

# **The Haryana Consolidation of Project Land (Special Provisions) Rules, 2018**

HARYANA

India

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### **Rule**

### **THE-HARYANA-CONSOLIDATION-OF-PROJECT-LAND-SPECIAL-PRO of 2018**

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The Haryana Consolidation of Project Land (Special Provisions) Rules, 2018Published vide Notification No. S.O. 45/H.A.28/2017/S.17/2018, dated 24th July, 2018Haryana GovernmentRevenue and Disaster Management and Consolidation DepartmentNo. S.O. 45/H.A.28/2017/S.17/2018. - In exercise of the powers conferred by section 17 of the Haryana Consolidation of Project Land (Special Provisions) Act, 2017 (28 of 2017) and with reference to Haryana Government, Revenue and Disaster Management Department, notification No.S.O.-24/H.A.28/2017/S.17/2018, dated the 1st May, 2018, the Governor of Haryana hereby makes the following rules, namely :-

### **1. Short Title.**

- These rules may be called the Haryana Consolidation of Project Land (Special Provisions) Rules, 2018.

### **2. Definitions.**

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Haryana Consolidation of Project Land (Special Provisions) Act, 2017 (28 of 2017);(b)"section" means a section of the Act;(2)Words and expressions used herein and not defined in these rules but defined in the Act, shall have the same meanings respectively assigned to them in the Act.

### **3. Powers, functions and duties of competent authority. [section 4(2)].**

- The competent authority shall exercise the following powers, functions and duties, namely:-(i)to issue notices under section 6;(ii)to take a decision to consolidate the land under section 7 after considering the options received from different persons and also in cases where such a person fails to exercise the options within the stipulated time period;(iii)to prepare the draft consolidation scheme under sub-section (1) of section 8;(iv)to decide the objections under sub-section (2) of 8;(v)to prepare the final consolidation scheme under section 9;(vi)to take possession of lands and disburse the compensation or hand-over possession of lands in lieu thereof, as the case may be, under section 10 as per procedure laid down under these rules.

### **4. Manner of notification. [section 5].**

- Every notification under sections 5, 8 and 9 shall be published in two daily newspapers having circulation in the area, of which one shall be in Hindi. It shall also be exhibited at some conspicuous places in the Panchayat/Municipality, as the case may be and in the offices of District Collector, Sub-Divisional Magistrate and the Tehsil as well as uploaded on the website of the State Government or agency.

### **5. Notice. [section 6].**

- Every notice under section 6 shall be delivered by way of registered post and also by pasting it at the house of the person, if he is a resident of the village in which land is situated. Every notice under section 6 for exercising options under section 7 shall be issued in the proforma as per Appendix-I.

### **6. Possession. [section 10].**

(1)After notification of the final consolidation scheme under section 9, the competent authority shall issue notice to such persons requiring them to vacate the land within a period of fifteen days of the land to the competent authority. If the notice is not complied within the specified time, the competent authority shall be entitled to take over physical possession without any further notice. The physical possession shall be taken over in the presence of two independent witnesses.(2)The competent authority shall issue notice to the person for taking over possession of the land granted to such person under the final consolidation scheme and shall deliver the possession to such person on the date specified in the notice in presence of two independent witnesses:Provided that if a person does not come forward to take over the possession on the specified date, he shall be entitled to take possession of the land granted to him on such date, as may be specified by the competent authority.(3)If the person is entitled for compensation under the final consolidation scheme, the competent authority shall issue him notice specifying the amount payable to him under the final consolidation scheme and the same shall be deposited directly in his bank account as provided by him.

## **7. Record of rights. [section 11].**

- The competent authority shall forward the final consolidation scheme to the concerned department to mutate the land in favour of respective person or the State Government or agency, as the case may be, as per the final consolidation scheme and to update the revenue record in order to prepare a new record of rights in due course.

## **8. Limitation for filling application. [section 12].**

- An application under section 12 shall be made within six months against the order passed by the competent authority before the State Government: Provided that the State Government may admit the application even after expiry of limitation period if it is satisfied that there is sufficient reason for delay in filling the application within such period. Appendix 'I' (see rule 5) To, ....., Re: Notice under section 6 to exercise option under section 7 of the Haryana Consolidation of Project Land (Special Provisions) Act, 2017. You are hereby informed as under :-

**1. That, the State Government vide Haryana Government, Revenue and Disaster Management Department, notification No....., dated the .....has notified the project land under the provisions of the Haryana Consolidation of Project Land (Special Provisions) Act, 2017 for setting up.....**

**2. That, the State Government/Department/Board/Corporation owns seventy percent of the project land.**

**3. That remaining area of the project land is to be consolidated under the provisions of the Haryana Consolidation of Project Land (Special Provisions) Act, 2017 (hereinafter referred to as the Act).**

**4. That as per the revenue record you are the owner of the land measuring.....falling in (Khasra Nos).....situated in Village(s)....., Tehsil....., District....., Haryana which is part of the land notified as the project land.**

**5. That in order to consolidate the project land as per provisions of section 7 of the Act, this notice is hereby given calling upon you to exercise either of the following options with respect to the land owned by you and as mentioned above; namely :-**

(a) to seek compensation at the rate at which the adjoining land of the project was purchased by the State Government/Department/Board/Corporation or at the collector rate for such land plus twenty percent extra, whichever is higher; or (b) to seek an equal area of land of equal valuation in the same revenue estate viz..... or in case of non-availability of such land in the same revenue estate, then in an adjoining revenue estate viz....., as the case may be.

**6. That, you are required to opt for anyone of the above options and intimate your option in writing to the under-signed at the official address within a period of twenty-one days from the date of issue of this notice.**

**7. That, in case no intimation is received or no option is exercised within the stipulated period, the undersigned shall decide the matter of consolidation of the land in exercise of the powers under the Act.**

Sub-Division Officer (Civil)-Cum-Competent Authority under the Act.