

HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 7th December, 2007

No. 5451-R-V-2007/13258.— The Governor of Haryana is pleased to formulate a policy for rehabilitation and resettlement of landowners - land acquisition oustees. The policy is given in Annexure 'A'.

1. The operational details, keeping in view the above policy, would be worked out by the respective departments and agencies.

2. This policy issues with the concurrence of the Finance Department conveyed *vide* their U.O. No. 1/17/2007-4FG-II/2395, dated 28th November, 2007.

3. The above policy may be brought to the notice of all concerned for compliance.

DHARAM VIR,

Financial Commissioner & Principal Secretary to Government of
Haryana, Revenue & Disaster Management Department.

Annexure 'A'

**POLICY FOR REHABILITATION AND RESETTLEMENT OF
LAND OWNERS - LAND ACQUISITION OUSTEES**

1. Annuity

- (i) The land owners will be paid annuity for 33 years over and above the usual land compensation. The amount of annuity will be Rs. 15,000/- per acre per annum.
- (ii) Annuity of Rs. 15,000/- will be increased by a fixed sum of Rs.500/- every year.
- (iii) In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/Technology Cities, Technology Parks, in addition to rehabilitation and resettlement package notified by Industries and Commerce Department *vide* No. 49/48/2006-4IB1, dated 4th May, 2006, a sum of Rs. 30,000/- per acre per annum will be paid for a period of 33 years by private developers and this annuity will be increased by Rs. 1,000/- every year.
- (iv) The policy of paying annuity will be applicable to all cases of land acquisition by Govt. except land acquired for defence purposes.

2. Allotment of plots by Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited.

- (i) The allotment will be made to each co-sharer depending upon his share in the land acquired for Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited as per scale mentioned in the entitlement.
- (ii) Plots under this policy would be offered if the land proposed to be acquired is under the ownership of oustees on the date of publication under Section-4 of Land Acquisition Act and if 75% or more of the total land owned by the owner in that Urban Estate is acquired. Only one time benefit of this policy will be given to the land owners whose land is acquired in pocket at different times. In case, the land owner becomes entitled for a bigger size plot due to subsequent acquisition of his land then differential of the plot already allotted to him shall be allowed to him.
- (iii) This benefit will not be allowed to the applicant whose land has been released and he will not make such request to the Government for release of his land.
- (iv) No litigation should be pending except that of enhanced compensation in any Court.

- (v) The maximum size of the plot to be allotted will be restricted to 350 sq. yards. Since livelihood of the farmers predominantly depends upon his agriculture income and shops, in order to provide the affected land owners/farmers a long term sustainable source of income, in addition to the residential plot, commercial sites, measuring 2.75 x 2.75 mtr. may be allotted in Haryana Urban Development Authority sectors. Such allotment shall be made to each co-sharer provided his share exceeds 2.5 acres, otherwise all the co-shares will be allotted a single site. Director, Town and Country Planning, Haryana will allow additional component of commercial use in the Sector if the booths are separately provided. In respect of Haryana State Industrial Infrastructure Development Corporation Limited, mixed land use of residential and commercial will be allowed for which a detailed scheme shall be worked out by Haryana State Industrial Infrastructure Development Corporation Limited.
- (vi) In case the land is acquired for purposes other than residential sector, the plots as mentioned in para (v) above will be allotted in the residential sector to be developed next in that urban estate.
- (vii) The development agency will earmark a separate chunk of land preferably close to the village as part of the Toshi Abadi. Area in the close vicinity of the village will be set apart not only for rehabilitation but also for necessary village social infrastructure.
- (viii) The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat togetherwith the infrastructure developed thereon for its day to day management.
- (ix) The sale price of residential plots will be kept as the issue price of the respective plot. In the case of commercial area of kiosks i.e. 2.75 mtr. X 2.75 mtr., the sale price will be 3 times of the nodal price of the residential plot.
- (x) The Rehabilitation Policy will also be applicable to those land owners whose residential structures/ houses/ dwelling units fall within alignment of essential infrastructure services and is acquired under urgency clause.
- (xi) The plot sizes for allotment are given as under :

- (a) In case where only land is acquired :—

Land/area acquired (each allotment)	Size of residential plot to be allotted
100 to 500 sq.yd.	3 marla
501 to 1000 sq.yd.	4 marla
1001 sq.yd. to 1/2 acre	6 marla
above 1/2 acre to 3/4 acre	8 marla
above 3/4 acre to 1 acre	10 marla
One acre and above	14 marla

Or

- (b) In case of constructed residential structures acquired, the plots sizes will be as under:-

Size of the residential house acquired	Size of residential plot to be allotted
Up-to 100 sq. yd.	50 sq.yd.
Above 100 sq. yd and upto 200 sq.yd.	100 sq.yd.
Above 200 sq. yd. and upto 300 sq.yd.	150 sq.yd.
Above 300 sq. yd. and upto 400 sq.yd.	200 sq.yd.
Above 400 sq. yd. and upto 500 sq.yd.	250 sq.yd.
Above 500 sq. yd.	350 sq.yd.

Oustees will have choice to opt for either (a) or (b) above which he will have to communicate to concerned Land Acquisition Officer 30 days of the announcement of award otherwise it will be decided by the concerned agency.

3. Haryana State Industrial Infrastructure Development Corporation Limited and Haryana Urban Development Authority would take steps for creation of social infrastructure and/or employment in the Villages falling within the acquired land under their policy.

4. The policy for allotment of plots will be applicable only for lands acquired for Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited.

5. This policy will be applicable with effect from 5th March, 2005 and cover all those cases of acquisition in which awards of compensation were announced on or after 5th March, 2005.

DHARAM VIR ,
Financial Commissioner & Principal Secretary to Government
of Haryana, Revenue & Disaster Management Department.

GUIDELINES FOR REHABILITATION AND RESETTLEMENT POLICY

From

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

To

1. All the Zonal Administrators, HUDA in the State.
2. All the Estate Officers, HUDA in the State.
3. All the Land Acquisition Officers in the State.

25.08.08 Memo No. UB-AU-3-2008/ 30337-49 dated

SUBJECT: - GUIDELINES FOR IMPLEMENTING THE REHABILITATION AND RESETTLEMENT POLICY NOTIFIED VIDE HARYANA GOVERNMENT GAZETTE NOTIFICATION NO. 5451-R-V-2007/13258 DATED 7th December, 2007.

In continuation of this office letter no. UB-1-AU III/2008/16290-300 dated 28th April, 2008 whereby the adoption of the ibid Policy notified by the Revenue and Disaster Management Departments in HUDA was circulated.

The operational guidelines for implementing the above Policy in HUDA have been formulated as under-

1. After the announcement of the Award, the Land Acquisition Collector will send the details of the land owners including their area acquired for determining the eligibility and entitlement of the land owners. These details will be sent to the concerned Estate Officers within one month of the announcement of the Award.
2. The Estate Officer will issue a public notice through two newspapers inviting the Oustee's Claim for allotment of residential plot and / or commercial booth as the case may be. The period for

inviting the claims will be 30 days from the date of publication of the above notice.

3. The applicants will have to deposit a tentative amount of Rs. 50,000/- with their applications. This amount will be deposited against the price of the plot. Those Oustees who do not prefer their claims within the stipulated period alongwith the requisite application amount will have no right for consideration subsequently.
4. The Zonal Committee headed by the Administrator and consisting of Estate Officer and Land Acquisition Collector will determine the eligibility and entitlement of the applicants within 60 days of the last date for receipt of the applications. Each applicant will be informed about the eligibility and entitlement as per the decision of the Zonal Committee.
5. Before the floatation of the Sector, the Oustees will be asked to submit their applications under Oustees' Quota as per their entitlement determined by the Zonal Committee. Each applicant will deposit 10% of the amount so demanded after adjusting the amount of Rs. 50,000/- already paid by the Oustees at the time of submission of application. The actual plots will be given through draw of lots by the Estate Officer. After the draw of lots, the remaining plots will be floated to the general public.
6. If the Zonal Committee finds the claims unacceptable under the policy, the amount will be refunded to the applicants within 30 days of the decision taken by the Zonal Committee. Any appeal against the decision of the Zonal Committee can be made to the Chief Administrator. The period for such an appeal will be 30 days from the date of communication of the decision of the Zonal Committee.

7. Those Oustees who do not apply against the flotation will be refunded the amount of application money without any interest within 60 days of the holding of draw for the Oustees.

ANNUITY

For the payment of annuity to the land owners whose land has been acquired, the tenders from various firms on a year to year basis will be called by the Chief Administrator. However, in case a uniform rate is decided by the Government (in Revenue Department), the work may be allotted at that rate instead of calling tenders. The annuity will be purchased by HUDA once a year. The firm will pay the amount to the land owners for the period as mentioned in the Rehabilitation and Resettlement Policy.

These guidelines are being issued with the prior approval of the Chief Minister-cum-Chairman, HUDA.

These instructions may be brought to the notice of all concerned for strict compliance.

An acknowledgment of these guidelines may be furnished to the HQ within 15 days of the receipt thereof.

(T.C.Gupta)
Chief Administrator, HUDA

Endst. No. UB-AU3-2008/30337-49

Dated: 25.08.08

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

1. The Financial Commissioner & Principal Secretary to Govt. Haryana, Revenue & Disaster Management Departments.
2. The Director, Urban Estates Department, Haryana, Panchkula.
3. The Chief Town Planner, HUDA Panchkula.
4. The Chief Controller of Finance, HUDA Panchkula.
5. The Legal Remembrance, HUDA Panchkula.
6. The Enforcement Officer, HUDA (HQ) Panchkula.
7. The Dy. ESA HUDA Panchkula.
8. All the Assistants in Urban Branch (HQ) HUDA Panchkula.

Sd/-

(A.K.Yadav)

Administrator (HQ)

For Chief Administrator, HUDA

Internal Distribution-

PS/FC TCP
PS/CA, HUDA.
Chief Engineer
Chief Engineer-I