of the notice, pays to the Estate Officer the rent in arrears or carries out or otherwise complies with the terms contravened by him to the satisfaction of the Collector or any officer authorized by him, as the case may be, the Collector or any officer authorized by him shall cancel his order made under sub-section (1) and thereupon such person shall hold the premises on the same terms on which he held them immediately before such notice was served upon him. ”.

1954

HARYANA GOVT. GAZ. (EXTRA.), SEPT. 8, 2003
(BHDR. 17, 1925 SAKA)

STATEMENT OF OBJECTS AND REASONS

The Haryana Urban Development Authority Act, 1977 was enacted in the year 1977 to constitute a statutory Authority in place of Deptt. of Urban Estates for ensuring speedy and economic development of urban areas in the State of Haryana as different functions like land acquisition, planning and development were being done by different departments and due to coordination problem between several agencies, the development of Urban Estates became very slow. Hence, to overcome all these difficulties and to achieve expeditious development of the Urban Estates, Act No. 13 of 1977 was enacted to constitute Haryana Urban Development Authority.

In the course of enforcement under Section 18 of this Act, it has been experienced in the past that the cases of unauthorised occupation/unauthorised constructions on HUDA's acquired lands have increased manifold as the period of 30 days prescribed in the notice is too long that certain bad elements complete buildings with advanced mechanized systems of construction and till such time the legal formalities are completed and the Estate Officers start eviction proceedings, these bad elements in the meantime approach the courts and obtain stays and lawful action of the Estate Officers becomes fruitless and ineffective during this period of 30 days. Therefore, in order to overcome this problem the provision of notice period specified as 30 days has been reduced to 7 days, so that the lands unauthorisedly occupied or buildings constructed thereon could be got vacated/demolished quickly and target of expeditious development of the Estate is achieved.

Hence this Bill.

DHIR PAL SINGH,
Town and Country Planning Minister,
Haryana.

Chandigarh :
The 8th September, 2003

SUMIT KUMAR,
Secretary.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 18 of Haryana Urban Development Authority Act empowers the State Government to make rules to carry out the purposes of the Act. This delegation of powers to the Executive is of normal character and no where overrides the normal scope of delegation of Legislative powers. Hence, this memorandum of delegation of Legislative powers is annexed as required under rule 126 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

1956 HARYANA GOVT. GAZ. (EXTRA.), SEPT. 8, 2003
(BHDR. 17, 1925 SAKA)

[प्राधिकृत अनुवाद]

2003 का विधेयक संख्या 21-एच० एल० ए०

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) विधेयक, 2003

हरियाणा नगरीय विकास प्राधिकरण
अधिनियम, 1977, को आगे
संशोधित करने के लिए
विधेयक

भारत गणराज्य के चौदहवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

संक्षिप्त नाम।

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 2003, कहा जा सकता है।

1977 के हरियाणा
अधिनियम 13 की
धारा 18 का
प्रतिस्थापन।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 18 के स्थान पर, निम्नलिखित धारा प्रतिस्थापित की जाएगी, अर्थात् :—

“18. प्राधिकरण के परिसरों/भूमि या उस पर निर्मित भवन से व्यक्तियों को बेदखल करने की शक्ति.—(1) यदि कलैक्टर या उस द्वारा प्राधिकृत किसी अधिकारी की सन्तुष्टि हो जाती है कि—

(क) प्राधिकरण के किन्हीं परिसरों का अधिभोग करने के लिए प्राधिकृत किसी व्यक्ति ने—

- (i) ऐसे परिसरों के सम्बन्ध में उसके द्वारा विधि के अनुसार देय किराये का दो मास से अधिक की अवधि के लिए भुगतान नहीं किया है; या
- (ii) ऐसे परिसरों को पूर्ण रूप में या किसी भाग को, सम्पदा अधिकारी की अनुज्ञा के बिना अनुपट्टे पर दे दिया है; या
- (iii) किन्हीं ऐसे अभिव्यक्त या विविक्षित निबन्धनों का उल्लंघन करते हुए अन्यथा कार्य किया है, जिनके अधीन वह ऐसे परिसरों का अधिभोग करने के लिए प्राधिकृत है; या

(ख) कोई व्यक्ति प्राधिकरण की किसी भूमि या उस पर निर्मित भवन के अप्राधिकृत अधिभोग में है,

कलैक्टर या उस द्वारा प्राधिकृत कोई अधिकारी, उस समय लागू किसी विधि में अंतर्विष्ट किसी बात के होते हुए भी, डाक द्वारा नोटिस की तामील करते हुए तथा यदि कोई व्यक्ति तामील से बचता है, या नोटिस की तामील के लिए

उपलब्ध नहीं होता है, या नोटिस को स्वीकार करने से इन्कार करता है, तब उसकी एक प्रति ऐसे परिसरों/भूमि या भवन या ऐसी अन्य रीति में, जो विहित की जाए, बाहरी दरवाजे या किसी अन्य सहजदृश्य भाग पर चिपकाते हुए, किसी व्यक्ति को जिसने इस अधिनियम या इसके अधीन बनाए गए नियमों के उपबन्धों का उल्लंघन किया है उक्त परिसरों/भूमि या उस पर निर्मित भवन को खाली करने या अप्राधिकृत निर्माण को गिराने तथा पेश होने तथा कारण बताओ कि क्यों न उसे इस अधिनियम या इसके अधीन बनाए गए नियमों, जैसी भी स्थिति हो, के उपबन्धों के अनुरूप इसकी मूल स्थिति में प्रत्यावर्तित करने या इसे लाने के लिए आदेश किए जाने चाहिए, के लिए बुला सकता है, तथा यदि ऐसा व्यक्ति कलैक्टर या उस द्वारा प्राधिकृत किसी व्यक्ति की सन्तुष्टि के अनुसार सात दिन की अवधि के भीतर कारण बताने में असफल रहता है तो कलैक्टर या उस द्वारा प्राधिकृत कोई अधिकारी इस अधिनियम या इसके अधीन बनाए गए नियमों, जैसी भी स्थिति हो, के उपबन्धों के अनुरूप आगे सात दिन की अवधि के भीतर ऐसे परिसरों/भूमि या उस पर निर्मित भवनों को खाली करने या अप्राधिकृत निर्माण को गिराने तथा इसकी मूल स्थिति में प्रत्यावर्तित करने या इसे लाने के लिए उससे अपेक्षा करते हुए आदेश पारित करेगा।

(2) यदि उपधारा (1) के खण्ड (क) या खण्ड (ख) के अधीन किए गए आदेश की विनिर्दिष्ट अवधि के भीतर पालना नहीं की जाती है, कलैक्टर या उस द्वारा प्राधिकृत कोई अधिकारी, इस आदेश की अवधि की समाप्ति पर उस व्यक्ति को परिसरों/भूमि या उस पर निर्मित भवन से बेदखल करेगा तथा उसका कब्जा लेगा तथा इस प्रयोजन के लिए ऐसे बल को प्रयोग में ला सकता है जो आवश्यक हो, तथा ऐसे उपायों पर उपगत लागत, यदि उससे की गई मांग पर भुगतान नहीं की जाती है, ऐसे व्यक्ति से भू-राजस्व के बकाया के रूप में वसूली योग्य होगी।

(3) उपधारा (1) के अधीन वर्णित सात दिनों की अवधि की समाप्ति से पहले भी, यदि कलैक्टर या उस द्वारा प्राधिकृत ऐसे अधिकारी की सन्तुष्टि हो जाती है कि परिसरों/भूमि या उस पर निर्मित भवन को खाली करने या अप्राधिकृत निर्माण को गिराने, जैसी भी स्थिति हो, की बजाए, व्यक्ति उल्लंघन जारी रखता है तो कलैक्टर स्वयं या उस द्वारा प्राधिकृत कोई अधिकारी ऐसे उपाय करेगा जो आदेश को प्रभावी करने के लिए आवश्यक प्रतीत हों तथा ऐसे उपायों की लागत, यदि उससे की गई मांग पर भुगतान नहीं की जाती है, ऐसे व्यक्ति से भू-राजस्व के बकायों के रूप में वसूली योग्य होगी।

(4) यदि कोई व्यक्ति, जिसे उपधारा (1) के खण्ड (क) के उपखण्ड (i) या उपखण्ड (iii) के अधीन, नोटिस की तामील की तिथि से सात दिन की अवधि के भीतर किन्हीं परिसरों को खाली करने का आदेश दिया गया है, सम्पदा अधिकारी को बकाया किराये का भुगतान करता है या कलैक्टर या उस

द्वारा प्राधिकृत किसी अधिकारी, जैसी भी स्थिति हो, की सन्तुष्टि के अनुसार, उन निबन्धनों का, जिनका उसने उल्लंघन किया है, निष्पादन या अन्यथा पालन करता है, तो कलैक्टर या उस द्वारा प्राधिकृत कोई अधिकारी उपधारा (1) के अधीन किये गये अपने आदेश को रद्द कर देगा और उसके बाद ऐसा व्यक्ति परिसरों को उन्हीं निबन्धनों पर धारण करेगा जिन पर वह ऐसे नोटिस के उस पर तामील किये जाने से तुरन्त पहले उनको धारण किए हुए था। ” ।

उद्देश्यों तथा कारणों का विवरण

हरियाणा शहरी विकास प्राधिकरण एक्ट, 1977, वर्ष 1977 में शहरी सम्पदा विभाग के प्रस्थानी के रूप में शहरी क्षेत्र में तीव्र विकास व आर्थिक विकास सुनिश्चित करने हेतु एक संवैधानिक निकाय का गठन करने के लिए व्यवस्थापित किया गया था। क्योंकि विभिन्न कार्यों जैसे भूमि अभिग्रहण योजना एवं विकास, जो कि पूर्व में विभिन्न विभागों द्वारा किए जा रहे थे और विभिन्न विभागों में वांछित आपसी ताल-मेल की कमी से शहरी सम्पदा विकास की गति काफी धीमी हो गई थी। इसलिए उक्त कठिनाइयों को दूर करने के लिए, और तीव्र विकास के लिए, हरियाणा शहरी विकास प्राधिकरण का गठन करने के लिए, एक्ट नं० 13 वर्ष 1977 को व्यवस्थापित किया गया।

इस एक्ट की धारा 18 को लागू करने के दौरान यह पाया गया कि हुड्डा की अभिग्रहित भूमि पर अनाधिकृत कब्जों व निर्माण की संख्या में कई गुणा वृद्धि हो गई है। क्योंकि संवैधानिक 30 दिन के नोटिस का समय काफी लम्बा है और इस दौरान असामाजिक तत्व उपलब्ध एडवांस मशीनरी के प्रयोगों से, निर्माण पूरा कर लेते हैं। जब तक वर्तमान कानूनी प्रक्रिया पूर्ण की जाती है और सम्पदा अधिकारी कब्जा लेने की कार्यवाही प्रारम्भ करते हैं, यह असामाजिक तत्व इसी दौरान दीवानी अदालतों से स्थगन आदेश ले आते हैं और सम्पदा अधिकारी द्वारा पूर्ण की गई सारी कानूनी प्रक्रिया इन 30 दिनों में निष्क्रिय व अप्रभावी हो जाती है। इसलिए इस अड़चन को हटाने के उद्देश्य से इस संवैधानिक नोटिस के वर्तमान 30 दिन के प्रावधान को घटाकर 7 दिन कर दिया गया है, ताकि अनाधिकृत रूप से काबिज भूमि व भवन को तुरन्त खाली व गिराया जा सके और तीव्र विकास के लक्ष्य को प्राप्त किया जा सके।

इसलिए यह बिल लाया गया।

धीर पाल सिंह,
नगर तथा ग्राम आयोजना मंत्री,
हरियाणा।

चण्डीगढ़ :
दिनांक 8 सितम्बर, 2003

सुमित कुमार,
सचिव।

1960

HARYANA GOVT. GAZ. (EXTRA.), SEPT. 8, 2003
(BHDR. 17, 1925 SAKA)

प्रत्यायोजित विधान से सम्बन्धित ज्ञापन

संशोधित विधेयक की धारा 18 हरियाणा शहरी विकास प्राधिकरण अधिनियम के प्रयोजनों को कार्यान्वित करने के लिए नियम बनाने हेतु राज्य सरकार को सशक्त करती है। कार्यकारी को शक्तियों का यह प्रत्यायोजन सामान्य प्रवृत्ति है तथा विधायी शक्तियों के प्रत्यायोजन के सामान्य विस्तार कहीं भी अधिप्रभावी नहीं होंगे। तथापि शक्तियों के प्रत्यायोजन का यह ज्ञापन हरियाणा विधान सभा में नियम प्रक्रिया तथा कार्य संचालन के नियम 126 के अधीन यथा अपेक्षित संलग्न है।

LEGISLATIVE DEPARTMENT

Notification

The 15th October, 2003

No. Leg. 25/2003.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 7th October, 2003, and is hereby published for general information :—

Haryana Act No. 23 of 2003

**THE HARYANA URBAN DEVELOPMENT AUTHORITY (AMENDMENT)
ACT, 2003**

AN

ACT

further to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Fifty-fourth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 2003.

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of 1977.

2. For section 18 of the Haryana Urban Development Authority Act, 1977, the following section shall be substituted, namely :—

“18. Power to evict persons from premises/land of Authority or building constructed thereon.—(1) If the Collector or any officer authorized by him is satisfied—

(a) that any person authorized to occupy any premises of the Authority has—

(i) not paid rent lawfully due from him in respect of such premises for a period of more than two months ; or

(ii) sublet, without the permission of the Estate Officer, the whole or any part of such premises ; or

(iii) otherwise acted in contravention of any of the terms expressed or implied, under which he is authorized to occupy such premises ; or

(b) that any person is in unauthorized occupation of any land of the Authority or building constructed thereon,

the Collector or any officer authorized by him may, notwithstanding anything contained in any law, for the time being in force, by notice served by post and if a person avoids service, or is not available for service of notice, or refuses to accept notice, then by

affixing a copy of it on the outer door or some other conspicuous part of such premises/land or building or in such other manner as may be prescribed, call upon any person, who has committed a breach of the provisions of this Act or the rules framed thereunder, to vacate the said premises/land or building constructed thereon or demolish unauthorized construction and to appear and show cause why he should not be ordered to restore to its original state or to bring it in conformity with the provisions of this Act or the rules framed thereunder, as the case may be, and if such person fails to show cause to the satisfaction of the Collector or any officer authorized by him within a period of seven days, the Collector or any officer authorized by him shall pass an order requiring him to vacate such premises/land or building constructed thereon or demolish unauthorized construction and restore to its original state or to bring it in conformity with the provisions of this Act or the rules framed thereunder, as the case may be, within a further period of seven days.

(2) If the order made under clause (a) or clause (b) of sub-section (1) is not carried out, within a specified period, the Collector or any officer authorized by him at the expiry of the period of this order, shall evict that person from, and take possession of, the premises/land or building constructed thereon and shall for that purpose use such force as may be necessary and the cost incurred on such measures shall, if not paid on demand, being made to him, be recoverable from such person as arrears of land revenue.

(3) Even before the expiry of the period of seven days mentioned under sub-section (1), if the Collector or such officer authorized by him is satisfied that instead of vacation of premises/land or building constructed thereon or demolition of unauthorized construction, as the case may be, the person continues with the contravention, the Collector shall himself or any officer authorized by him take such measures as may appear necessary to give effect to the order and the cost of such measures shall, if not paid on demand, being made to him, be recoverable from such person as arrears of land revenue.

(4) If a person, who has been ordered to vacate any premises under sub-clause (i) or sub-clause (iii) of clause (a) of sub-section (1), within a period of seven days of the date of service of the notice, pays to the Estate Officer the rent in arrears or carries out or otherwise complies with the terms contravened by him to the satisfaction of the Collector or any officer authorized by him, as the case may be, the Collector or any officer authorized by him shall cancel his order made under sub-section (1) and thereupon

such person shall hold the premises on the same terms on which he held them immediately before such notice was served upon him."

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

भाग 1

हरियाणा सरकार

विधायी विभाग

अधिसूचना

दिनांक 17 दिसम्बर, 2003

संख्या लैज. 25/2003.—दि हरियाणा अर्बन डिवलपमेन्ट अथारिटी (अमेण्डमेन्ट) ऐक्ट, 2003, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यपाल की 9 दिसम्बर, 2003, की स्वीकृति के अधीन एतद् द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4-क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा :—

2003 का हरियाणा अधिनियम संख्या 23

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 2003

हरियाणा नगरीय विकास प्राधिकरण

अधिनियम, 1977, को आगे

संशोधित करने के लिए

अधिनियम

भारत गणराज्य के बीसवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 2003, संक्षिप्त नाम।
कहा जा सकता है।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977, की धारा 18 के स्थान पर, 1977 के हरियाणा
निम्नलिखित धारा प्रतिस्थापित की जाएगी, अर्थात् :— अधिनियम 13 की
धारा 18 का
प्रतिस्थापन।

“18. प्राधिकरण के परिसरों/भूमि या उस पर निर्मित भवन से व्यक्तियों को बेदखल करने की शक्ति.— (1) यदि कलक्टर या उस द्वारा प्राधिकृत किसी अधिकारी की सन्तुष्टि हो जाती है कि—

(ग) प्राधिकरण के किन्हीं परिसरों का अधिभोग करने के लिए प्राधिकृत किसी व्यक्ति ने—

(i) ऐसे परिसरों के सम्बन्ध में उससे विधिपूर्वक देय किराये का दो मारा से अधिक की अवधि के लिए भुगतान नहीं किया है;
या

(ii) ऐसे परिसरों के संपूर्ण या किसी भाग को, सम्पदा अधिकारी

की अनुज्ञा के बिना अनुपट्टे पर दे दिया है; या

(iii) अभिलेखित या विनिर्दिष्ट विवरणों में से किसी का उल्लंघन करते हुए अन्यथा कार्य किया है, जिनके अधीन वह ऐसे परिसरों का अधिभोग करने के लिए प्राधिकृत है ; या

(ख) कोई व्यक्ति प्राधिकरण की किसी भूमि या उस पर निर्मित भवन के अप्राधिकृत अधिभोग में है,

कलक्टर या उस द्वारा प्राधिकृत कोई अधिकारी, उस समय लागू किसी विधि में अंतर्विष्ट किसी बात के होते हुए भी, डाक द्वारा तामील किये गये नोटिस द्वारा तथा यदि कोई व्यक्ति तामील से बचता है, या नोटिस की तामील के लिए उपलब्ध नहीं होता है, या नोटिस स्वीकार करने से इन्कार करता है, तब उसकी एक प्रति ऐसे परिसरों/भूमि या भवन के बाहरी दरवाजे या किसी अन्य सहजदृश्य भाग पर चिपकाते हुए, या ऐसी अन्य रीति में, जो विहित की जाए, किसी व्यक्ति को जिसने इस अधिनियम या इसके अधीन बनाए गए नियमों के उपबन्धों का उल्लंघन किया है उक्त परिसरों/भूमि या उस पर निर्मित भवन को खाली करने या अप्राधिकृत निर्माण को गिराने तथा पेश होने तथा कारण बताने के ब्यों न उसे इस अधिनियम या इसके अधीन बनाए गए नियमों, जैसी भी स्थिति हो, के उपबन्धों के अनुसार इसकी मूल स्थिति में प्रत्यावर्तित करने या इसके अनुरूप लाने के लिए आदेश किए जाने चाहिए, के लिए जुला सकता है, तथा यदि ऐसा व्यक्ति कलक्टर या उस द्वारा प्राधिकृत किसी व्यक्ति की सन्तुष्टि के अनुसार सात दिन की अवधि के भीतर कारण बताने में असफल रहता है तो कलक्टर या उस द्वारा प्राधिकृत कोई अधिकारी इस अधिनियम या इसके अधीन बनाए गए नियमों, जैसी भी स्थिति हो, के उपबन्धों के अनुसार आगे सात दिन की अवधि के भीतर ऐसे परिसरों/भूमि या उस पर निर्मित भवनों को खाली करने या अप्राधिकृत निर्माण को गिराने तथा इसकी मूल स्थिति में प्रत्यावर्तित करने या इसके अनुरूप लाने के लिए उससे अपेक्षा करते हुए आदेश पारित करेगा।

(2) यदि उपधारा (1) के खण्ड (क) या खण्ड (ख) के अधीन किए गए आदेश की विनिर्दिष्ट अवधि के भीतर पालना नहीं की जाती है, कलक्टर या उस द्वारा प्राधिकृत कोई अधिकारी, इस आदेश की अवधि की समाप्ति पर उस व्यक्ति को परिसरों/भूमि या उस पर निर्मित भवन से बेदखल करेगा तथा उसका कब्जा लेगा तथा इस प्रयोजन के लिए ऐसे बल को प्रयोग में ला सकता है जो आवश्यक हो, तथा ऐसे उपायों पर उपगत लागत, यदि उससे की गई मांग पर भुगतान नहीं की जाती है, ऐसे व्यक्ति से भू-राजस्व के वकाया के रूप में वसूली योग्य होगी।

(3) उपधारा (1) के अधीन वर्णित सात दिनों की अवधि की समाप्ति से पहले भी, यदि कलक्टर या उस द्वारा प्राधिकृत ऐसे अधिकारी की सन्तुष्टि

हो जाती है कि परिसरों/भूमि या उस पर निर्मित भवन को खाली करने या अप्राधिकृत निर्माण को गिराने, जैसी भी स्थिति हो, की वजाए, व्यक्ति उल्लंघन जारी रखता है तो कलक्टर स्वयं या उस द्वारा प्राधिकृत कोई अधिकारी ऐसे उपाय करेगा जो आदेश को प्रभावी करने के लिए आवश्यक प्रतीत हों तथा ऐसे उपायों की लागत, यदि उससे की गई मांग पर भुगतान नहीं की जाती है, ऐसे व्यक्ति से भू-राजस्व के बकायों के रूप में वसूली योग्य होगी।

(4) यदि कोई व्यक्ति, जिसे उपधारा (1) के खण्ड (क) के उप खण्ड (i) या उप खण्ड (iii) के अधीन, नोटिस की तारीख की तिथि से सात दिन की अवधि के भीतर किन्हीं परिसरों को खाली करने का आदेश दिया गया है, सम्पदा अधिकारी को बकाया किराये का भुगतान करता है या कलक्टर या उस द्वारा प्राधिकृत किसी अधिकारी, जैसी भी स्थिति हो, की सन्तुष्टि के अनुसार, उन निबन्धनों का, जिनका उसने उल्लंघन किया है, कार्यान्वित या अन्यथा अनुपालन करता है, तो कलक्टर या उस द्वारा प्राधिकृत कोई अधिकारी उपधारा (1) के अधीन किये गये अपने आदेश को रद्द कर देगा और उसके बाद ऐसा व्यक्ति परिसरों को उन्हीं निबन्धनों पर धारण करेगा जिन पर वह ऐसे नोटिस को उस पर तारीख किये जाने से तुरन्त पहले उनको धारण किए हुए था। ”।

आर० एस० मदान,
सचिव, हरियाणा सरकार,
विधायी विभाग।

LEGISLATIVE DEPARTMENT

Notification

The 17th March, 2004

No. Leg. 13/2004.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th March, 2004, and is hereby published for general information :—

Haryana Act No. 11 of 2004

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
ACT, 2004**

AN

ACT

further to amend the Haryana Urban Development Authority Act, 1977.

BE it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Amendment) Act, 2004.

Short title.

2. After sub-section (7) of section 17 of the Haryana Urban Development Authority Act, 1977, the following sub-sections shall be added at the end, namely :—

Amendment of
section 17 of
Haryana Act 13
of 1977.

“(8) Any person aggrieved by an order of Chief Administrator under sub-section (6) may within a period of ninety days of the date of the communication to him of such order, prefer a revision petition to the Secretary to Government, Haryana, Town and Country Planning Department, in such form and manner as may be prescribed :

Provided that the Secretary to Government, Haryana, Town and Country Planning Department, may entertain the revision petition after the expiry of the said period of ninety days, if he is satisfied that the petitioner was prevented by sufficient cause from filing the revision petition in time.

(9) The Secretary to Government, Haryana, Town and Country Planning Department, may, after hearing the revision, confirm, vary or reverse the order appealed from and may pass such order as he deems fit:

Provided that the Secretary to Government, Haryana, Town and Country Planning Department, shall not pass an order under this section without hearing the parties.”.

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

हरियाणा शहरी विकास प्राधिकरण

अवशिष्ट

दिनांक 13 अक्टूबर, 2003

संख्या-एथो-2003/31267.—हरियाणा सरकार, हरियाणा शहरी विकास प्राधिकरण, अधिसूचना संख्या 6668, दिनांक 1 मार्च, 2001, जो कि हरियाणा सरकार राजपत्र, दिनांक 13 मार्च, 2001 में प्रकाशित हुई थी में फार्म 'क' तथा फार्म 'ख' में शीर्ष "कार्यान्वयन संस्था का नाम" में हरियाणा शहरी विकास प्राधिकरण शब्द के बाद निम्नलिखित शब्द भी जोड़ दिये जायें :—

"अन्य कोई विभाग/संस्था"

[67—1]

एन० सी० वधवा,

मुख्य प्रशासक,

हरियाणा शहरी विकास प्राधिकरण, पंचकुला।

HARYANA URBAN DEVELOPMENT AUTHORITY

Addendum

The 13th October, 2003

No. Auth.-2003/31267.—In the Haryana Government, Haryana Urban Development Authority, notification No. 6668, dated the 1st March, 2001, published in the Haryana Government Gazette, dated the 13th March, 2001 in Form 'A' and Form 'B' under the heading 'Name of the Implementing Agency' after the words Haryana Urban Development Authority, following words :—

"Any other Department/Agency." shall be added.

[67—2]

N. C. WADHWA,

Chief Administrator,

Haryana Urban Development Authority, Panchkula.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 8th November, 2004

No. Leg. 25/2004.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th October, 2004, and is hereby published for general information :—

Haryana Act No. 23 of 2004

**THE HARYANA URBAN DEVELOPMENT AUTHORITY
(SECOND AMENDMENT) ACT, 2004**

AN

ACT

further to amend the Haryana Urban Development Authority Act, 1977.

Be it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Urban Development Authority (Second Amendment) Act, 2004. Short title.

2. In Chapter IX of the Haryana Urban Development Authority Act, 1977 (hereinafter called the principal Act),— Amendment of Chapter IX of Haryana Act 13 of 1977.

(i) for the words “sector development plan(s)” wherever occurring, the words and sign “sectoral/zonal development plan(s)” shall be substituted;

(ii) for the word “sector(s)” wherever occurring, the words and sign “sector(s)/zone(s)” shall be substituted.

3. For sub-section (1) of section 62 of the principal Act, the following sub-section shall be substituted, namely :— Amendment of section 62 of Haryana Act 13 of 1977.

“(1) If in the opinion of the State Government any area within the State requires integrated planned development, it may, by notification, declare such area to be local development area and such area shall include the area within a town or local authority including a municipal committee/council or a Municipal Corporation, the controlled area declared under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (41 of 1963), or the

erstwhile Faridabad Complex (Regulation and Development) Act, 1971 (42 of 1971), or the Haryana Municipal Corporation Act, 1994 (16 of 1994) or any other area which in the opinion of the State Government is likely to be developed."

Amendment of
section 63 of
Haryana Act 13
of 1977.

4. In sub-section (1) of section 63 of the principal Act,—

- (i) for clause (b), the following clause shall be substituted, namely:—

"(b) a whole time Vice-Chairman not below the rank of Commissioner serving or retired to be appointed by the Government;"

- (ii) clause (h) shall be omitted;

- (iii) for clause (j), the following clause shall be substituted, namely:—

"(j) Mayor of a Municipal Corporation and in case of municipal committee/council, the president, ex-officio;"

Amendment of
section 67 of
Haryana Act 13
of 1977.

5. In section 67 of the principal Act,—

- (i) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Every meeting of the Local Development Authority shall be presided over by the Chairman;"

- (ii) in sub-section (3), for the words "member presiding", the word "Chairman" shall be substituted.

Amendment of
section 77 of
Haryana Act 13
of 1977.

6. For the existing Note to section 77 of the principal Act, the following Note shall be substituted, namely:—

"*Note.*— The development plan prepared and approved by the Government under section 5 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (41 of 1963) or under section 29 of the erstwhile Faridabad Complex (Regulation and Development) Act, 1971 (42 of 1971) or under section 346 of the Haryana Municipal Corporation Act, 1994 (16 of 1994), shall be deemed to be master plan under section 73 for the local development area forming part of the controlled area declared under the aforesaid Acts and the same shall be integrated into the master plan of the local development area."

Amendment of
section 85 of
Haryana Act 13
of 1977.

7. In section 85 of the principal Act,—

(i) in sub-section (4),—

(I) for clause (a), the following clause shall be substituted,
namely :—

“(a) From the date of the constitution of a Local Development Authority for a local development area, falling within the jurisdiction of a Municipal Corporation and the controlled area declared under the erstwhile Faridabad Complex (Regulation and Development) Act, 1971 (42 of 1971) or under the Haryana Municipal Corporation Act, 1994 (16 of 1994), the Commissioner, Municipal Corporation shall cease to exercise powers under the provisions of sections 346 to 349 of the Haryana Municipal Corporation Act, 1994 (16 of 1994), and all acts done by the Chief Administrator of the erstwhile Faridabad Complex Administration or the Commissioner, Municipal Corporation shall be deemed to have been done by the Vice-Chairman of the Local Development Authority.”;

(II) in clause (b), for the words “Faridabad Complex Administration”, the words “Municipal Corporation” shall be substituted;

(ii) in sub-section (5), for the words “municipal committee” occurring twice, the words and sign “municipal committee/ council” shall be substituted.

R. S. MADAN,

Secretary to Government Haryana,

Legislative Department.

भाग I

हरियाणा सरकार

विधायी विभाग

अधिसूचना

दिनांक 9 नवम्बर, 2004

संख्या लैज० 14/2004.—[दि हरियाणा अॅब्रॅन डिक्लेरमेंट ऑथोरिटी (अॅमेन्डमेंट) ऐक्ट, 1989, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यपाल की 2 नवम्बर, 2004, की स्वीकृति के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4-क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा :—]

2004 का हरियाणा अधिनियम संख्या 12

हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1989

हरियाणा नगरीय विकास प्राधिकरण, अधिनियम, 1977,

को संशोधित

करने के लिए

अधिनियम

भारत गणराज्य के चालीसवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा नगरीय विकास प्राधिकरण (संशोधन) अधिनियम, 1989, कहा जा सकता है।

संक्षिप्त नाम।

2. हरियाणा नगरीय विकास प्राधिकरण अधिनियम, 1977 (जिसे, इसमें, इसके पश्चात् मूल अधिनियम कहा गया है) के दीर्घ नाम में, "नगरीय विकास करने के लिए नगरीय विकास प्राधिकरण की," शब्दों के पश्चात् "और स्थानीय क्षेत्र के विकास के लिए स्थानीय विकास प्राधिकरण की" शब्द रखे जाएंगे।

1977 के हरियाणा अधिनियम 13 के दीर्घ नाम का संशोधन।

3. अध्याय VIII के पश्चात्, निम्नलिखित अध्याय रखा जाएगा, अर्थात् :—

1977 के हरियाणा अधिनियम 13 में अध्याय IX का अन्तः स्थापन।

"अध्याय IX

स्थानीय विकास प्राधिकरणों का गठन

61. इस अध्याय में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,—

परिभाषाएं।

(क) "सम्पदा अधिकारी" से अभिप्राय है, सरकार द्वारा नियुक्त स्थानीय विकास प्राधिकरण का सम्पदा अधिकारी ;

- (ख) "स्थानीय विकास क्षेत्र" से अभिप्राय है, धारा 62 की उपधारा (1) के अधीन इस रूप में घोषित क्षेत्र;
- (ग) "स्थानीय विकास प्राधिकरण" से अभिप्राय है, धारा 62 की उपधारा (3) के अधीन गठित स्थानीय विकास प्राधिकरण;
- (घ) "महा योजना" से अभिप्राय है, ऐसी योजना जिसमें इस अधिनियम के अधीन या हरियाणा राज्य में लागू किसी अन्य अधिनियम के अधीन सरकार द्वारा अनुमोदित कोई विकास योजना शामिल हो;
- (ङ) "सचिव" से अभिप्राय है, स्थानीय विकास प्राधिकरण का सचिव;
- (च) "उपाध्यक्ष" से अभिप्राय है, स्थानीय विकास प्राधिकरण का उपाध्यक्ष जो उसका मुख्य प्रशासक भी होगा।

स्थानीय विकास
क्षेत्र की घोषणा।

62. (1) यदि, राज्य सरकार की राय में राज्य के भीतर किसी क्षेत्र के लिए समेकित योजनाबद्ध विकास की आवश्यकता है, तो वह अधिसूचना द्वारा ऐसे क्षेत्र को स्थानीय विकास क्षेत्र के रूप में घोषित कर सकती है और ऐसे क्षेत्र के भीतर कोई नगर या स्थानीय प्राधिकरण का क्षेत्र शामिल होगा जिसमें कोई नगरपालिका समिति या फरीदाबाद संव्यूह प्रशासन के जिसमें पंजाब अनुसूचित सड़क तथा नियंत्रित क्षेत्र अनियमित विकास निर्बन्धन अधिनियम, 1963 (1963 का अधिनियम सं० 41), तथा फरीदाबाद संव्यूह प्रशासन अधिनियम, 1971 (1971 का अधिनियम संख्या 42), के अधीन घोषित नियंत्रित क्षेत्र या कोई ऐसा अन्य क्षेत्र भी शामिल होगा, जिसके राज्य सरकार की राय में विकसित किए जाने की संभावना है।
- (2) राज्य सरकार, राजपत्र में अधिसूचना द्वारा, इस अधिनियम के प्रयोजनों के लिए उपधारा (1) के अधीन घोषित किसी स्थानीय विकास क्षेत्र के लिए स्थानीय विकास प्राधिकरण के नाम से ज्ञात एक प्राधिकरण का गठन कर सकती है।
- (3) स्थानीय विकास प्राधिकरण एक निगमित निकाय होगा जिसका शाश्वत उत्तराधिकार और सामान्य मुद्रा होगी और उसे चल और अचल दोनों प्रकार की सम्पत्ति को अर्जित करने, धारित करने और उसका निपटारा करने की और संविदा करने की शक्ति होगी और वह उक्त नाम से वाद लाएगा और उस पर उक्त नाम से वाद लाया जा सकेगा।

स्थानीय विकास
प्राधिकरण का
गठन।

63. (1) धारा 62 की उप-धारा (1) के अधीन विकास के लिए घोषित किसी स्थानीय विकास क्षेत्र के सम्बन्ध में स्थानीय विकास प्राधिकरण में निम्नलिखित सदस्य होंगे :-
- (क) हरियाणा नगरीय विकास प्राधिकरण का अध्यक्ष, स्थानीय विकास प्राधिकरण का अध्यक्ष होगा ;

- (ख) सरकार द्वारा नियुक्त किए जाने वाला एक पूर्णकालिक उपाध्यक्ष, जो आयुक्त की पदवी से कम का नहीं होगा;
- (ग) सचिव, हरियाणा सरकार, नगर तथा ग्राम आयोजना विभाग, पदेन ;
- (घ) सचिव, हरियाणा सरकार, स्थानीय शासन विभाग, पदेन ;
- (ङ) सचिव, हरियाणा सरकार, वित्त विभाग, पदेन;
- (च) निदेशक, नगर तथा ग्राम आयोजना विभाग, हरियाणा, पदेन ;
- (छ) मुख्य प्रशासक, हरियाणा नगरीय विकास प्राधिकरण, पदेन ;
- (ज) अध्यक्ष, हरियाणा राज्य बिजली बोर्ड या उसके द्वारा नामजद व्यक्ति;
- (झ) उस जिले का उपायुक्त, जिसमें स्थानीय विकास क्षेत्र स्थित है ;
- (ञ) नगरपालिका समिति का मुख्य कार्यापालक अधिकारी और फरीदाबाद संव्यूह प्रशासन, की दशा में पदेन मुख्य प्रशासक ;
- (ट) तीन तक अन्य सदस्य, जिनमें से एक को इंजीनियरी, नगर आयोजना या वास्तुशिल्प में अनुभव हो, जो सरकार द्वारा नामजद किए जाएं।
- (2) उपधारा (1) के खण्ड (ग), खण्ड (घ), खण्ड (ङ), में निर्दिष्ट सदस्य, स्थानीय विकास प्राधिकरण की बैठक में स्वयं उपस्थित होने के बजाए, विभाग के ऐसे अधिकारी को , जो उपसचिव की पदवी से कम का न हो और खण्ड (च) तथा खण्ड (छ) में निर्दिष्ट सदस्य की दशा में ऐसे अधिकारी को, जो क्रमशः मुख्य नगर आयोजक और प्रशासक, हरियाणा नगरीय विकास प्राधिकरण की पदवी से कम का न हो, प्रतिनियुक्त कर सकता है। इस प्रकार प्रतिनियुक्त अधिकारियों को बैठक की कार्यवाहियों में भाग लेने का अधिकार होगा और क्रमशः मतदान करने का अधिकार भी होगा।
64. (1) सदस्यों की पदावधि तथा सेवा की शर्तें ऐसी होंगी जो विहित की जाएं।
- (2) उपाध्यक्ष को स्थानीय विकास प्राधिकरण की निधि से ऐसा वेतन और ऐसे भत्ते प्राप्त करने का अधिकार होगा, जो विहित किए जाएं।
- (3) सदस्य को, स्थानीय विकास प्राधिकरण की निधि से ऐसे भत्ते, यदि कोई हों, भुगतान किए जा सकते हैं, जो विहित किए जाएं।
- (4) नामजद व्यक्ति, सरकार के प्रसाद पर्यन्त पद धारण करेंगे।
- (5) नामजद व्यक्ति, सरकार को लिखित रूप में नोटिस देकर अपना पद त्याग सकता है और सरकार द्वारा ऐसे त्यागपत्र के स्वीकार किए जाने पर वह सदस्य नहीं रहेगा।
65. सरकार किसी भी ऐसे सदस्य को पद से हटा सकती है, —
- (i) जो सरकार की राय में पर्याप्त कारण के बिना स्थानीय विकास प्राधिकरण की चार से अधिक लगातार बैठकों से अनुपस्थित रहा हो ;

सदस्यों की
पदावधि तथा सेवा
की शर्तें।

सदस्यों को हटाने
की शक्ति।

- (ii) जिसने सरकार की राय में सदस्य के रूप में अपनी हैसियत का इस प्रकार दुरुपयोग किया है कि जिससे स्थानीय विकास प्राधिकरण में उस का सदस्य बना रहना स्थानीय विकास प्राधिकरण के हित में हानिकर हो ।

रिक्तियों का भरा जाना।

66. सदस्य के पद में कोई रिक्ति होने पर दूसरा सदस्य नियुक्त किया जाएगा।

बैठकें।

67. (1) स्थानीय विकास प्राधिकरण की बैठक ऐसे समय और स्थान पर होगी और उप-धारा (2) तथा (3) के उपबन्धों के अधीन रहते हुए ऐसी बैठक में अपने कार्य के निपटान के सम्बन्ध में प्रक्रिया के ऐसे नियमों का पालन करेगा, जो विनियमों द्वारा उपबंधित किए जाएं।

(2) स्थानीय विकास प्राधिकरण की प्रत्येक बैठक में अध्यक्ष, यदि वह उपस्थित हो, या उसकी अनुपस्थिति में उपाध्यक्ष, और यदि कोई अध्यक्ष, या उपाध्यक्ष उपस्थित न हों, तो उसका कोई ऐसा सदस्य, जिसे उपस्थित सदस्य चुनें, अध्यक्षता करेगा।

(3) स्थानीय विकास प्राधिकरण की बैठक में सभी प्रश्न उपस्थित तथा मताधिकार का प्रयोग करने वाले सदस्यों के बहुमत से निश्चित किए जाएंगे और मत बराबर होने की दशा में, अध्यक्षता करने वाले सदस्य का द्वितीय या निर्णायक मत होगा।

(4) प्रत्येक बैठक में उपस्थित सदस्यों के नामों का तथा कार्यवाहियों का कार्यकृत इस प्रयोजन के लिए रखी जाने वाली पुस्तिका में रखा जाएगा, जिस पर ठीक आगामी बैठक की अध्यक्षता करने वाले सदस्य द्वारा हस्ताक्षर किए जाएंगे और वह कार्यालय समय के दौरान किसी भी सदस्य के निरीक्षण के लिए खुली होगी।

(5) स्थानीय विकास प्राधिकरण की बैठक में कार्य करने के लिए, गणपूर्ति उस समय वास्तव में सेवा करने वाले सदस्यों की संख्या का एक तिहाई होगी, किन्तु किसी भी दशा में चार से कम नहीं होगी।

समितियों की नियुक्ति।

68. इस निमित्त बनाए गए किन्हीं नियमों के अधीन रहते हुए, स्थानीय विकास प्राधिकरण, अपने कृत्यों के दक्षतापूर्ण निर्वहन कराने के प्रयोजन के लिए और विशेषकर सार्वजनिक सुख-सुविधाओं तथा विकास परियोजनाओं के दक्षतापूर्ण अनुरक्षण को सुनिश्चित करने के प्रयोजन के लिए समय-समय पर समिति या समितियां नियुक्त कर सकता है।

व्यक्तियों का अस्थायी सहयोजन।

69. (1) स्थानीय विकास प्राधिकरण अथवा धारा 68 के अधीन नियुक्त कोई समिति ऐसी रीति में और ऐसे प्रयोजनों के लिए, जो विहित किए जाएं, किसी ऐसे व्यक्ति को अपने साथ सहयोजित कर सकती है जिसकी सहायता या परामर्श उनको इस अध्याय के अधीन अपने किन्हीं कृत्यों का पालन करने के लिए अपेक्षित है।

(2) उप-धारा (1) के अधीन किसी प्रयोजन के लिए सहयोजित किए गए किसी व्यक्ति को उस प्रयोजन से सुसंगत स्थानीय विकास प्राधिकरण के विचार विमर्श में भाग लेने का अधिकार होगा किन्तु उसे बैठक में मत देने का अधिकार नहीं होगा।

70. इस अध्याय के अधीन किए गए किसी कार्य को अथवा की गई कार्यवाही को मात्र निम्नलिखित आधार पर प्रश्नगत नहीं किया जाएगा—

कार्यो तथा
कार्यवाहियों का
विधि-मान्यकरण।

(i) स्थानीय विकास प्राधिकरण में किसी रिक्ति की विधिमान्यता अथवा उसके गठन में कोई त्रुटि ;

(ii) धारा 69 के अधीन सहयोजित किए गए किसी व्यक्ति द्वारा इस निमित्त इस अध्याय के उपबन्धों के उल्लंघन में मत दिए जाने पर ;

(iii) किसी व्यक्ति पर नोटिस की तामील न करने पर जहां ऐसा न करने से कोई सारभूत अन्याय न हुआ हो ;

(iv) मामले के गुणागुण को प्रभावित न करने वाला कोई लोप, दोष या अनियमितता।

71. (1) राज्य सरकार हरियाणा नगरीय विकास प्राधिकरण अथवा राज्य सरकार के किसी सम्बद्ध विभाग से छह स्थानीय विकास प्राधिकरण के उपयुक्त अधिकारी, जैसे क्रमशः मुख्य नगर योजनाकार, मुख्य इंजीनियर, वित्त नियंत्रक, सचिव, सम्पदा अधिकारी और सम्पदा प्रबन्धक जो ऐसी शक्तियों का प्रयोग तथा ऐसे कर्तव्यों का पालन करेंगे जो विनियमों द्वारा विहित किए जाएं या स्थानीय विकास प्राधिकरण या उसके उपाध्यक्ष द्वारा उन्हें प्रत्यायोजित किए जाएं।

अमला।

(2) ऐसे नियंत्रण तथा निर्बन्धनों के अधीन रहते हुए, जो विहित किए जाएं, स्थानीय विकास प्राधिकरण तकनीकी तथा विधिक कार्य विशेषज्ञों समेत उतने अधिकारी तथा अन्य कर्मचारी, जितने उसके कृत्यों का दक्षतापूर्ण पालन करने के लिए आवश्यक हों, हरियाणा नगरीय विकास प्राधिकरण के कर्मचारियों के संवर्ग से नियुक्त कर सकता है अथवा राज्य सरकार के विभागों से प्रतिनियुक्ति पर ले सकता है और वह उनके पदनाम तथा वेतनमान अवधारित कर सकता है।

(3) स्थानीय विकास प्राधिकरण के अधिकारी तथा अन्य कर्मचारी स्थानीय विकास प्राधिकरण की निधि से ऐसे वेतन तथा भत्ते पाने के हकदार होंगे जो इस निमित्त बनाए गए विनियमों द्वारा अवधारित किए जाएं।

(4) किसी अधिकारी अथवा अन्य कर्मचारी द्वारा किन्हीं शक्तियों का प्रयोग या किन्हीं कर्तव्यों या कृत्यों का निर्वहन ऐसे निर्बन्धनों, शर्तों तथा परिसीमाओं के, यदि कोई हों, अधीन होगा, जो स्थानीय विकास प्राधिकरण द्वारा निर्धारित की जाएं और इसके नियंत्रण तथा पर्यवेक्षण के अधीन रहते हुए भी होगा।

(5) स्थानीय विकास प्राधिकरण के अपने निजी कर्मचारियों का कोई संवर्ग नहीं होगा तथा स्थानीय विकास प्राधिकरण के कर्मचारी हरियाणा नगरीय विकास प्राधिकरण, के संवर्ग के होंगे।

स्थानीय विकास
प्राधिकरण का
उद्देश्य।

(6) कोई भी व्यक्ति, जो प्रत्यक्ष या अप्रत्यक्ष रूप से स्वयं अथवा अपने भागीदार या अभिकर्ता के माध्यम से, स्थानीय विकास प्राधिकरण द्वारा अथवा उसकी ओर से की गई किसी संविदा में कोई हिस्सा या हित रखता हो, अथवा स्थानीय विकास प्राधिकरण के अधीन, उसके अधिकारी या कर्मचारी के रूप में अन्यथा उसके द्वारा या उसकी ओर से किसी नियोजन में हो, स्थानीय विकास प्राधिकरण का अधिकारी या कर्मचारी नहीं होगा या नहीं रहेगा।

(7) राज्य सरकार या उसके द्वारा इस निमित्त प्राधिकृत किसी अधिकारी के लिए यह विधिपूर्ण होगा कि वह हरियाणा नगरीय विकास प्राधिकरण सेवा में कोई पद धारण करने वाले किसी व्यक्ति को एक स्थानीय विकास प्राधिकरण से दूसरे स्थानीय विकास प्राधिकरण में स्थानान्तरित कर दे।

72. स्थानीय विकास प्राधिकरण के उद्देश्य स्थानीय विकास क्षेत्र में योजना के अनुसार समाविष्ट सभी या किन्हीं क्षेत्रों के विकास को बढ़ाया देना तथा उसे सुनिश्चित करना होगा, उस प्रयोजन के लिए स्थानीय विकास प्राधिकरण को इस अधिनियम के प्रयोजन को कार्यरूप देने के लिए राज्य सरकार के पूर्व अनुमोदन से, या उसके निदेश पर, भूमि और अन्य सम्पत्ति को क्रय, अन्तरण, विनियमन या दान द्वारा अर्जित करने, उसके धारण, प्रबन्ध, योजना, विकास और बंधक करने या अन्यथा निपटाने, स्वयं या उसकी ओर से किसी अभिकरण के माध्यम से निर्माण, इंजीनियरी, खनन और अन्य संक्रियाएं चलाने, जल प्रदाय, मल-निपटान, प्रदूषण नियंत्रण, और किसी अन्य सेवा और सुख-सुविधाओं के सम्बन्ध में संकर्म निष्पादित करने और साधारणतया कोई भी कार्य करने की शक्ति होगी :

परन्तु इस अध्याय में यथा उपबन्धित के सिवाय इस अध्याय में अन्तर्विष्ट कोई भी बात स्थानीय विकास प्राधिकरण द्वारा उस समय लागू किसी विधि की अवहेलना का प्राधिकार देने वाली नहीं मानी जाएगी।

विकास क्षेत्र के
लिए महायोजना।

73. (1) स्थानीय विकास प्राधिकरण, स्थानीय विकास क्षेत्र के लिए, यथाशीघ्र, महायोजना तैयार करेगा।

(2) महायोजना—

(क) ऐसे विभिन्न सैक्टरों को परिनिश्चित करेगी जिनमें विकास के प्रयोजनों के लिए स्थानीय विकास क्षेत्र विभाजित किया जा सकता है और ऐसी रीति का जिसमें प्रत्येक सैक्टर में भूमि का उपयोग किया जाना (चाहे उस पर विकास करके या अन्यथा) प्रस्तावित है और ऐसे प्रक्रमों का संकेत किया जाएगा जिसके अनुसार कोई ऐसा विकास किया जाएगा ; और

(ख) ऐसे ढांचे के आधारभूत पैटर्न का काम देगी जिसमें विभिन्न सैक्टरों की सैक्टर विकास योजना तैयार की जा सकती है।

(3) महायोजना में किसी ऐसे अन्य मामले के बारे में भी उपबन्ध किया जा सकता है जो स्थानीय विकास क्षेत्र के उचित विकास के लिए आवश्यक हो।

74. (1) महायोजना के तैयार होने के साथ-साथ या उसके बाद यथाशीघ्र, स्थानीय विकास प्राधिकरण प्रत्येक सैक्टर के लिए जिसमें स्थानीय विकास क्षेत्र विभक्त किया जा सकता है, सैक्टर विकास योजना की तैयारी के लिए अग्रसर होगा।

सैक्टर विकास योजनाएं।

(2) किसी सैक्टर विकास योजना में --

- (क) सैक्टर के विकास के लिए स्थल योजना और उपयोग योजना हो सकती है और उसमें सार्वजनिक निर्माण और अन्य सार्वजनिक संकर्मों तथा उपयोगिताओं, सड़कों, आवासन, मनोरंजन, उद्योग, कारबार, मण्डियों, विद्यालयों, अस्पतालों और सार्वजनिक तथा निजी खुले स्थानों और सार्वजनिक तथा निजी उपयोगों के अन्य प्रवर्गों, जैसी बातों के लिए सैक्टर में प्रस्तावित भूमि-उपयोग की अनुमानित स्थितियां तथा सीमाएं दर्शित की जा सकती हैं ;
- (ख) जनसंख्या सघनता तथा निर्माण सघनता के मानक विनिर्दिष्ट किए जा सकते हैं;
- (ग) सैक्टर में ऐसे प्रत्येक क्षेत्र को दर्शाया जा सकता है जिसे स्थानीय विकास प्राधिकरण की राय में विकास या पुनर्विकास के लिए घोषित किए जाने की अपेक्षा की जाए ; और
- (घ) विशेष तौर पर निम्नलिखित सभी या किन्हीं मामलों के सम्बन्ध में उपबन्ध हो सकते हैं, अर्थात् :--
 - (i) निर्माणों के परिनिर्माण के लिए किसी स्थल का भू-खण्डों (प्लोटों) में विभाजन;
 - (ii) सड़कों, खुले-स्थानों, बागों, मनोरंजन भूमियों, विद्यालयों, बाजारों और अन्य सार्वजनिक प्रयोजनों के लिए आबंटन या आरक्षण ;
 - (iii) किसी क्षेत्र का, विकास तथा निर्बन्धन और शर्तें जिनके अधीन रहते हुए ऐसा विकास प्रारम्भ या कार्यान्वित किया जा सकता है;
 - (iv) किसी स्थल पर निर्माण का बनाया जाना तथा निर्माणों में या उनके चारों ओर रखे जाने वाले खुले स्थानों के बारे में निर्बन्धन और शर्तें तथा ऐसे निर्माणों की ऊंचाई और स्वरूप;
 - (v) किसी स्थल के निर्माणों का संरक्षण;
 - (vi) किसी स्थल पर बनाये जाने वाले किसी निर्माण की ऊंचाई या अगले भाग के वास्तुशिल्पीय लक्षण ;
 - (vii) आवासीय निर्माणों की संख्या जो भूखण्ड (प्लोट) स्थल पर बनाये जा सकते हैं;

- (viii) ऐसे स्थल या ऐसे स्थल पर निर्माणों के बारे में दी जाने वाली सुख-सुविधाएं, चाहे निर्माण बनाने से पहले हों या बाद में, तथा व्यक्ति या प्राधिकारी जिसके द्वारा या जिसके खर्च पर ऐसी सुख-सुविधायें जुटाई जानी हैं ;
- (ix) परिक्षेत्र में दुकानों, कमशालाओं, भांडागारों या कारखानों अथवा विनिर्दिष्ट वास्तुशिल्पीय लक्षण वाले निर्माणों अथवा विशेष प्रयोजनों के लिए परिकल्पित निर्माण के बनाने के सम्बन्ध में प्रतिषेध या निर्बन्धन;
- (x) दीवारों, जंगलों, बाड़ों या किसी अन्य संरचनात्मक या वास्तुशिल्पीय संनिर्माण का अनुरक्षण तथा ऊंचाई जिस तक उन्हें रखा जाएगा ;
- (xi) निर्माणों के बनाने से भिन्न प्रयोजनों के लिए किसी स्थल के उपयोग के बारे में निर्बन्धन ;
- (xii) कोई अन्य विषय जो योजना सैक्टर या उसके किसी क्षेत्र के अनुसार उचित विकास के लिए तथा ऐसे सैक्टर या क्षेत्र में अक्रम से बनाए जा रहे निर्माणों को रोकने के लिए, आवश्यक हो।

राज्य सरकार को अनुमोदन के लिए योजनाओं का प्रस्तुत किया जाना।

75. (1) इस धारा में तथा धारा 76, 77, 80 और 82 में "योजना" शब्द का अभिप्राय है, महायोजना तथा किसी सैक्टर के लिए सैक्टर विकास योजना।

(2) प्रत्येक योजना तैयार किये जाने के यथाशीघ्र बाद स्थानीय विकास प्राधिकरण द्वारा नगर तथा ग्राम आयोजना विभाग राज्य सरकार को अनुमोदन के लिए प्रस्तुत की जाएगी तथा सरकार योजना को या तो बिना रूपान्तरण के अथवा ऐसे रूपान्तरणों के साथ जो वह आवश्यक समझे, अनुमोदित कर सकती है अथवा योजना को स्थानीय विकास प्राधिकरण को उन निदेशों के साथ अस्वीकृत कर सकती है कि वह ऐसे निदेशों के अनुसार नई योजना तैयार करें।

योजना की तैयारी और अनुमोदन में अनुसरण की जाने वाली प्रक्रिया।

76. (1) किसी योजना को अन्तिम रूप से तैयार करने तथा राज्य सरकार को अनुमोदन के लिए प्रस्तुत करने से पहले, स्थानीय विकास प्राधिकरण योजना का प्रारूप तैयार करेगा तथा उसकी एक प्रति निरीक्षण के लिए उपलब्ध करके उसे प्रकाशित करेगा तथा नोटिस ऐसे प्रारूप और रीति में प्रकाशित करेगा, जो इस निमित्त बनाए गए विनियमों द्वारा विहित की जाए, जिसमें ऐसी तिथि से पूर्व जो नोटिस में विहित की जाए प्रारूप योजना के बारे में किसी व्यक्ति से आक्षेप और सुझाव आमन्त्रित किए जाएंगे।

(2) स्थानीय विकास प्राधिकरण प्रत्येक ऐसे स्थानीय प्राधिकारी को, जिसकी स्थानीय सीमाओं के भीतर योजना के अन्तर्गत आने वाली कोई भूमि स्थित हो, उस योजना के बारे में कोई अभ्यावेदन करने के लिये व्यक्तिगत अवसर देगा।

(3) ऐसे सभी आक्षेपों, सुझावों और अभ्यावेदनों पर, जो स्थानीय विकास प्राधिकरण द्वारा प्राप्त किये गये हों, विचार करने के बाद, स्थानीय विकास प्राधिकरण अन्तिम रूप से योजना तैयार करेगा तथा राज्य सरकार को उसके अनुमोदन के लिए प्रस्तुत करेगा।

(4) इस धारा के पूर्वगामी उपबन्धों के अधीन रहते हुए, राज्य सरकार स्थानीय विकास प्राधिकरण को ऐसी जानकारी देने के लिए निदेश दे सकती है जो सरकार द्वारा इस धारा के अधीन उसे प्रस्तुत की गई योजना को अनुमोदित करने के प्रयोजन के लिए अपेक्षित हो।

77. राज्य सरकार द्वारा योजना अनुमोदित किए जाने के तुरन्त बाद, प्राधिकरण ऐसी रीति में जो राज्य सरकार विनिर्दिष्ट करे कथित करते हुए इस बात का उल्लेख करने वाला एक नोटिस प्रकाशित करेगा कि योजना अनुमोदित की जा चुकी है और उसमें उस स्थान का नाम बताया जाएगा जहां सभी युक्तियुक्त समयों पर योजना की प्रति का निरीक्षण किया जा सकता है तथा पूर्वोक्त नोटिस के प्रथम प्रकाशन की तिथि से योजना लागू हो जाएगी।

योजना के आरम्भ होने की तिथि।

टिप्पण .—पंजाब अनुसूचित सड़क तथा नियन्त्रित क्षेत्र अनियमित विकास निर्वन्धन अधिनियम, 1963, की धारा 5 के अधीन अथवा फरीदाबाद संव्यूह (विनियमन और विकास) अधिनियम, 1971, की धारा 29 के अधीन तैयार की गई और सरकार द्वारा अनुमोदित विकास योजना को पूर्वोक्त अधिनियमों के अधीन घोषित नियन्त्रित क्षेत्र का भाग रूप बनने वाली स्थानीय विकास क्षेत्र के लिए धारा 73 के अधीन महायोजना समझी जाएगी तथा उसे स्थानीय विकास क्षेत्र की महायोजना में समेकित कर लिया जाएगा।

78. (1) जहां किसी स्थानीय विकास क्षेत्र में पूर्णतः आवासीय प्रयोजनों के लिए और आंशिक रूप से आवासीय और आंशिक रूप से आवासीय भिन्न प्रयोजनों के लिए अधिभुक्त कोई निर्माण किसी मुख्य सड़क पर खुलता है, वहां ऐसे निर्माण के अधिभोक्ता को इस निमित्त बनाई गई उपविधियों के अनुसार अपने निजी खर्च पर ऐसे निर्माण के बाहरी भाग की मरम्मत, सफेदी, रंगसाजी या रंग-रोगन करना पड़ेगा।

कुछ निर्माणों, मुख्य सड़कों के बाहरी भाग का अनुरक्षण और सुधार।

(2) जहां स्थानीय विकास प्राधिकरण इस निमित्त बनाई गई किसी स्कीम या अन्य विनिर्देश के साथ समरूपता को सुनिश्चित करने के लिए ऐसा करना आवश्यक या समीचीन समझे, अथवा जहां कोई अधिभोक्ता उपधारा (1) के अनुसार किसी निर्माण के बाहरी भाग की मरम्मत, सफेदी, रंगसाजी या रंग-रोगन कराने में असफल रहे, वहां वह आदेश द्वारा यह अपेक्षा कर सकता है कि उक्त कार्य स्वयं स्थानीय विकास प्राधिकरण द्वारा या उसके निदेश के अधीन किया जाएगा तथा तदनुसार अधिभोक्ता से ऐसे कार्य के खर्च का स्थानीय विकास प्राधिकरण को भुगतान करने की अपेक्षा कर सकता है।

- (3) उपधारा (2) में निर्दिष्ट किसी संकर्म के खर्च की संगणता बिना लाभ हानि के आधार पर की जाएगी तथा जमा की जाने वाली राशि की युक्तियुक्ता के बारे में कोई विवाद होने की दशा में उसका निश्चय राज्य सरकार द्वारा किया जाएगा तथा उसके अधीन रहते हुए स्थानीय विकास प्राधिकरण का आदेश अन्तिम होगा तथा किसी न्यायालय में प्रश्नगत नहीं किया जाएगा।
- (4) उपधारा (2) में निर्दिष्ट किसी संकर्म के सारे खर्च या उसके भाग का भुगतान अधिभोक्ता द्वारा न किये जाने की दशा में, उसे उपाध्यक्ष के प्रमाण-पत्र पर, अधिभोक्ता से राजस्व के बकायों के रूप में वसूल किया जा सकेगा।

व्याख्या.--इस धारा में—

- (क) “प्रमुख सड़क” पद का वही अर्थ होगा जो उसे उपविधियों में दिया गया हो ;
- (ख) किसी निर्माण के सम्बन्ध में, “अधिभोक्ता” पद से अभिप्राय है, निर्माण के वास्तविक अधिभोग या उपयोग करने वाला व्यक्ति और इसमें निम्नलिखित शामिल है—
- (i) अधिभोग वाला स्वामी (जिस पद में न्यायालय द्वारा नियुक्त कोई अभिकर्ता या न्यासी या प्रापक (रिसीवर) परिवर्द्धकर्ता या प्रबन्धक, या निर्माण का कब्जा रखने वाला कोई बन्धकधारी शामिल है);
- (ii) कोई किरायेदार जो उस समय स्वामी को उसके सम्बन्ध में किराया दे रहा है या किराया देने के लिए दायी है ;
- (iii) उसकी बिना किराये प्रत्याभूतिधारी या अनुज्ञप्तिधारी;
- (iv) वह व्यक्ति जो स्वामी को उसके प्राधिकृत प्रयोग तथा अधिभोग के लिए नुकसानी देने के लिए दायी है।

योजना का संशोधन।

79. (1) स्थानीय विकास प्राधिकरण महायोजना में या सैक्टर विकास योजना में ऐसे संशोधन कर सकता है जो वह ठीक समझे, जो उसकी राय में योजना के स्वरूप में महत्वपूर्ण परिवर्तन न करें और जो भूमि उपयोगों की सीमा अथवा जनसंख्या सघनता के मानकों से सम्बन्धित नहीं है।
- (2) राज्य सरकार महायोजना या सैक्टर विकास योजना में संशोधन कर सकती है चाहे ऐसे संशोधन उपधारा (1) में विनिर्दिष्ट स्वरूप के हों या अन्यथा।
- (3) योजना में कोई संशोधन करने से पहले स्थानीय विकास प्राधिकरण या जैसी भी स्थिति हो, राज्य सरकार, स्थानीय विकास क्षेत्र में परिवर्तित कम से कम एक समाचार-पत्र में नोटिस प्रकाशित करेगी जिसके द्वारा किसी भी व्यक्ति से ऐसी तिथि से पूर्व जो नोटिस में विनिर्दिष्ट की जाए, प्रस्तावित संशोधनों के बारे में आक्षेप और सुझाव आमन्त्रित किये जाएंगे तथा ऐसे सभी आक्षेपों और

सुझावों पर विचार करेगी जो स्थानीय विकास प्राधिकरण या राज्य सरकार द्वारा प्राप्त किए जाएं।

- (4) इस धारा के अधीन किया गया प्रत्येक संशोधन ऐसी रीति में प्रकाशित किया जाएगा जो स्थानीय विकास प्राधिकरण या राज्य सरकार, जैसी भी स्थिति हो, विनिर्दिष्ट करे तथा संशोधन या तो प्रथम प्रकाशन की तिथि से अथवा ऐसी अन्य तिथि से लागू होंगे जो स्थानीय विकास प्राधिकरण या राज्य सरकार, जैसी भी स्थिति हो, नियत करे।
- (5) जब स्थानीय विकास प्राधिकरण उपधारा (1) के अधीन योजना में कोई संशोधन करे, तो वह ऐसे संशोधनों के पूरे ब्यौरे ऐसी तिथि के तीस दिन के भीतर, जिसको ऐसे संशोधन लागू होते हैं, राज्य सरकार को रिपोर्ट करेगा।
- (6) यदि कोई प्रश्न उठे कि क्या स्थानीय विकास प्राधिकरण द्वारा प्रस्तावित किए जाने वाले संशोधन ऐसे संशोधन हैं जो योजना के स्वरूप में महत्वपूर्ण परिवर्तन करते हैं या वे भूमि के उपयोगों की सीमा से या आबादी की सघनता के मानकों से सम्बन्धित है तो उसे राज्य सरकार को निर्दिष्ट किया जाएगा, जिसका उस पर निश्चय अन्तिम होगा।
- (7) महायोजना या सैक्टर विकास योजना के किसी निर्देश का अर्थ इस प्रकार लगाया जाएगा मानों वह इस धारा के अधीन यथा-संशोधित महायोजना या सैक्टर विकास योजना का निर्देश हो।

80. (1) धारा 62 की उपधारा (1) के अधीन किसी क्षेत्र के स्थानीय विकास क्षेत्र घोषित होने के बाद किसी भी व्यक्ति या निकाय (जिसमें सरकार का विभाग भी शामिल है) द्वारा उस क्षेत्र में भूमि का कोई विकास प्रारम्भ या कार्यान्वित नहीं किया जाएगा या जारी नहीं रखा जाएगा, जब तक कि ऐसे विकास के लिए इस अध्याय के उपबंधों के अनुसार अनुज्ञा उपाध्यक्ष से लिखित रूप में प्राप्त न कर ली गई हो।

स्थानीय विकसित क्षेत्र में भूमि का विकास।

- (2) किसी स्थानीय विकास क्षेत्र में किसी भी योजना के प्रवर्तन में आने के बाद उस क्षेत्र में कोई विकास प्रारम्भ या कार्यान्वित नहीं किया जाएगा या जारी नहीं रखा जाएगा, जब तक कि ऐसा विकास ऐसी योजनाओं के अनुसार न हो।
- (3) उपधारा (1) तथा (2) में अन्तर्विष्ट किसी बात के होते हुए भी, किसी राज्य सरकार या केन्द्र सरकार या किसी स्थानीय प्राधिकरण के किसी विभाग द्वारा भूमि के विकास के बारे में निम्नलिखित उपबन्ध लागू होंगे,—

(क) जब कोई ऐसा विभाग या स्थानीय प्राधिकरण भूमि के किसी विकास का आशय रखता हो तो वह ऐसा करने के लिये अपने आशय की सूचना, ऐसा विकास प्रारंभ करने से कम से कम तीस दिन पहले लिखित में उपाध्यक्ष को देगा जिसमें योजनाओं तथा दस्तावेजों सहित उसके पूरे ब्यौरे होंगे;

- (ख) किसी राज्य सरकार या केन्द्र सरकार के किसी विभाग की दशा में, यदि उपाध्यक्ष को कोई आक्षेप न हो तो उसे इस बारे में खण्ड (क) के अधीन विभाग के आशय प्राप्ति की तिथि से तीन सप्ताह के भीतर सूचना ऐसे विभाग को दे देनी चाहिए, और यदि उपाध्यक्ष उक्त अवधि के भीतर कोई आक्षेप न करे तो विभाग को प्रस्तावित विकास करने की स्वतन्त्रता होगी;
- (ग) जहां उपाध्यक्ष, प्रस्तावित विकास के बारे में इस आधार पर कोई आक्षेप करे कि विकास उस द्वारा तैयार की गई या तैयार किए जाने के लिए आशयित किसी महायोजना या सैक्टर विकास योजना के अनुरूप नहीं है अथवा किसी अन्य आधार पर करे तो ऐसा विभाग या स्थानीय प्राधिकरण, जैसी भी स्थिति हो,—
- (i) उपाध्यक्ष द्वारा किए गए आक्षेप के निवारण के लिए या तो विकास के प्रस्ताव में आवश्यक उपान्तरण करेगा ; या
- (ii) विकास के प्रस्तावों को, उपाध्यक्ष द्वारा किए गए आक्षेपों सहित राज्य सरकार को खण्ड (घ) के अधीन निश्चय के लिए प्रस्तुत करेगा ;
- (घ) राज्य सरकार, विकास के प्रस्तावों की उपाध्यक्ष के आक्षेपों सहित प्राप्ति पर या तो प्रस्ताव को उपान्तरण सहित या बिना उपान्तरणों के अनुमोदित कर सकती है या विभाग अथवा स्थानीय प्राधिकरण को जैसी भी स्थिति हो, राज्य सरकार द्वारा यथा प्रस्तावित ऐसे उपान्तरण करने के लिए निदेश दे सकती है और राज्य सरकार का निश्चय अन्तिम होगा ;
- (ङ) ऐसे किसी विभाग द्वारा या धारा 84 के उपबन्धों के अधीन रहते हुए किसी ऐसे स्थानीय प्राधिकरण द्वारा उपधारा (1) में निर्दिष्ट घोषणा से पूर्व प्रारंभ किया गया किसी भूमि का विकास, उस विभाग या स्थानीय प्राधिकरण द्वारा उपधारा (1) तथा (2) की अपेक्षा का अनुपालन करते हुए पूरा किया जा सकता है।

अनुज्ञा के लिए
आवेदन।

81. (1) धारा 80 में निर्दिष्ट अनुज्ञा प्राप्त करने का इच्छुक प्रत्येक व्यक्ति या निकाय (सरकार के किसी विभाग या किसी स्थानीय प्राधिकरण से भिन्न), जिसका स्थल, किसी ऐसे स्थानीय विकास प्राधिकरण द्वारा विकसित किसी सैक्टर में या राज्य के किसी अन्य अधिनियम के अधीन अनुमोदित किसी कालोनी (बस्ती), में स्थित है या जिसके लिए सरकार द्वारा भूमि-उपयोग में परिवर्तन की अनुज्ञा दे दी गई है, उपाध्यक्ष को लिखित रूप में ऐसे प्ररूप में आवेदन करेगा जिसमें उस विकास के बारे में वह ब्यौरा होगा जिससे आवेदन सम्बन्धित हो जो उप-विधियों द्वारा विहित किया जाए।

(2) उपधारा (1) के अधीन प्रत्येक आवेदन के साथ ऐसी फीस होगी जो नियमों द्वारा विहित की जाए।

(3) उपधारा (1) के अधीन अनुज्ञा के लिए आवेदन प्राप्त होने पर, उपाध्यक्ष धारा 74 की उपधारा (2) के खण्ड (घ) में विनिर्दिष्ट किसी विषय के बारे में या किसी अन्य विषय के बारे में ऐसी जांच करने के पश्चात् जिसे वह आवश्यक समझे, लिखित आदेश द्वारा या तो, ऐसी शर्तों के अधीन रहते हुए, यदि कोई हों, जो आदेश में विनिर्दिष्ट की जाएं, अनुज्ञा दे देगा या ऐसी अनुज्ञा देने से इनकार कर देगा :

परन्तु ऐसी अनुज्ञा, व्यक्ति को भूमि के उपयोग में परिवर्तन करने का तब तक हकदार नहीं बनाएगी जब तक उक्त अनुज्ञा धारा 82 की उपधारा (1) के अधीन राज्य सरकार द्वारा नहीं दी जाती या धारा 84 के अधीन स्थानीय विकास प्राधिकरण द्वारा स्थल आबंटित/अन्तरित नहीं कर दिया जाता :

परन्तु यह और कि ऐसी अनुज्ञा से इनकारी का आदेश करने से पूर्व आवेदक को हेतुक दर्शित करने का युक्तियुक्त अवसर प्रदान किया जाएगा कि अनुज्ञा से इनकारी क्यों नहीं की जानी चाहिए :

परन्तु यह और कि उपाध्यक्ष ऐसे आवेदन पर कोई आदेश करने से पूर्व आवेदक को, उसमें कोई शुद्धि करने या दस्तावेज का कोई और ब्यौरा प्रदान करने या अपेक्षित फीस में किसी कमी को पूरा करने के लिए, अवसर प्रदान कर सकता है ताकि उसे संगत नियमों, या विनियमों या उपविधियों के अनुरूप बनाया जा सके।

(4) जहां अनुज्ञा से इनकार किया जाए वहां ऐसी इनकारी के आधार लिखे जाएंगे और आवेदक को सूचित किए जाएंगे।

(5) उपधारा (4) के अधीन आदेश से व्यथित कोई व्यक्ति, उस आदेश के विरुद्ध, उसके सूचित किए जाने से तीस दिन के भीतर अध्यक्ष को अपील कर सकता है और वह आवेदक को, और यदि आवश्यक हो, उपाध्यक्ष के प्रतिनिधि को भी सुनवाई का अवसर देने के बाद या तो अपील को खारिज कर सकता है या उपाध्यक्ष को निर्देश कर सकता है कि आवेदित अनुज्ञा ऐसे उपान्तरणों सहित या ऐसी शर्तों के, यदि कोई हों, अधीन रहते हुए दे दी जाएं, जो विनिर्दिष्ट की जाएं।

(6) उपाध्यक्ष, ऐसे प्ररूप में जो विनियमों द्वारा विहित किया जाए, इस धारा के अधीन अनुज्ञा के आवेदनों की एक पंजी रखेगा।

(7) उक्त पंजी में ऐसा ब्यौरा तथा जानकारी देने की रीति भी शामिल है जिसमें अनुज्ञा के लिए आवेदनों का निपटान किया गया है, जो विनियमों द्वारा विहित की जाए और वह पांच रुपए तक की फीस के भुगतान पर, जो विनियमों द्वारा विहित की जाए, सभी युक्तियुक्त समयों पर जनता के किसी भी सदस्य द्वारा निरीक्षण के लिए उपलब्ध होगी।

(8) जहां इस धारा के अधीन अनुज्ञा से इनकार कर दिया जाता है, वहां आवेदक या उसके माध्यम से दावा करने वाला कोई भी व्यक्ति अनुज्ञा के आवेदन पर भुगतान की गई फीस की वापसी का हकदार नहीं होगा, किन्तु उपाध्यक्ष, उपधारा (4) के अधीन इनकारी के आधार सूचित किए जाने के तीन महीने के भीतर वापसी के लिए आवेदन करने पर, फीस के ऐसे भाग की वापसी के निदेश कर सकता है जिसे वह मामले की परिस्थितियों में उचित समझे।

भूमि तथा निर्माणों के
उपयोग संबंधी अनुज्ञा
या इनकारी।

82. (1) किसी व्यक्ति या व्यक्ति-संगम या व्यक्ति-निकाय, चाहे निगमित हो या नहीं, सहित को धारा 81 की उपधारा (1) में विनिर्दिष्ट सैक्टरों/क्षेत्रों से भिन्न सैक्टरों/क्षेत्रों में अनुज्ञा सरकार द्वारा ऐसे निबन्धनों और शर्तों पर तथा ऐसी फीसों तथा संपरिवर्तन प्रभारों के भुगतान पर प्रदान की जा सकती है, जो विहित किए जाएं :

परन्तु ऐसी अनुज्ञा कारण लिखकर अस्वीकृत की जा सकती है यदि सरकार की मामले के गुणागुण से संतुष्टि न हो अथवा वह विधि के अनुसार न हो।

(2) किसी सैक्टर में किसी योजना के प्रवर्तन में आने के बाद कोई भी व्यक्ति ऐसी योजना की अनुरूपता से अन्यथा उस सैक्टर में किसी भूमि या निर्माण को न तो उपयोग में लाएगा न ही उसे इसको उपयोग में लाने की इजाजत देगा।

1975 के हरियाणा
अधिनियम 8 का लागू
होना।

83. हरियाणा नगरीय क्षेत्र विकास तथा विनियमन अधिनियम, 1975, ऐसे स्थानीय विकास क्षेत्र में लागू होता रहेगा जिसे उक्त अधिनियम की धारा 2 के खण्ड (ण) में यथा परिभाषित नगरीय क्षेत्र समझा जाएगा और उक्त अधिनियम के अधीन शक्तियों का प्रयोग निदेशक, नगर तथा ग्राम आयोजना, हरियाणा द्वारा किया जाता रहेगा।

कुछ विद्यमान उपबन्धों
का लागू होना।

84. धारा 2, 14 से 27, 32 से 34, 36, 37, 39, 40, 41, 44 से 52, 55, 56 तथा 59 के उपबन्ध यथावश्यक परिवर्तन सहित धारा 62 की उपधारा (3) के अधीन गठित स्थानीय विकास प्राधिकरण को लागू होंगे और इस प्रयोजन के लिए 'प्राधिकरण', 'संपदा अधिकारी' तथा 'मुख्य प्रशासक' शब्दों का अभिप्राय क्रमशः 'स्थानीय विकास प्राधिकरण', 'संपदा अधिकारी' तथा 'उपाध्यक्ष' होगा।

परिसम्पत्तियों, दायित्वों,
शक्तियों आदि, का
स्थानीय प्राधिकरण को
अन्तरण।

85. (1) धारा 62 की उपधारा (3) के अधीन स्थानीय विकास प्राधिकरण के गठन की तिथि से हरियाणा नगरीय विकास प्राधिकरण की शक्तियां और कृत्य ऐसे स्थानीय विकास क्षेत्र के सम्बन्ध में जिसके लिए यह गठित किया गया है, स्थानीय विकास प्राधिकरण को अन्तरित हो जाएंगे।

(2) उपधारा (1) के उपबन्धों के होते हुये भी—

(क) सरकार या हरियाणा नगरीय विकास प्राधिकरण द्वारा की गई कोई बात या कार्रवाई जिसमें किसी अधिसूचना, आदेश का जारी किया जाना,

स्कीम का बनाया जाना, अनुज्ञा का प्रदान किया जाना या नियम का बनाया जाना शामिल हैं, जहां तक यह इस अध्याय के उपबन्धों से असंगत न हो, लागू रहेगी और इस अध्याय के अधीन स्थानीय विकास प्राधिकरण द्वारा तब तक की गई समझी जायेगी जब तक इस अध्याय के अधीन की गई किसी बात या कार्रवाई द्वारा अधिक्रान्त नहीं कर दी जाती;

(ख) हरियाणा नगरीय विकास प्राधिकरण में निहित और धारा 62 की उप-धारा (3) के अधीन स्थानीय प्राधिकरण के गठन से पूर्व स्थानीय विकास क्षेत्र में स्थित चल तथा अचल समस्त सम्पत्ति और उसके सभी हित, चाहे वे किसी स्वरूप तथा किस्म के हों, स्थानीय विकास प्राधिकरण में निहित होंगे;

(ग) स्थानीय विकास प्राधिकरण के गठन से पूर्व हरियाणा नगरीय विकास प्राधिकरण द्वारा उपगत सभी ऋण, बाध्यताएं तथा दायित्व, की गई सभी संविदाएं तथा किये जाने के लिए हाथ में लिये गये सभी मामले और बातें, स्थानीय विकास प्राधिकरण के साथ या उसके लिए उपगत ऋण, बाध्यताएं तथा दायित्व की गई संविदाएं और किए जाने के लिए हाथ में लिए गए मामले और बातें समझी जाएंगी;

(घ) स्थानीय विकास प्राधिकरण के गठन से तुरन्त पूर्व हरियाणा नगरीय विकास प्राधिकरण को देय सभी शुल्क तथा अन्य धनराशियां स्थानीय विकास प्राधिकरण को देय समझी जाएंगी;

(ङ) सभी वाद, अभियोजन या अन्य विधिक कार्यवाहियां, जो स्थानीय विकास क्षेत्र के सम्बन्ध में हरियाणा नगरीय विकास प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध संस्थित की गई हों या जो उसके द्वारा, उसके लिए या उसके विरुद्ध संस्थित की जा सकती थीं, सम्बद्ध स्थानीय विकास प्राधिकरण द्वारा, उसके लिए या उसके विरुद्ध जारी रखी जा सकती हैं या संस्थित की जा सकती हैं।

(3) स्थानीय विकास क्षेत्र के सम्बन्ध में हरियाणा नगरीय विकास प्राधिकरण की ओर से या अन्यथा सरकार द्वारा प्रारम्भ की गई सभी भूमि-अर्जन कार्यवाहियां लागू रहेंगी और वे सम्बन्धित स्थानीय विकास प्राधिकरण की ओर से तथा उसके लिए की गई समझी जाएंगी।

(4) (क) फरीदाबाद संव्यूह की अधिकारिता में आने वाले किसी स्थानीय विकास क्षेत्र तथा फरीदाबाद संव्यूह (विनियमन तथा विकास) अधिनियम, 1971, के अधीन घोषित नियंत्रित क्षेत्र के लिए स्थानीय विकास प्राधिकरण के गठन की तिथि से मुख्य प्रशासक, फरीदाबाद संव्यूह प्रशासन द्वारा फरीदाबाद संव्यूह (विनियमन तथा विकास) अधिनियम, 1971, की धारा

29 से 42 तक के उपबन्धों के अधीन शक्तियों का प्रयोग करना बन्द कर देगा और धारा 31, 32 तथा 42 के सिवाय पूर्वोक्त धाराओं के अधीन उपबन्धों का प्रयोग स्थानीय विकास प्राधिकरण द्वारा किया जायेगा और इसके अतिरिक्त मुख्य प्रशासक, फरीदाबाद संव्यूह प्रशासन, द्वारा किये गये सभी कार्य स्थानीय विकास प्राधिकरण के उपाध्यक्ष द्वारा किये गये समझे जायेंगे।

(ख) फरीदाबाद संव्यूह प्रशासन को किसी व्यक्ति से देय स्थानीय विकास क्षेत्र के बारे में सभी विकास प्रभार तथा अन्य सम्बन्धित धनराशियां स्थानीय विकास प्राधिकरण को देय समझी जाएंगी।

(5) किसी स्थानीय विकास प्राधिकरण के गठन के तुरन्त बाद स्थानीय विकास क्षेत्र में कोई नगरपालिका समिति हरियाणा नगरपालिका अधिनियम, 1973, की धारा 172 से 181, 184 से 186, 188, 193, 198, 201 से 211 तथा 218 से 220 के उपबन्धों के अधीन किसी शक्ति का प्रयोग करना बंद कर देगी और पूर्वोक्त धाराओं के अधीन शक्तियों का प्रयोग स्थानीय विकास प्राधिकरण द्वारा किया जाएगा और इसके अतिरिक्त उस सम्बन्ध में नगरपालिका द्वारा किए गए सभी कार्य स्थानीय विकास प्राधिकरण के उपाध्यक्ष द्वारा किये गये समझे जाएंगे।

(6) हरियाणा नगरीय क्षेत्र विकास तथा विनियमन अधिनियम, 1975 (1975 का अधिनियम संख्या 8), की धारा 7, 10 तथा 11 के अधीन निदेशक, नगर तथा ग्राम आयोजना, में निहित शक्तियां और कृत्य स्थानीय विकास प्राधिकरण के गठन की तिथि से उसके उपाध्यक्ष द्वारा प्रयोग में लाए जाएंगे।

टिप्पण.—उक्त अधिनियम की धारा 2 के अधीन नगरीय क्षेत्र सम्बद्ध स्थानीय विकास प्राधिकरण का स्थानीय विकास क्षेत्र समझा जायेगा।

(7) पंजाब अनुसूचित सड़क तथा नियंत्रित क्षेत्र अनियमित विकास निर्यन्धन अधिनियम, 1963 (1963 का अधिनियम 41), की धारा 3, 6, 9, 12, 13, 14, 15 तथा 16 के अधीन निदेशक, नगर तथा ग्राम आयोजना की सभी शक्तियां तथा कृत्य स्थानीय विकास प्राधिकरण के गठन की तिथि से उसके स्थानीय विकास क्षेत्र के सम्बन्ध में स्थानीय विकास प्राधिकरण के उपाध्यक्ष द्वारा प्रयोग में लाये जाएंगे।

नजूल भूमियां।

86. (1) राज्य सरकार, राजपत्र में अधिसूचना द्वारा तथा ऐसे निबन्धनों तथा शर्तों पर, जिनके बारे में सरकार तथा स्थानीय विकास प्राधिकरण के बीच सहमति हो, इस अध्याय के उपबन्धों के अनुसार विकास के प्रयोजन के लिए राज्य सरकार में निहित स्थानीय विकास क्षेत्र में सभी या किन्हीं विकसित तथा अविकसित भूमियों को (जो इसमें इसके बाद "नजूल भूमियों" के रूप में ज्ञात एवं निर्दिष्ट हैं) स्थानीय विकास प्राधिकरण को सौंप देगी।

- (2) उप-धारा (1) के अधीन स्थानीय विकास प्राधिकरण को कोई नजूल भूमि सौंपी जाने के बाद स्थानीय विकास प्राधिकरण के नियंत्रण तथा पर्यवेक्षण द्वारा या उसके अधीन के सिवाय ऐसे किसी भूमि का कोई विकास प्रारंभ न किया जायेगा, या उसे कार्यरूप नहीं दिया जायेगा।
- (3) स्थानीय विकास प्राधिकरण के नियंत्रण तथा पर्यवेक्षण द्वारा या उसके अधीन ऐसी किसी नजूल भूमि को विकसित किये जाने के पश्चात् इसके बारे में राज्य सरकार द्वारा उस निमित्त दिये गये निर्देशों के अनुसार स्थानीय विकास प्राधिकरण द्वारा कार्रवाई की जायेगी।
- (4) यदि उप-धारा (1) के अधीन स्थानीय विकास प्राधिकरण को सौंपी गई कोई नजूल भूमि उसके बाद किसी भी समय राज्य सरकार द्वारा अपेक्षित हो तो स्थानीय विकास प्राधिकरण इसे फिर से, ऐसे निबन्धनों तथा शर्तों पर, जिन पर सरकार तथा स्थानीय विकास प्राधिकरण के बीच सहमति हो, सरकार के हवाले कर सकता है।
87. (1) कोई व्यक्ति, जो चाहे अपने तौर पर या किसी अन्य व्यक्ति या किसी निकाय के कहने पर, जिसमें सरकार का कोई विभाग भी शामिल है, महायोजना या सैक्टर विकास योजना के उल्लंघन में या धारा 80 में निर्दिष्ट अनुज्ञा, अनुमोदन या स्वीकृति के बिना या किसी ऐसी शर्त के उल्लंघन में, जिसके अधीन ऐसी अनुज्ञा, अनुमोदन या स्वीकृति दी गई है, किसी भूमि का विकास शुरू करता है या जारी रखता है, किसी ऐसे जुर्माने से जो दस हजार रुपए तक हो सकता है, और अपराध के जारी रहने की दशा में प्रत्येक ऐसे दिन के लिए, जिसके दौरान प्रथम बार अपराध करने के लिए दोषसिद्धि के बाद ऐसे अपराध का करना जारी रहता है, पांच सौ रुपए तक के और जुर्माने से दंडनीय होगा।
- (2) कोई व्यक्ति, जो धारा 82 के उपबन्धों के उल्लंघन में या विनियम द्वारा विहित किन्हीं निबन्धनों तथा शर्तों के उल्लंघन में किसी भूमि या भवन का उपयोग करता है, पांच हजार रुपये तक के जुर्माने से, और अपराध के जारी रहने की दशा में प्रत्येक ऐसे दिन के लिए जिसके दौरान प्रथम बार अपराध करने के लिए दोषसिद्धि के पश्चात् ऐसे अपराध का करना जारी रहता है, दो सौ पचास रुपये तक के और जुर्माने से दंडनीय होगा।
- (3) कोई व्यक्ति, जो उपाध्यक्ष द्वारा प्राधिकृत व्यक्ति के किसी भूमि या भवन में प्रवेश में बाधा डालता है या ऐसे प्रवेश के बाद ऐसे व्यक्ति को उत्पीड़ित करता है, ऐसी अवधि के कारावास से, जो छह मास तक हो सकता है, या दोनों से, दंडनीय होगा।
88. (1) जहां, स्थानीय विकास क्षेत्र के संबंध में महायोजना या सैक्टर विकास योजना के उल्लंघन में या धारा 80 में निर्दिष्ट अनुज्ञा, अनुमोदन या मंजूरी के बिना या

कृष्ण अन्य शक्तियां।

निर्माण के गिराने का आदेश।

किन्हीं ऐसी शर्तों के उल्लंघन में जिनके अधीन रहते हुए ऐसी अनुज्ञा, अनुमोदन या मंजूरी दी गई है, कोई विकास प्रारम्भ किया गया है या किया जा रहा है या पूरा किया जा चुका है, वहां धारा 86 के उपबन्धों पर प्रतिकूल प्रभाव डाले बिना, उपाध्यक्ष या उसके द्वारा उस निमित्त सशक्त स्थानीय विकास प्राधिकरण का कोई अन्य अधिकारी यह निदेश देते हुये आदेश कर सकता है कि ऐसे विकास को उसके स्वामी या ऐसे व्यक्ति द्वारा, जिसकी प्रेरणा पर विकास आरम्भ किया गया है या किया जा रहा है या पूरा किया गया है, उस तिथि से जब हटाये जाने के, कारणों के संक्षिप्त विवरण सहित आदेश की प्रति स्वामी या आदेश में विनिर्दिष्ट व्यक्ति को, दी गई है, कम से कम पन्द्रह दिन तथा अधिक से अधिक चालीस दिन की अवधि के भीतर, गिराकर, भरकर या अन्यथा हटाया जायेगा और आदेश का पालन करने में उसके असफल रहने पर, उपाध्यक्ष या ऐसा अधिकारी विकास हटा या हटवा सकता है और उपाध्यक्ष या ऐसे अधिकारी द्वारा यथा प्रमाणित ऐसे हटाने के खर्चे, स्वामी से या ऐसे व्यक्ति से जिसकी प्रेरणा पर विकास प्रारम्भ किया गया था या किया जा रहा था या पूरा किया गया था, भू-राजस्व के बकायों के रूप में वसूली योग्य होंगे :

परन्तु ऐसा कोई भी आदेश तब तक नहीं किया जाएगा जब तक स्वामी या सम्बद्ध व्यक्ति को कारण बताने का युक्तियुक्त अवसर प्रदान न कर दिया गया हो कि क्यों न आदेश किया जाए।

- (2) उप-धारा (1) के अधीन किसी आदेश से व्यथित कोई व्यक्ति, उस तिथि से तीस दिन की अवधि के भीतर उस आदेश के विरुद्ध अध्यक्ष को अपील कर सकता है और अध्यक्ष अपील के पक्षकारों को सुनने के पश्चात् अपील को या तो मंजूर अथवा रद्द कर सकता है अथवा आदेश के किसी भाग को अपास्त या परिवर्तित कर सकता है।
- (3) अध्यक्ष उस आदेश के, जिसके विरुद्ध उप-धारा (2) के अधीन उसके सम्मुख अपील दायर की गई है, निष्पादन पर रोक लगा सकता है।
- (4) अपील पर अध्यक्ष का विनिश्चय और केवल ऐसे विनिश्चय के अधीन रहते हुए उप-धारा (1) के अधीन दिया गया आदेश अन्तिम होगा और किसी भी न्यायालय में प्रश्नगत नहीं किया जाएगा।
- (5) इस धारा के उपबन्ध, उस समय लागू किसी अन्य विधि में अन्तर्विष्ट निर्माण गिराने के संबंध में दिए गए किन्हीं अन्य उपबन्धों के अतिरिक्त, न कि उसे कम करने के लिए, होंगे।

विकास रोकने की
शक्ति।

89. (1) जहां किसी स्थानीय क्षेत्र में कोई विकास, महायोजना या सैक्टर विकास योजना के उल्लंघन में अथवा धारा 80 में निर्दिष्ट अनुज्ञा, अनुमोदन या मंजूरी

के बिना अथवा किन्हीं शर्तों के उल्लंघन में जिनके अधीन रहते हुए ऐसी अनुज्ञा, अनुमोदन अथवा मंजूरी दी गई है, प्रारम्भ या जारी किया गया है, तो धारा 87 तथा 88 के उपबन्धों पर प्रतिकूल प्रभाव डाले बिना स्थानीय प्राधिकरण का उपाध्यक्ष या उस द्वारा उस निमित्त सशक्त किया गया कोई अन्य अधिकारी, आदेश की तामील की तिथि को या से विकास को बन्द करने की अपेक्षा करते हुए, आदेश कर सकता है और ऐसे आदेश का तदनुसार पालन किया जाएगा।

- (2) जहां उप-धारा (1) के अधीन आदेश के अनुसरण में ऐसे विकास को बन्द नहीं किया गया है वहां स्थानीय प्राधिकरण का उपाध्यक्ष अथवा उक्त अधिकारी, किसी पुलिस अधिकारी से अपेक्षा कर सकता है कि ऐसे व्यक्ति को जिसके द्वारा विकास प्रारम्भ किया गया है तथा उसके सभी सहायकों और कर्मचारों को ऐसे समय के भीतर जो अपेक्षा में विनिर्दिष्ट किया जाए विकास स्थल से हटा दे और ऐसा पुलिस अधिकारी तदनुसार अपेक्षा का पालन करेगा।
- (3) उपधारा (2) के अधीन अपेक्षा का पालन हो जाने के पश्चात् स्थानीय विकास प्राधिकरण का उपाध्यक्ष लिखित आदेश द्वारा, किसी पुलिस अधिकारी या स्थानीय विकास प्राधिकरण के किसी अधिकारी अथवा कर्मचारी को स्थान देखने के लिए प्रतिनियुक्त कर सकता है ताकि यह सुनिश्चित हो सके कि विकास जारी नहीं है।
- (4) उप-धारा (1) के अधीन किसी आदेश का पालन करने में असफल रहने वाला कोई व्यक्ति, प्रत्येक दिन के लिए जिसके दौरान आदेश की तामील के बाद अनुपालन जारी रहता है, दो सौ रुपए तक के जुर्माने से दण्डनीय होगा।
- (5) किसी भी व्यक्ति द्वारा किसी ऐसे नुकसान के लिए जो धारा 87 के अधीन किसी विकास को हटाने के फलस्वरूप हो अथवा इस धारा के अधीन विकास को बंद करने के कारण हो, कोई भी प्रतिकर दावा-योग्य नहीं होगा।
- (6) इस धारा के उपबन्ध उस समय लागू किसी अन्य विधि में अन्तर्विष्ट निर्माण संक्रियाओं को बंद करने से सम्बन्धित किसी अन्य उपबन्धों के अतिरिक्त होंगे न कि उसे कम करने के लिए।

90. धारा 78 के अधीन महायोजना अथवा सैक्टर विकास योजना के प्रवर्तन में आने के पश्चात् उस स्थानीय प्राधिकारी से सम्बद्ध अधिनियमिति के अधीन ऐसे उपवादों या उपान्तरणों के अधीन रहते हुए, जिन्हें राज्य सरकार राजपत्र में अधिसूचना द्वारा विनिर्दिष्ट करे, स्थानीय विकास प्राधिकरण या उसका उपाध्यक्ष सम्बद्ध स्थानीय प्राधिकरण या उसके मुख्य कार्यकारी अधिकारी द्वारा, जैसी भी स्थिति हो, प्रयोग किए जाने योग्य ऐसी अन्य शक्तियों तथा कृत्यों का प्रयोग करेगा।

स्थानीय विकास प्राधिकरण को अन्य शक्तियों का प्रदान किया जाना।

स्वामी के व्यतिक्रम की दशा में उसके खर्च पर सुविधा उपलब्ध कराने या विकास को कार्यरूप देने के लिए उपबंध करने हेतु तथा कुछ मामलों में उपकरण का उद्ग्रहण करने की शक्तियाँ।

91. (1) यदि स्थानीय विकास प्राधिकरण की, स्थानीय जांच-पड़ताल करने के पश्चात् अथवा अपने किसी अधिकारी की रिपोर्ट पर या उसके कब्जे में किसी अन्य जानकारी पर, सन्तुष्टि हो जाए कि स्थानीय विकास क्षेत्र में किसी भूमि के संबंध में कोई सुविधा, जो स्थानीय विकास प्राधिकरण की राय में दी जानी चाहिए थी या उपलब्ध कराई जानी चाहिए, उपलब्ध नहीं करवाई गई है या भूमि के किसी विकास को, जिसके संबंध में इस अध्याय या इस अध्याय के लागू होने से पहले लागू किसी अन्य विधि के अधीन अनुज्ञा, अनुमोदन अथवा स्वीकृति प्राप्त की गई है, कार्यरूप नहीं दिया गया है तो वह, भूमि के स्वामी अथवा सुविधा उपलब्ध करवाने वाले या करवाने के लिए उत्तरदायी व्यक्ति को हेतुक दर्शित करने का युक्तियुक्त अवसर प्रदान करने के पश्चात्, आदेश द्वारा, ऐसे समय के भीतर जो आदेश में विनिर्दिष्ट किया जाए, सुविधा उपलब्ध करवाने अथवा विकास को कार्यरूप देने की अपेक्षा कर सकता है।

(2) यदि, आदेश में विनिर्दिष्ट अवधि के भीतर कोई सुविधा उपलब्ध नहीं की जाती या ऐसे किसी विकास को कार्यरूप नहीं दिया जाता, तो स्थानीय विकास प्राधिकरण स्वयं सुविधा उपलब्ध करा सकता है या विकास को कार्यरूप दे सकता है अथवा किसी ऐसे अभिकरण के माध्यम से जिसे वह उचित समझे इसे उपलब्ध करा सकता है या कार्यरूप दे सकता है :

परन्तु इस उपधारा के अधीन कोई कार्यवाई करने से पूर्व स्थानीय विकास प्राधिकरण भूमि के स्वामी अथवा सुविधा उपलब्ध करवाने वाले अथवा करवाने के लिए उत्तरदायी व्यक्ति को कारण दर्शित करने का युक्तियुक्त अवसर प्रदान करेगा कि ऐसी कार्यवाई क्यों न की जाए।

(3) स्थानीय विकास प्राधिकरण अथवा उसके द्वारा नियोजित अभिकरण द्वारा सुविधा उपलब्ध करवाने अथवा विकास करवाने में किए गए सभी खर्च ऐसी दर पर ब्याज सहित जिसे राज्य सरकार आदेश द्वारा नियत करे ऐसी तिथि से जिसको खर्च के लिए मांग की गई है, जब तक स्वामी अथवा सुविधा उपलब्ध करवाने वाले या उपलब्ध करवाने के लिए उत्तरदायी व्यक्ति से भुगतान वसूल न किया जाए, स्थानीय विकास प्राधिकरण द्वारा भू-राजस्व के बकायों के रूप में वसूल किए जा सकते हैं।

(4) पूर्वगामी उपधाराओं में अन्तर्विष्ट किसी बात के होते हुए भी, जहां स्थानीय विकास प्राधिकरण की किसी विकास क्षेत्र में किसी भूमि के बहुत से स्वामियों द्वारा लिखित अभ्यावेदन पर, जो उस भूमि के कम से कम आधे क्षेत्र का प्रतिनिधित्व करते हों, सन्तुष्टि हो जाती है कि ऐसी भूमि के संबंध में कोई सुख-सुविधा जुटाई नहीं गई है जिसे स्थानीय विकास प्राधिकरण की राय में जुटाया जाना चाहिए था या जिसे जुटाया जाना चाहिए या उस भूमि के किसी विकास को, जिसके लिए इस अध्याय के अधीन अनुज्ञा, अनुमोदन या स्वीकृति

प्राप्त कर ली गई है या इस अध्याय के प्रारम्भ से पूर्व लागू किसी विधि के अधीन कार्यरूप नहीं दिया गया है, वहां यह स्वयं सुख-सुविधा जुटा सकता है या विकास को कार्यरूप दे सकता है या उसे ऐसी एजेंसी के माध्यम से जुटवा सकता है या कार्यरूप दिलवा सकता है, जैसे वह ठीक समझे, और उक्त भूमि के सभी स्वामियों से उपकर के उद्ग्रहण द्वारा खर्चों को वसूल कर सकता है :

परन्तु यदि उक्त अभ्यावेदन करने वाले स्वामियों की यह बात प्रस्तुत करें कि उपनिवेशक या सहकारी आवासन सोसाइटी द्वारा, जिसके माध्यम से या जिससे उनके द्वारा भूमि अर्जित की गई थी, सुख-सुविधा जुटाने का करार किया गया था या विकास को कार्यरूप देने का करार किया गया था, तो वे स्थानीय विकास प्राधिकरण के पास ऐसा करारनामा करने वाली सोसाइटी के, ऐसे करारनामे या अन्तरण विलेख या उपविधियों की प्रति दाखिल करेंगे और इस उपधारा के अधीन स्थानीय विकास प्राधिकरण द्वारा तब तक कोई कार्रवाई नहीं की जाएगी जब तक उपनिवेशक को या सोसाइटी को, जैसी भी स्थिति हो, इस बात के लिए कारण बताने का नोटिस न दे दिया गया हो, कि ऐसी कार्रवाई क्यों नहीं की जानी चाहिए :

परन्तु यह और कि जहां स्थानीय विकास प्राधिकरण की संतुष्टि हो जाए कि उपनिवेशक या सोसाइटी निष्क्रिय हो गई है या उसका पता नहीं लगता है, वहां पिछले परन्तुक के अधीन किसी प्रकार का नोटिस जारी करने की कोई आवश्यकता नहीं।

- (5) उपधारा (4) में निर्दिष्ट उपकर स्थानीय विकास प्राधिकरण या सुख-सुविधा जुटाने या विकास को कार्यरूप देने में उसके द्वारा नियोजित अभिकरण (एजेंसी) द्वारा किए गए खर्चों के बराबर होगा जिसमें कार्य पूरा होने की तिथि से लेकर भुगतान तक ऐसी दर पर ब्याज भी शामिल होगा जो सरकार आदेश द्वारा नियत करे और ऐसा उपकर भूमि के सभी स्वामियों पर, उनके द्वारा अपने अपने स्वामित्वाधीन क्षेत्रों के अनुपात में, निर्धारित तथा उद्गृहीत किया जाएगा।
- (6) उक्त उपकर किस्तों की ऐसी संख्या में भुगतान-योग्य होगा, और प्रत्येक किस्त ऐसे समय तथा ऐसी रीति में भुगतान-योग्य होगी, जो स्थानीय विकास प्राधिकरण द्वारा नियत की जाए, तथा उपकर का बकाया भू-राजस्व के बकायों के रूप में वसूली-योग्य होगा।
- (7) इस धारा के अधीन स्थानीय विकास प्राधिकरण या उसके द्वारा नियोजित अभिकरण द्वारा किए गए खर्चें स्थानीय विकास प्राधिकरण द्वारा प्रमाणित किए जाएंगे, तथा उप-धारा (5) के अधीन ऐसा प्रमाणपत्र तथा उपकर का निर्धारण भी, यदि कोई हो, अंतिम होगा।

कुल मामलों में
स्थानीय प्राधिकरण
से जिम्मेदारियां
अपनाने की अपेक्षा
करने की स्थानीय
विकास प्राधिकरण
की शक्ति।

(8) यदि उप-धारा (4) में निर्दिष्ट भू-स्वामियों, उपनिवेशक या समिति के बीच किसी करार के अधीन सुख-सुविधा जुटाने के लिए या विकास को कार्यरूप देने की जिम्मेदारी ऐसे उपनिवेशक या समिति की हो, तो उस उपधारा के अधीन स्वामियों द्वारा भुगतान-योग्य उपकर उपनिवेशक या समिति से, जैसी भी स्थिति हो, उनके द्वारा बसूली योग्य होगी।

92. (1) जहां स्थानीय विकास प्राधिकरण द्वारा किसी क्षेत्र का विकास किया गया हो, वहां यह स्थानीय प्राधिकरण से, जिसके स्थानीय सीमा-क्षेत्र में इस प्रकार से विकसित क्षेत्र स्थित है, उन सुख-सुविधाओं को बनाए रखने की, जिनकी स्थानीय विकास प्राधिकरण द्वारा क्षेत्र में व्यवस्था की गई है और ऐसी सुख-सुविधाओं की व्यवस्था के लिए, जिनकी स्थानीय विकास प्राधिकरण द्वारा व्यवस्था नहीं की गई है, किन्तु जिनकी उसकी राय में स्थानीय विकास प्राधिकरण तथा स्थानीय प्राधिकरण के बीच करार पाए निबन्धनों तथा शर्तों पर उस क्षेत्र में व्यवस्था की जानी चाहिए और जहां ऐसे निबन्धनों और शर्तों पर कोई करार नहीं हो पाता, वहां स्थानीय विकास प्राधिकरण द्वारा राज्य सरकार को मामले के निर्देश पर स्थानीय प्राधिकरण से सलाह करके सरकार द्वारा तय किए गए निबन्धनों और शर्तों पर, जिम्मेदारी लेने की अपेक्षा कर सकता है।

(2) विकसित क्षेत्र का अन्तरण विकास संक्रमों के पूरा होने के बाद पांच वर्ष के बाद तुरन्त या जैसे स्थानीय विकास प्राधिकरण द्वारा विनिश्चित किया जाए, प्रभावी होगा और उपर्युक्त उप-धारा (1) के अधीन स्थानीय प्राधिकरण द्वारा क्षेत्र को ग्रहण किया जाना आबद्धकर होगा।

(3) यदि स्थानीय प्राधिकरण पांच वर्ष की अवधि से पूर्व ऐसे किसी क्षेत्र से करों की बसूली करता है तो अन्तरण करों की बसूली की तिथि से प्रभावी होगा।

समृद्धि प्रभारों को
उद्गृहीत करने की
स्थानीय विकास
प्राधिकरण की
शक्ति।

93. (1) जहां स्थानीय विकास प्राधिकरण की राय में, किसी स्थानीय विकास क्षेत्र में उस द्वारा निष्पादित की गई किसी विकास स्कीम के परिणामस्वरूप, उस क्षेत्र में किसी संपत्ति का मूल्य, जिसको विकास द्वारा लाभ हुआ है, बढ़ गया है या बढ़ जायेगा, वहां स्थानीय विकास प्राधिकरण, विकास के निष्पादन के परिणामस्वरूप संपत्ति के मूल्य में बढ़ोतरी के संबंध में समृद्धि-प्रभार संपत्ति के स्वामी से या उसमें हित रखने वाले किसी व्यक्ति से उद्गृहीत करने का हकदार होगा :

परन्तु सरकार के स्वामित्वाधीन भूमियों के संबंध में कोई समृद्धि-प्रभार उद्गृहीत नहीं किया जाएगा :

परन्तु यह और कि जहां सरकार से संबंधित कोई भूमि सरकार द्वारा किसी व्यक्ति को पट्टे या अनुज्ञप्ति द्वारा दी गई है, वहां वह भूमि तथा उस पर स्थित कोई भवन इस धारा के अधीन समृद्धि-प्रभार के अधीन रहते हुए होगा।

(2) ऐसे समृद्धि-प्रभार की राशि—

- (i) उपनगर या उपनिवेश, यदि कोई हों, विकसित या अन्य विकसित या पुनः विकसित क्षेत्र में स्थित किसी सम्पत्ति के संबंध में, राशि के एक तिहाई के बराबर; और
- (ii) यथा उपर्युक्त ऐसे उपनगर, उपनिवेश या अन्य क्षेत्र से बाहर स्थित सम्पत्ति के संबंध में, ऐसी राशि के एक तिहाई तक, जिसके द्वारा विकास स्कीम के निष्पादन के पूरा होने पर सम्पत्ति के मूल्य का इस रूप में अनुमान लगाया गया था मानो भूमि भवनों से रहित थी, ऐसे निष्पादन से पूर्व सम्पत्ति का मूल्य रीति में अनुमानित से अधिक हो जाता है।

94. (1) जब उपाध्यक्ष को यह प्रतीत होता है कि कोई विशेष विकास स्कीम विनिश्चित पर्याप्त रूप से इतनी आगे बढ़ गई है कि उससे समृद्धि-प्रभार की राशि को निश्चित किया जा सकता है, तो उपाध्यक्ष उस निमित्त किए गए आदेश द्वारा घोषित कर सकता है कि समृद्धि-प्रभार का निर्धारण करने के प्रयोजन के लिए स्कीम का निष्पादन पूरा हुआ समझा जाएगा और इस पर वह सम्पत्ति के स्वामी या उसमें हित रखने वाले किसी व्यक्ति को लिखित रूप में नोटिस देगा कि उपाध्यक्ष का धारा 93 के अधीन सम्पत्ति के संबंध में समृद्धि-प्रभार की राशि को निर्धारित करने का प्रस्ताव है।

स्थानीय विकास प्राधिकरण द्वारा समृद्धि-प्रभारों का निर्धारण।

(2) तब उपाध्यक्ष सम्बद्ध व्यक्ति द्वारा भुगतान योग्य समृद्धि-प्रभार राशि, ऐसे व्यक्ति को सुनवाई का अवसर देने के बाद निर्धारित करेगा और ऐसा व्यक्ति उपाध्यक्ष से ऐसे निर्धारण का लिखित रूप में नोटिस प्राप्त करने की तिथि से तीन महीने के भीतर, लिखित रूप में उद्घोषणा द्वारा उपाध्यक्ष को सूचित करेगा कि वह निर्धारण को स्वीकार करता है या अस्वीकार करता है।

(3) जब उपाध्यक्ष द्वारा प्रस्तावित निर्धारण उप-धारा (2) में विनिर्दिष्ट अवधि के भीतर सम्बद्ध व्यक्ति द्वारा स्वीकार कर लिया जाता है, तो ऐसा निर्धारण अंतिम होगा।

(4) यदि सम्बद्ध व्यक्ति निर्धारण को अस्वीकार करता है या उसमें विनिर्दिष्ट

अवधि के भीतर उप-धारा (2) द्वारा अपेक्षित सूचना उपाध्यक्ष को देने में असफल रहता है तो मामला अध्यक्ष द्वारा अवधारित किया जाएगा और ऐसा अवधारण किसी न्यायालय में प्रश्नगत नहीं किया जाएगा।

निश्चय की
अतिमता।

95. राज्य सरकार के नियंत्रण के अधीन रहते हुए अपील पर अध्यक्ष का प्रत्येक निश्चय, और अपील (यदि वह हो सकती है और की जाती है), पर केवल किसी निश्चय के अधीन रहते हुए, धारा 81 या धारा 88, के अधीन उपाध्यक्ष या अन्य अधिकारी का आदेश अन्तिम होगा और किसी न्यायालय में प्रश्नगत नहीं किया जाएगा।

समृद्धि प्रभारों का
भुगतान।

96. (1) इस अधिनियम के अधीन उद्गृहीत समृद्धि-प्रभार किरस्तों की ऐसे संख्या में भुगतान-योग्य होगा, तथा प्रत्येक किस्त ऐसे समय पर तथा ऐसी रीति में भुगतान-योग्य होगी जो उस निमित्त बनाई गई उपविधियों द्वारा नियत की जाए।

(2) समृद्धि-प्रभार का कोई बकाया भू-राजस्व के बकायों के रूप में वसूली-योग्य होगा।

सम्पत्ति के कुछ
अन्तरणों पर
अतिरिक्त स्टाम्प
शुल्क।

97. (1) अचल सम्पत्ति के अन्तरण के किसी विलय पर भारतीय स्टाम्प अधिनियम, 1899, द्वारा लगाया गया कोई शुल्क, विकास क्षेत्र के भीतर स्थित किसी अचल सम्पत्ति की दशा में उस प्रतिफल की राशि या मूल्य पर दो प्रतिशत की दर से बढ़ाया जायेगा जिसके निर्देश से उक्त अधिनियम के अधीन शुल्क संगणित किया जाता है :

परन्तु राज्य सरकार राजपत्र में अधिसूचना द्वारा स्टाम्प शुल्क में बढ़ोतरी की उपर्युक्त प्रतिशतता को पांच प्रतिशत तक बढ़ा सकती है।

(2) उक्त बढ़ोतरी के परिणामस्वरूप हुए सभी संग्रहण, अनुषंगिक खर्चों, यदि कोई हों, की कटौती के बाद राज्य सरकार द्वारा अपने विवेक पर या तो अकेले स्थानीय विकास प्राधिकरण को, जैसी भी स्थिति हो, ऐसे अनुपात में, जो समय-समय पर अवधारित किए जाएं, ऐसी रीति में तथा ऐसे सिद्धांतों के अनुसार, जो राज्य सरकार राजपत्र में अधिसूचित करे, आवंटित तथा भुगतान किए जाएंगे।

(3) इस धारा के प्रयोजन के लिए, भारतीय स्टाम्प अधिनियम, 1899, की धारा 27 को इस रूप में पढ़ा जाएगा मानो स्थानीय विकास प्राधिकरण के भीतर सम्पत्ति तथा ऐसे क्षेत्र से बाहर स्थित सम्पत्ति के बारे में उसमें निर्दिष्ट विवरणों की उसके द्वारा विनिर्दिष्ट रूप से अलग से प्रस्तुत करने की अपेक्षा की गई हो।

- (4) इस धारा के प्रयोजनों के लिए, भारतीय स्टाम्प अधिनियम, 1899, की धारा 64 इस प्रकार पढ़ी जाएगी और उसका अर्थ लगाया जाएगा मानो इसका निर्देश स्थानीय विकास प्राधिकरण के साथ-साथ राज्य सरकार के प्रति हो।

98. स्थानीय विकास प्राधिकरण, अपने ऐसे स्थानीय विकास क्षेत्र के भीतर, जो इस प्रकार अधिसूचित किया जाए लोकप्रिय यात्रा-स्थल (कोई प्राचीन तथा ऐतिहासिक स्मारकों समेत है) के ऐसे स्थानों पर यात्रियों से ऐसी दर पर तथा ऐसी रीति में, जो राज्य सरकार द्वारा अधिसूचित की जाये, पहुंच-मार्गों तथा अन्य सुख-सुविधाओं के उपयोग के लिये पथकर प्रभारित तथा संगृहीत करने का हकदार होगा :

सुख सुविधाओं के लिए पथकर।

परन्तु—

- (क) पथ-कर की दर प्रति यात्री दो रुपये से अधिक नहीं होगी;
- (ख) राज्य सरकार, अधिसूचना द्वारा, आगन्तुकों के किसी वर्ग या वर्गों को पथ-कर के भुगतान से छूट दे सकती है और कोई ऐसा या ऐसे दिन नियत कर सकती है जब कोई पथ-कर प्रभार्य नहीं होगा।

99. किसी स्थानीय विकास प्राधिकरण को किसी फीस या प्रभारों, भूमि, निर्माण अथवा किसी अन्य सम्पत्ति के, चाहे चल हो या अचल, निपटान के मददे किराए, प्रीमियम लाभ या भाड़ा खरीद किस्त के रूप में देय कोई धनराशि इस अध्याय के द्वारा या इसके अधीन या उस समय लागू किसी अन्य विधि के द्वारा या उसके अधीन उपबन्धित वसूली के किसी अन्य ढंग द्वारा वसूली के अधिकार पर प्रतिकूल प्रभाव डाले बिना, स्थानीय विकास प्राधिकरण द्वारा कलक्टर को भेजे गये देय राशि के प्रमाण-पत्र के आधार पर भू-राजस्व के बकायों के रूप में वसूल की जा सकती है।

स्थानीय विकास प्राधिकरण को देय धनराशियों की वसूली।

100. (1) स्थानीय विकास प्राधिकरण राज्य सरकार को ऐसी रिपोर्टें, विवरणियां तथा अन्य जानकारी प्रस्तुत करेगा जो सरकार द्वारा समय-समय पर अपेक्षित हो।

विवरणियां तथा निरीक्षण।

- (2) उप-धारा (1) के उपबन्धों पर प्रतिकूल प्रभाव डाले बिना, राज्य सरकार या उस निमित्त राज्य सरकार द्वारा प्राधिकृत कोई अधिकारी महायोजना के क्रियान्वयन के सम्बन्ध में स्थानीय विकास प्राधिकरण या सम्बद्ध स्थानीय प्राधिकरण से रिपोर्टें, विवरणियां और अन्य जानकारी मंगा सकता है।

(3) राज्य सरकार द्वारा प्राधिकृत कोई व्यक्ति अथवा उप-धारा (2) में निर्दिष्ट अधिकारी, सहायकों अथवा कर्मचारों के साथ या बिना किसी भूमि में या पर यह सुनिश्चित करने के लिए प्रवेश कर सकता है कि क्या महायोजना के उपबन्ध क्रियान्वित किये जा रहे हैं या किये जा चुके हैं अथवा क्या विकास कार्य ऐसी योजना के अनुसार किया जा रहा है अथवा किया जा चुका है।

(4) कोई भी ऐसा प्रवेश सूर्योदय तथा सूर्य-अस्त के समय के बीच के सिवाय और भूमि अथवा निर्माण के अधिभोगी को, या यदि कोई अधिभोगी न हो तो उसके स्वामी को व्यक्तिगत नोटिस दिये बिना नहीं किया जायेगा।

नोटिस आदि की
तामील।

101. (1) इस अध्याय द्वारा या इसके अधीन बनाये गये किसी नियम या विनियम द्वारा किसी व्यक्ति पर तामील किये जाने के लिये अपेक्षित सभी नोटिस, आदेश और अन्य दस्तावेज, इस अध्याय या नियम या विनियम में, यथा-अन्यथा उपबन्धित के सिवाय, निम्नलिखित दशा में विधिवत् तामील किये गये समझे जायेंगे—

(क) जहां ऐसा व्यक्ति जिस पर तामील की जानी है कोई कम्पनी है, यदि दस्तावेज को उसके पंजीकृत कार्यालय पर या उसके मुख्य कार्यालय पर या उसके कारबार के स्थान पर कम्पनी के सचिव के नाम संबोधित किया जाये और उन्हें या तो—

(i) रजिस्ट्री डाक से भेजा जाए ; या

(ii) कम्पनी के पंजीकृत कार्यालय पर या मुख्य कार्यालय पर या कारबार के स्थान पर दे दिया जाए।

(ख) जहां ऐसा व्यक्ति जिस पर तामील की जानी है, कोई फर्म है, यदि दस्तावेज को कारबार के मुख्य स्थान पर फर्म को संबोधित किया जाए तथा उसके ऐसे नाम या अभिनाम की, जिसके अधीन वह अपना कारबार चला रही है, पहचान की जाए और या तो—

(i) रजिस्ट्री डाक से भेजा जाए ; या

(ii) कारबार के उक्त स्थान पर दे दिया जाए।

(ग) जहां ऐसा व्यक्ति जिस पर तामील की जानी है कोई लोक निकाय या निगम या सोसाइटी या अन्य निकाय हो, यदि दस्तावेज को उस निकाय, निगम या सोसाइटी के मुख्य कार्यालय

पर उसके सचिव, कोषाध्यक्ष या अन्य मुख्य अधिकारी को संबोधित किया जाए और या तो—

(i) रजिस्ट्री डाक से भेजा जाए ; या

(ii) उस कार्यालय पर दे दिया जाए।

(घ) किन्हीं अन्य दशाओं में, यदि दस्तावेज ऐसे व्यक्ति को संबोधित किया जाए जिस पर तामील की जानी है और—

(i) उसे दे दिया जाए या निविदत्त कर दिया जाए ; या

(ii) यदि ऐसा व्यक्ति न मिल सके तो उसके निवास या कारबार के अन्तिम ज्ञात स्थान के किसी सहज दृश्य भाग पर लगा दिया जाए, यदि किसी विकास क्षेत्र के भीतर हो या उसके परिवार के किसी व्यस्क सदस्य को दे दिया जाए या निविदत्त कर दिया जाए या उसकी ऐसी भूमि या निर्माण के किसी सहज दृश्य भाग पर लगा दिया जाए, जिससे वह संबंधित है ; या

(iii) उस व्यक्ति को रजिस्ट्री डाक से भेजा जाए।

(2) कोई ऐसा दस्तावेज, जिसकी किसी भूमि या निर्माण के स्वामी या अधिभोगी पर तामील की जानी अपेक्षित है या प्राधिकृत है, उस भूमि या निर्माण के (उस भूमि या निर्माण का नाम लिखते हुए) “स्वामी” या “अधिभोगी” को, जैसी भी स्थिति हो, अतिरिक्त नाम या विवरण किए बिना संबोधित किया जा सकता है, और उसको विधिवत् तामील किया गया समझा जाएगा :—

(क) यदि इस प्रकार संबोधित दस्तावेज उप-धारा (1) के खण्ड (घ) के अनुसार भेजा जाए या दिया जाए ; या

(ख) यदि इस प्रकार संबोधित दस्तावेज अथवा इस प्रकार संबोधित उसकी प्रतिलिपि भूमि या निर्माण पर किसी व्यक्ति को दी जाए या जहां भूमि या निर्माण पर कोई भी ऐसा व्यक्ति न हो, जिसको वह दस्तावेज दिया जा सकता हो, भूमि या निर्माण के किसी सहज दृश्य भाग पर लगा दिया जाए।

(3) जहां किसी दस्तावेज की तामील उप-धारा (1) के खण्ड (ख) के अनुसार किसी फर्म पर की जाए वहां दस्तावेज की तामील उस फर्म के प्रत्येक भागीदार पर की गई समझी जाएगी।

- (4) किसी सम्पत्ति के स्वामी पर किसी दस्तावेज के तामील किए जाने के लिए समर्थ बनाने के प्रयोजनार्थ, स्थानीय विकास प्राधिकरण का सचिव सम्पत्ति के अधिभोगी से, यदि कोई हो, लिखित नोटिस द्वारा अपेक्षा कर सकता है कि वह सम्पत्ति के स्वामी का नाम और पता बताए।
- (5) जहां ऐसा व्यक्ति जिस पर दस्तावेज की तामील की जानी है, अवयस्क है, उसके संरक्षक या उसके परिवार के किसी वयस्क सदस्य पर की गई तामील अवयस्क पर तामील समझी जाएगी।

स्पष्टीकरण :—कोई सेवक इस धारा के अर्थ के भीतर परिवार का सदस्य नहीं है।

सार्वजनिक नोटिस
को कैसे ज्ञात
बनाया जाए।

102. इस अध्याय के अधीन दिया गया प्रत्येक सार्वजनिक नोटिस स्थानीय विकास प्राधिकरण के सचिव के हस्ताक्षरों के साथ लिखित रूप में होगा और उक्त परिक्षेत्र के भीतर सहज-दृश्य सार्वजनिक स्थानों पर उसकी प्रतियां लगाकर, अथवा डोंडी पिटवाकर उसका प्रचार अथवा उस परिक्षेत्र में परिचालन वाले किसी समाचारपत्र में विज्ञापन देकर अथवा इस प्रकार के दो या अधिक उपायों द्वारा, और किसी ऐसे अन्य उपाय द्वारा, जिसे सचिव ठीक समझे, उससे प्रभावित होने वाले परिक्षेत्र में व्यापक रूप से ज्ञात बनाया जाएगा।

नोटिस आदि में
युक्तियुक्त समय
नियत करना।

103. जहां इस अध्याय या उसके अधीन बनाए गए किसी नियम, या विनियम के अधीन जारी किया गया कोई नोटिस, या किया गया कोई आदेश या बनाई गई कोई दस्तावेज से कुछ ऐसी बात किए जाने की अपेक्षा हो, जिसके किए जाने के लिए इस अध्याय या विनियम में कोई समय नियत न किया गया हो तो वहां नोटिस, आदेश या अन्य दस्तावेज में उसके किए जाने के लिए युक्तियुक्त समय विनिर्दिष्ट किया जाएगा।

व्याप्तियां।

104. इस अध्याय की कोई भी बात निम्नलिखित को लागू नहीं होगी।

(क) किन्हीं निर्माणों के अनुरक्षण, सुधार या अन्य परिवर्तनों के लिए संकर्मों को कार्यरूप देना, जो ऐसे संक्रम हैं जिनके द्वारा केवल निर्माण का भीतरी भाग प्रभावित होता है या जो निर्माण के बाहरी रूप को तत्त्वतः प्रभावित नहीं करते ;

(ख) किन्हीं नालियों, मल-प्रणालों (मेन्स), पाइपों, केबलों या अन्य उपकरणों के निरीक्षण, मरम्मत या नवीकरण के प्रयोजन के लिए, जिसमें उस प्रयोजन के लिए किसी सड़क या अन्य भूमि

को तोड़कर खोलना शामिल है, किन्हीं संकर्मों को किसी स्थानीय प्राधिकरण द्वारा या सरकार के किसी विभाग द्वारा कार्यरूप दिया जाना ;

(ग) केन्द्रीय सरकार के किसी विभाग द्वारा या उसकी ओर से अनुरक्षण, विकास तथा नए सन्निर्माण समेत सक्रियात्मक सन्निर्माण ;

(घ) ऐसे निर्माण का बनाना जो आवासीय गृह नहीं है, यदि ऐसे निर्माण की कृषि सहायक प्रयोजनों के लिए आवश्यकता है ;

(ङ) उत्खनन, जिनमें कृषि संक्रियाओं के साधारण अनुक्रम में बनाए गए कुएं शामिल हैं ; और

(च) कच्ची सड़कों का सन्निर्माण जिनका आशय ऐसी भूमि तक पहुंच करना है जो केवल कृषि प्रयोजनों के लिए हैं।

105. इस अध्याय में अन्तर्विष्ट किसी बात के होते हुए भी, राज्य सरकार, राजपत्र में अधिसूचना द्वारा, ऐसी शर्तों तथा निर्बन्धनों के अधीन रहते हुए, यदि कोई हो, जो ऐसी अधिसूचना में विनिर्दिष्ट किए जाएं, किसी भूमि या निर्माण को या भूमियों अथवा निर्माणों के वर्ग को, इस अध्याय या इसके अधीन बनाए गए नियमों या विनियमों के सभी या किन्हीं उपबन्धों से छूट दे सकती है।

भयनों के कुछ वर्ग को छूट देने की सरकार की शक्ति।

106. (1) जहां स्थानीय विकास क्षेत्र में स्थित कोई भूमि, महा योजना या सैक्टर विकास योजना के द्वारा खुले स्थान या अनिर्मित स्थान के रूप में रखे जाने के लिए अपेक्षित है या ऐसी किसी योजना में अनिवार्य अर्जन के अधीन दिखाई गई है, वहां यदि धारा 77 के अधीन योजना के प्रवर्तन में आने की तिथि से, या जहां ऐसी भूमि ऐसी योजना के किसी संशोधन द्वारा इस प्रकार अपेक्षित या नामित की गई है, वहां धारा 79 की उप-धारा (4) के अधीन ऐसे संशोधन के प्रवर्तन की तिथि से, दस वर्ष की समाप्ति पर भूमि अनिवार्यतः अर्जित नहीं की जाती तो भूमि का

कुछ मामलों में योजनाओं का उपान्तरित होना।

यदि कोई भूमि, महा योजना या सैक्टर विकास योजना के द्वारा खुले स्थान या अनिर्मित स्थान के रूप में रखे जाने के लिए अपेक्षित है या ऐसी किसी योजना में अनिवार्य अर्जन के अधीन दिखाई गई है, वहां यदि धारा 77 के अधीन योजना के प्रवर्तन में आने की तिथि से, या जहां ऐसी भूमि ऐसी योजना के किसी संशोधन द्वारा इस प्रकार अपेक्षित या नामित की गई है, वहां धारा 79 की उप-धारा (4) के अधीन ऐसे संशोधन के प्रवर्तन की तिथि से, दस वर्ष की समाप्ति पर भूमि अनिवार्यतः अर्जित नहीं की जाती तो भूमि का

(2) यदि कोई भूमि, महा योजना या सैक्टर विकास योजना के द्वारा खुले स्थान या अनिर्मित स्थान के रूप में रखे जाने के लिए अपेक्षित है या ऐसी किसी योजना में अनिवार्य अर्जन के अधीन दिखाई गई है, वहां यदि धारा 77 के अधीन योजना के प्रवर्तन में आने की तिथि से, या जहां ऐसी भूमि ऐसी योजना के किसी संशोधन द्वारा इस प्रकार अपेक्षित या नामित की गई है, वहां धारा 79 की उप-धारा (4) के अधीन ऐसे संशोधन के प्रवर्तन की तिथि से, दस वर्ष की समाप्ति पर भूमि अनिवार्यतः अर्जित नहीं की जाती तो भूमि का

इस अध्याय के
प्रयोजनों के लिए
नियम बनाने की
शक्ति।

107. (1) राज्य सरकार, राजपत्र में अधिसूचना द्वारा इस अधिनियम के प्रयोजनों को कार्यरूप देने के लिए नियम बना सकती है।

(2) विशेष रूप से और पूर्वगामी शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना ऐसे नियमों में निम्नलिखित विषयों में से सभी या किन्हीं के लिए उपबन्ध किया जा सकता है, अर्थात् :—

(क) धारा 81 की उप-धारा (5) के अधीन अपील ज्ञापन पर फीस का उद्ग्रहण ;

(ख) समृद्धि-प्रभार के अवधारण में अध्यक्ष द्वारा अपनाई जाने वाली प्रक्रिया और शक्ति जो उसे उस प्रयोजन के लिए प्राप्त होगी ;

(ग) कोई अन्य विषय जो नियमों द्वारा विहित किया जाना है या किया जा सकता है।

(3) इस अधिनियम के अधीन बनाये गए सभी नियम, उनके बनाए जाने के बाद, यथाशीघ्र राज्य विधानमण्डल के सामने, जब उसका सत्र हो रहा हो, कुल मिलाकर कम से कम दस दिन तक की अवधि के लिए रखे जाएंगे जो एक सत्र में या एक से अधिक क्रमवर्ती सत्रों में पूरी हो सकती है, और जब तक कोई पश्चात्पूर्ति तिथि नियत न की जाए, ऐसे उपान्तरणों या निष्प्रभावन के अधीन रहते हुए, जिनके बारे में राज्य विधानमण्डल उक्त अवधि के दौरान सहमत हो जाए, राजपत्र में उनके प्रकाशन की तिथि से लागू होंगे।

इस अध्याय के
प्रयोजनों के लिए
विनियम बनाने की
शक्ति।

108. (1) स्थानीय विकास प्राधिकरण, राज्य सरकार के पूर्व अनुमोदन से, स्थानीय विकास प्राधिकरण के मामलों के प्रशासन के लिये, इस अध्याय और उसके अधीन बनाये गये नियमों से अनसंगत विनियम बना सकता है।

(2) विशेष तौर पर, तथा पूर्वगामी शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे विनियमों में निम्नलिखित मामलों में से सभी या किन्हीं के लिए उपबन्ध किया जा सकता है, अर्थात् :—

(क) स्थानीय विकास प्राधिकरण के अधिवेशन बुलाना और करना, समय और स्थान जहां ऐसे अधिवेशन किये जाने हैं, ऐसे अधिवेशनों में कामकाज करने तथा आवश्यक गणपूर्ति के लिये सदस्यों की संख्या ;

(ख) स्थानीय विकास प्राधिकरण के मुख्य नगर योजनाकार मुख्य इंजीनियर, वित्त नियन्त्रक, सचिव, सम्पदा अधिकारी तथा सम्पदा प्रबन्धक, की शक्तियां और कर्तव्य ;

- (ग) अधिकारियों और कर्मचारियों के वेतन, भत्ते और सेवा की शर्तें ;
- (घ) धारा 73 से 82 तक के अधीन स्थानीय विकास प्राधिकरण के कृत्यों को निभाने के लिये प्रक्रिया ;
- (ङ) अनुज्ञा के लिये आवेदन की पंजी का प्ररूप तथा ऐसी पंजी में दिये जाने वाले ब्यौरे ;
- (च) स्थानीय विकास प्राधिकरण की सम्पत्ति का प्रबन्ध ;
- (छ) धारा 81 की उप-धारा (1) के अधीन अनुज्ञा के लिये आवेदन पर दी जाने वाली फीस ;
- (ज) दस्तावेजों और नक्शों की प्रतियों के निरीक्षण या प्राप्ति के लिये दी जाने वाली फीस ;
- (झ) कोई अन्य मामला जो विनियमों द्वारा विहित किया जाना है या किया जा सकता है।

(3) इस अध्याय के अधीन किसी क्षेत्र के लिए कोई स्थानीय विकास प्राधिकरण स्थापित किये जाने तक कोई विनियम जो उप-धारा (1) के अधीन बनाया जाए, राज्य सरकार द्वारा बनाया जा सकता है तथा इस प्रकार बनाया गया कोई भी विनियम उप-धारा (1) के अधीन अपनी शक्तियों का प्रयोग करते हुये सम्बन्धित स्थानीय विकास प्राधिकरण द्वारा परिवर्तित या विखंडित किया जा सकता है।

109. साधारण जनता को प्रभावित करने वाले किसी मामले के बारे में इस अध्याय के प्रयोजन को कार्यान्वित करने के लिये स्थानीय विकास प्राधिकरण, राज्य सरकार के पूर्व अनुमोदन से, इस अध्याय तथा उसके अधीन बनाये गये नियमों से संगत उपविधियां बना सकता है और इस शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना ऐसी उपविधियां निम्नलिखित के लिये उपबन्ध कर सकती हैं :—

इस अध्याय के प्रयोजनों के लिए उपविधियां बनाने की शक्ति।

- (क) प्ररूप जिसमें धारा 81 की उप-धारा (1) के अधीन अनुज्ञा के लिये कोई आवेदन किया जायेगा तथा ऐसे आवेदनों में दिये जाने वाले ब्यौरे ;
- (ख) धारा 82 में निर्दिष्ट निबन्धन तथा शर्तें जिनके अधीन रहते हुये योजनाओं के उल्लंघन में भूमि और भवनों का उपयोग जारी रखा जा सकता है ;
- (ग) वास्तुकों, नगर-योजनाकारों, इंजीनियरों, सर्वेक्षकों, नक्शानवीसों

को भवनों के नक्शे अथवा जल सप्लाई, जल निकास तथा मल निकास की योजनाएं तैयार करने के लिये अनुज्ञप्तियों का दिया जाना तथा ऐसी अनुज्ञप्तियां देने के लिये भुगतान की जाने वाली फीसों ;

(घ) जब तक धारा 74 के अधीन सैक्टर विकास योजनाएं तैयार नहीं की जाती, उस धारा की उप-धारा (2) के खण्ड (घ) में विनिर्दिष्ट मामले ;

(ङ) मुख्य सड़क और रंग-योजना स्कीम तथा अन्य विनिर्देशों के परिनिश्चय जिसके अनुसार धारा 78 के अधीन ऐसी सड़क पर खुलने वाले किसी भवन के आगे के भाग की मरम्मत, सफेदी, रंग-साजी या रंग-रोगन किया जाएगा ;

(व) कोई अन्य मामला जो उपविधियों द्वारा विहित किया जाना है या किया जा सकता है।

राज्य के खजाने में
स्थानीय विकास
प्राधिकरण का
अंशदान।

110. स्थानीय विकास प्राधिकरण खुली नीलामी द्वारा बेचे गए प्लॉटों, स्थलों या विकसित भूमि की बिक्री से आय का पचास प्रतिशत यथाविहित रीति में राज्य के खजाने में जमा कराएगा।

स्थानीय विकास
प्राधिकरण का भंग
किया जाना।

111. (1) जहां राज्य सरकार की तसल्ली हो जाये कि वे प्रयोजन, जिनके लिये इस अध्याय के अधीन स्थानीय विकास प्राधिकरण स्थापित किया गया था, अधिकांश रूप में पूरे हो चुके हैं जिससे स्थानीय विकास प्राधिकरण का बने रहना अनावश्यक हो गया है अथवा राज्य सरकार की राय में किसी विद्यमान स्थानीय विकास प्राधिकरण का परिसमापन करना आवश्यक हो गया है, वहां राज्य सरकार, राजपत्र में, अधिसूचना द्वारा, घोषित कर सकती है कि स्थानीय विकास प्राधिकरण को ऐसी तिथि से भंग कर दिया जायेगा जो अधिसूचना में विनिर्दिष्ट की जाए ; तथा स्थानीय विकास प्राधिकरण तदनुसार भंग हुआ समझा जाएगा।

(2) उक्त तिथि से,—

(क) सभी सम्पत्तियां, निधियां तथा देय राशियां जो स्थानीय विकास प्राधिकरण में निहित हैं या उसके द्वारा वसूली-योग्य हैं, राज्य सरकार में निहित हो जाएंगी ;

(ख) स्थानीय विकास प्राधिकरण के नियंत्रण में रखी गई सभी नजूल भूमियां राज्य सरकार को प्रतिवर्तित हो जाएंगी ;

(ग) सभी दायित्व जो स्थानीय विकास प्राधिकरण के विरुद्ध प्रवर्तनीय हैं, राज्य सरकार के विरुद्ध प्रवर्तनीय होंगे ; तथा

(घ) ऐसा कोई विकास करने के प्रयोजन के लिए जो स्थानीय विकास प्राधिकरण द्वारा पूर्ण रूप से कार्यान्वित नहीं किया गया है और खण्ड (क) में निर्दिष्ट सम्पत्तियां, निधियां तथा देय राशियां वसूल करने के प्रयोजन के लिए, स्थानीय विकास प्राधिकरण के कृत्य राज्य सरकार द्वारा निभाए जाएंगे।

112. (1) इस अध्याय के अधीन स्थानीय विकास प्राधिकरण द्वारा राज्य सरकार को दिए जाने वाले सभी निर्देश, निदेशक, नगर तथा ग्राम आयोजना, हरियाणा के माध्यम से भेजे जाएंगे।

हरियाणा नगरीय विकास प्राधिकरण तथा स्थानीय विकास प्राधिकरण के राज्य सरकार के साथ सम्बन्ध।

(2) इस अध्याय के सभी आशयों और प्रयोजनों के लिए राज्य सरकार, नगर तथा ग्राम आयोजना विभाग में सरकार होगी।

(3) स्थानीय विकास प्राधिकरण के गठन के तत्काल बाद हरियाणा नगरीय विकास प्राधिकरण का स्थानीय विकास क्षेत्र में सारा अमला इस अध्याय की धारा 71 के अधीन स्थानीय विकास प्राधिकरण के अधीन तैनात अमला माना जाएगा।

आर० एस० मदान,
सचिव, हरियाणा सरकार,
विधायी विभाग।