High Court of Pur Chan

TOTAL

INI

Sub-Head No.				
	File No	CWP-14424-2011		
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1			INDEX	
2	सत्यमेव जर	पते	PAPER BOOK	
3			INTERIM ORD	
4			FINAL ORDER	
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6			OTHERS (DOC	
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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. NO. _____ OF 2011

Rameshwar Dass & Others

...Petitioners

Versus

State of Haryana & Others

...Respondents

order & DIV

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S. No.	Particulars	Dated	Pages	Court fee (Rs.)
1	List of Important Dates & Events	07.08.11	1-3	
2	Civil Writ Petition	07.08.11	4-15	5500 00
3	Affidavit in support	08.08.11	16	
4	Annexure P-1 (Award)	16.07.07	17-21	4.00
5	Annexure P-2 (Policy)	07.12.07	22-26	4-00
6	Annexure P-3 (Letter)	25.09.08	27-28	2.00
7	Annexure P-4 (Cheques)	31.03.09	29-33	4.00
8	Annexure P-5 (Reply)	09.02.11	34	1.00
9	Annexure P-6 (Revised Policy)	09.11.10	35-51	11 - 05
10	Annexure P-7 (Notice)	11.07.11	52-53	2-00
11	Annexure P-8 (Reply)	25.07.11	54	1-00
12	Power of Attorney	05.08.11	55-57	9.00
			TOTAL	2238 02
		1	TOTAL	2238

Notes:

1. Main law points involved₀in₂the writ petition are at page 12-13 , Para

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Pour 1657

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2. Relevant Statute & Rules : -1. The Constitution of India.

2. Land Acquisition Act, 1894.

3. Any Similar Case: - No

4. Whether Notice of caveat

has been received: No

Place: Chandigarh. Date: 08.08.2011

(Anil Kshetarpal) & (Gunjan Rishi)
Advocates

(P-568/87) & (P-967/06) COUNSEL FOR THE PETITIONERS

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. NO. OF	= 2011
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Rameshwar Dass & Others

...Petitioners

Versus

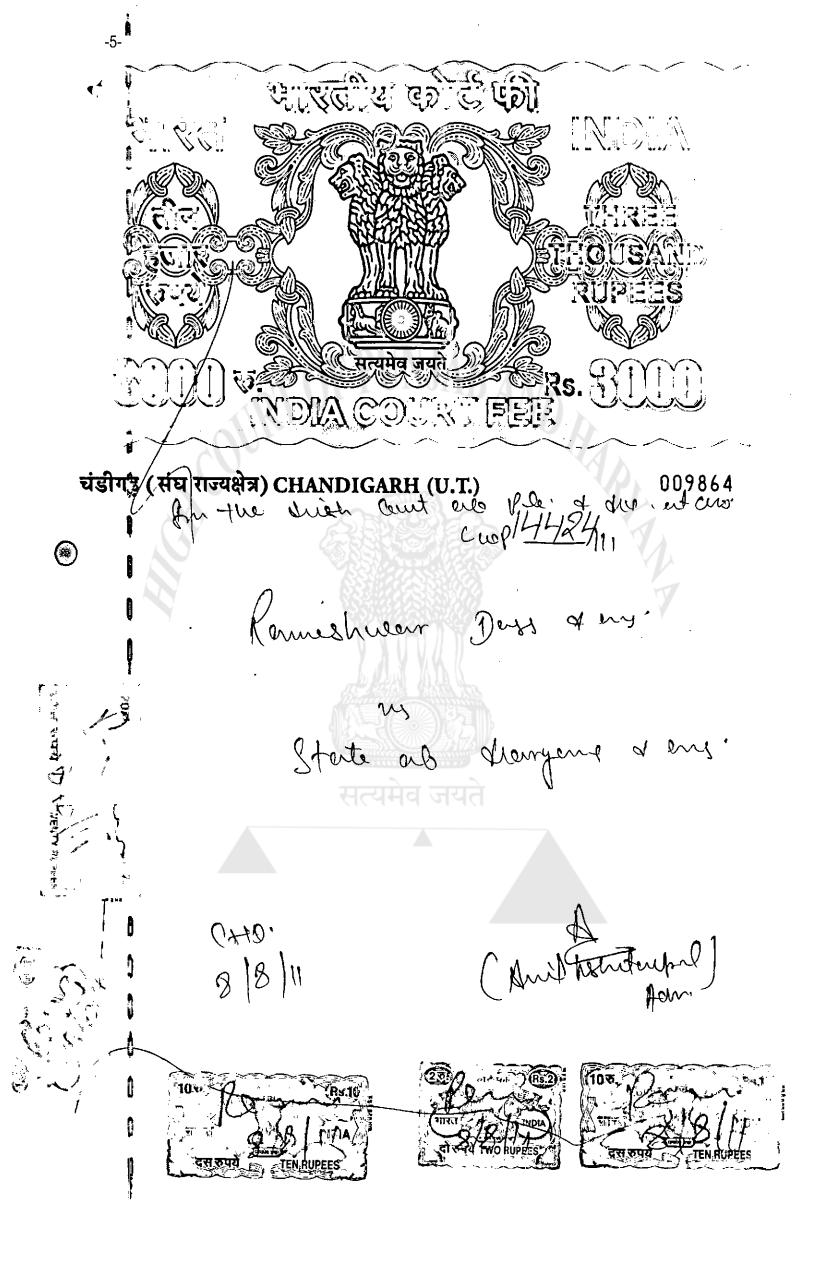
State of Haryana & Others

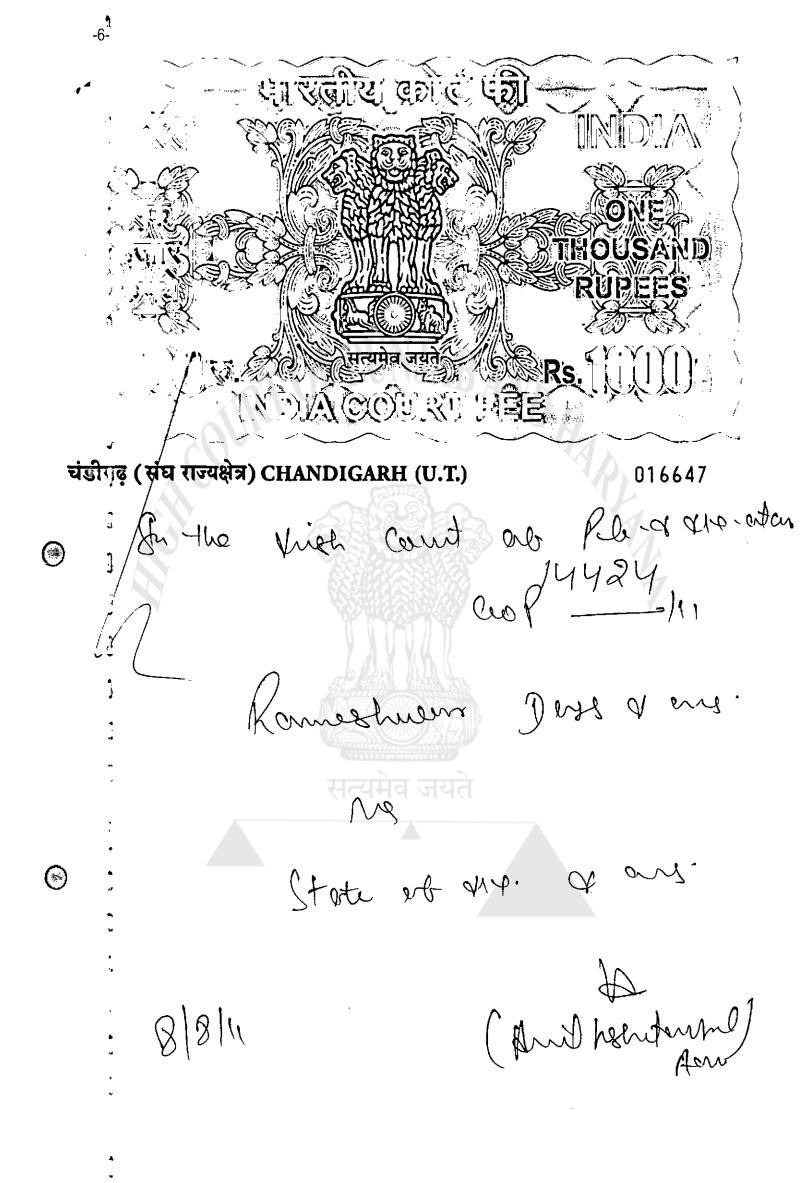
...Respondents

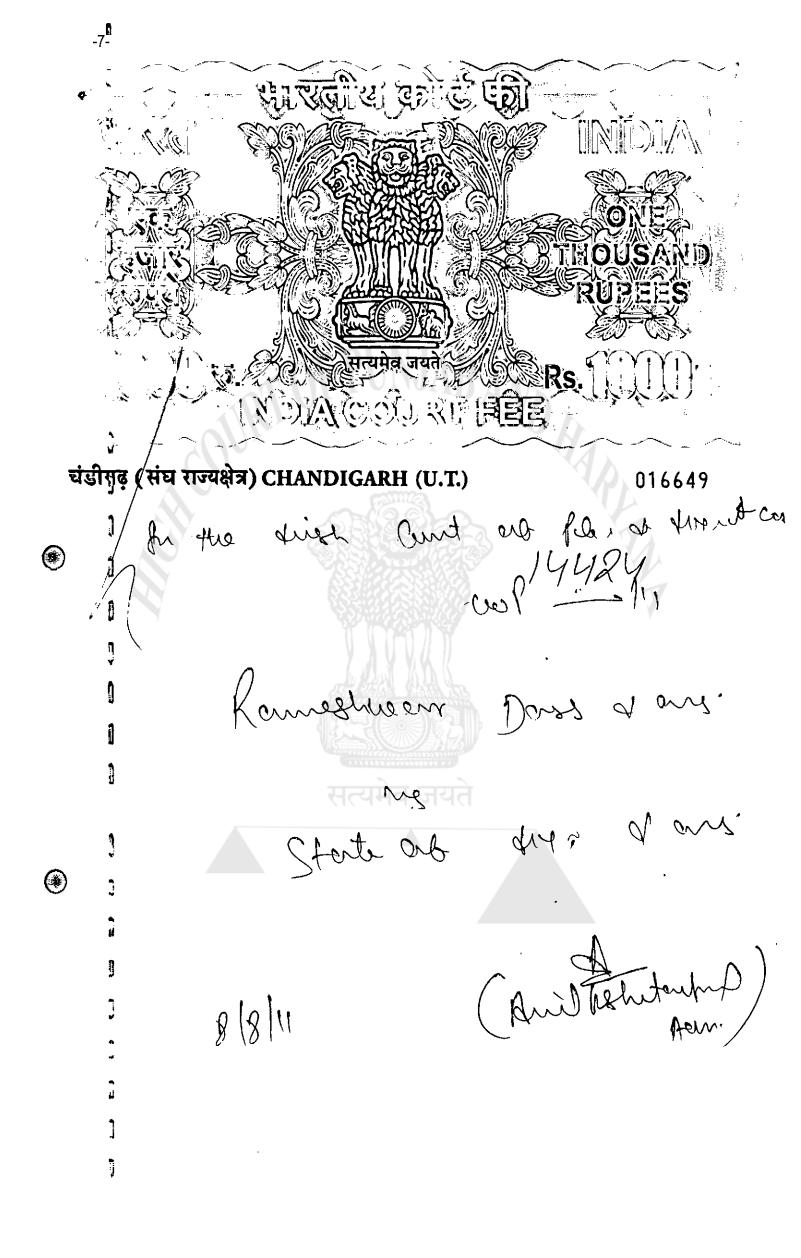
Place: Chandigarh. Date: 08.08.2011

(Anil Kshetarpal) & (Gunjan Rishi)

Advocates









चंडीगढ़ (संघ राज्यक्षेत्र) CHANDIGARH (U.T.)

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. NO. _____OF 2011

Rameshwar Dass & Others

...Petitioners

Versus

State of Haryana & Others

...Respondents

LIST OF IMPORTANT DATES & EVENTS

30.05.2005

Notification under Section 4 of the Land Acquisition Act was issued seeking to acquire land for development and utilisation as residential and commercial area for Sector 22, 23 and 24 (Part), Jagadhri under the aegis of Haryana Urban Development Authority.

22.05.2006

Notification under Section 6 of the Land Acquisition Act was issued.

16.07.2007

Land Acquisition Collector passed the Award (Copy Annexure P-1).

07.12.2007

State of Haryana introduced a new Rehabilitation & Resettlement Policy for the oustees, which was adopted by the Haryana Urban Development Authority (HUDA). As per the Policy, the land owners were held entitled to payment of annuity for a period of 33 years @ Rs. 15,000/- per acre-per annum, with an increase of Rs.

500/- per acre per annum (Copy Annexure P-2). The

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Policy was made applicable to all the land acquisition

where award of compensation was announced on or after 05.03.2005. However, the payment as fell due on January 1, 2008 was not released.

25.09.2008

Chief Controller of Finance, HUDA, after lot of correspondence, transferred the amount of annuity as payable on 01.01.2008 to the Land Acquisition Collector, Panchkula vide communication dated 25.9.2008(Copy Annexure P-3)

31.03.2009

Land owners were paid amount of annuity payable as on 01.01.2008. However, payment for subsequent years is not being released.

09.02.2011

Pursuant to the repeated representations of the land owners, one of petitioners in reply to application under Right to Information Act 2005, was informed by the Land Acquisition Collector that the amount of annuity has not been received from HUDA (Copy Annexure P-5)

09.11.2010

In supersession of earlier Policy dated 07.12.2007, Govt. notified a revised Policy. This Policy took effect from 07.09.2010. It was provided that the rate of annuity payable for 33 years as a social security benefit for the land owners, has been revised and the amount of annuity would be payable @ Rs. 21,000/- per acre per annum, with provision for increase of Rs. 750/- per acre per annum. It was provided that the Policy would take effect from 07.09.2010.

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11.07.2011

Petitioners, after having waited for sufficient time, demanded the payment by sending notice through their counsel (Copy Annexure P-7)

25.07.2011

Petitioners have again been informed that the amount has not been received from the Chief Controller of Finance, HUDA and as such, the amount would be released only on receipt of the amount. Thus the position is that the amount as payable on 01.01.2009, 01.01.2010 and 01.01.2011 (3 years) has not been released.

Petitioners, through the present writ petition, pray to this Hon'ble Court to direct the Haryana Urban Development Authority (HUDA) / State to ensure payment of the amount of annuity, on time and also direct the respondents to release the payment with interest @ 15% p.a. as payable under the Land Acquisition Act,

Place: Chandigarh Date: 07.08.2011

Advocate

Counsel for the Petitioners

Kshetarpal)

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA

AT CHANDIGARH

C.W.P. NO. _____OF 201

- 1. Rameshwar Dass;
- 2. Om Parkash;
- Janardan;Sons of Raghubir Sharan
- 4. Guddo d/o Raghubir Sharan
- 5. Radhe Shyam son of Raghubir Sharan;
- 6. Shanti Devi w/o Raghubir Sharan;
- 7. Ranpal;
- 8. Rishipal
- Satpal
 Sons of Singh Ram;
- 10. Mange Ram;

- Pardeep Kumar
 Sons of Maya Ram;
- 12. Ramdhari son of Ramji Lal;
- 13. Ravinder Kumar
- 14. Lalit KumarSons of Ratan Singh;
- 15. Sunita Devi wife of Ratan Singh;
- 16. Ram Kumar;
- 17. Niranjan Singh;
- 18. Ramesh PalSons of Atma Ram;
- 19. Rulia Ram son of Atma Ram, @ Kalwa;
- 20. ::: ട്രൂറ്റൂറ്റി ടൂറ്റ് വെനിമുന്നിന്റെ 11-06-2017 11:37:09 :::

21.	Ram	Nath	son	of	Kapoora	Ram;
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- Jaswant Singh son of Hans Raj 22.
- 23. Gurnam Singh
- 24. Jagir Singh;
- 25. Pritam Singh; Sons of Latoor Singh;
- 26. Kamla Devi d/o Latoor Singh;
- 27. Babu Ram s/o Latoor Singh;
- 28. Jagiro Devi;
- UNJAB AND 29. Savitri Devi Daughters of Latoor Singh;
- 30. Shiksha Devi w/o Ajmer Singh;
- Mangat Ram son of Kalu Ram; 31.
- 32. Shanti Dev son of Dasondhi Ram;
- 33. Surender Kumar son of Sher Singh;
- 34. Jagmal Singh;
- Nayab Singh; 35.
- 36. Jagdev Singh Sons of Mam Raj;
- 37. Ajmer Singh s/o Nand Ram;
- 38. Ram Singh;
- 39. Rajbir;
- 40. Mam Chand;
- 41. Sumer Chand Sons of Rati Ram;
- 42. Hukam Lal son of Rajbir;
- 43. Vikram son of Arun Kumar;
- 44. Suresho Devi w/o Arun Kumar;
- 45. ::: Ra7esh9Rdmar:s/20Malmadadnd;- 11-06-2017 11:37:09 :::

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46.	Manoj	Kumar s/o	Harpal	Singh;
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- Jitender Kumar son of Raj Kumar; 47.
- JAB AND MARKET THE STATE OF THE Prithvi Singh s/o Mangal Ram; 48.
- 49. Ramesh Kumar;
- 50. Shesh Kumar; Sons of Prithvi Singh;
- 51. Sumer Chand;
- 52. Gian Chand;
- Suresh Chand; 53.
- 54. Jagdish Chand Sons of Banarsi Dass;
- Bhayoti Devi w/o Banarsi Dass; 55.
- Tej Pal son of Prem Chand; 56.
- Urmil Devi w/o Prem Chand; 57.
- 58. Arun Kumar s/o Chhotu Ram;
- Sudhir Kumar s/o Om Parkash; 59.
- 60. Joginder Kumar;
- Surender Kumar; 61.
- 62. Jaswan Singh Sons of Banarsi Dass;
- 63. Kura Ram son of Atma Ram;
- 64. Dharambir son of Jiya Lal;
- 65. Yashpal
- 66. Anu Kumar;
- 67. Manish Kumar Sons of Dharambir;
- 68. Balbir Singh;
- 69. Raghubir Singh; 14 of 72
- ::: **P3701994** ::: ::: Downloaded on 11-06-2017 11:37:09 :::

Sons of Banwari Lal;

- 71. Suresh Kumar s/o Ghasi Ram;
- 72. Ravinder Kumar son of Suresh Kumar ABAND
- 73. Ghasi Ram s/o Mukh Ram;
- 74. Raja Ram
- 75. Puran Chand Sons of Kishan Lal;
- 76. Jaswinder Kumar;
- 77. Vinod Kumar;
- 78. Parmod Kumar Sons of Kura Ram;
 - 79. Suraj;
 - 80. Khemraj;
 - 81. Ishwar Singh; Sons of Faqir Chand;
 - Ghanshyam Dass son of Jyoti Ram; 82.
 - Surender Kumar s/o Sewa Ram; 83.
 - 84. Jai Singh;

85.

Sons of Gainda Ram;

Mohan Lal

- Singh Ram son of Mansha Ram; 86.
- 87. Dharam Singh;
- 88. Rajbir Sons of Roop Ram;
- 89. Phool Singh;
- 90. Niranjan Singh;
- 91. Garja Ram;
- 92. Puran Chand

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	•
93.	Joginder Singh;
94.	Mohinder Singh;
	Sons of Sadhu Ram;
95.	Pushkar Raj s/o Krishan Chand;
96.	Prem Pal; Bhupinder Singh Sons of Jiya Lal; Sushil Kumar s/o Gainda Ram:
97.	Bhupinder Singh
	Sons of Jiya Lal;
98.	Sushil Kumar s/o Gainda Ram;
99.	Jasmer Singh s/o Ramji Lal;
100.	Om Parkash s/o Kanhu Ram;
101.	Om Pal s/o Jagir Singh;
102.	Satya Devi w/o Som Nath;
103.	Om Parkash Mehta s/o Baldev Raj;
104.	Amar Nath s/o Ram Chander;
105.	Trilok Chand s/o Sadhu Ram;
106.	Dharamvir; सत्यमेव जयते
107.	Sukh Bir
	Sons of Ranjit Singh;
108.	Kapil;

109. Sachin

Sons of Sukh Bir;

110. Jayanti w/o Ranjit Singh;

All residents of Village & Post Office Bhatoli, Tehsil Jagadhri, District Yamuna Nagar.

...Petitioners

- 1. State of Haryana through Secretary, Department of Urban Estates, Civil Secretariat, Haryana, Chandigarh.
- 2. Land Acquisition Collector-cum-Director, Urban Estates, Haryana, S.C.O. No. 61, Sector 8, Panchkula.
- 3. Haryana Urban Development Authority (HUDA) through its Chief Administrator, Sector 6, Panchkula.

...Respondents

Civil Writ petition under Articles of 226 / 227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the annuity for compulsory acquisition of their land, as per the Policy of the State dated 07.12.2007 adopted by HUDA, and revised vide notification dated 09.12.2010.

For issuance of any other writ, direction or order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in favour of the petitioners.

AND / OR

Respectfully Showeth: -

- 1. That the petitioners before this Hon'ble Court are residents of village Bhatoli, Tehsil Jagadhri, District Yamuna Nagar and they being citizens of India are entitled to invoke the extraordinary writ jurisdiction of this Hon'ble Court by filing the present writ petition.
- 2. That the land of the petitioners was notified for acquisition under Section 4 of the Land Acquisition Act, vide notification dated 30.05.2005. The::Iaha70la94oughtDtowbleadequired1for6development9and utilisation as

residential and commercial area for Sector 22, 23, 24 Part, Jagadhri under the Haryana Urban Development Authority Act, 1977. The notification under Section 6 of the Land Acquisition Act, 1894 was issued on 22.05.2006.

- 3. That the ld. Land Acquisition Collector passed an award dated 16.07.2007. A copy of the award dated 16.07.2007 is annexed as <u>Annexure P-1</u>. Petitioners had sought reference under Section 18 of the Land Acquisition Act and the matter is pending before the court of ld. Additional District Judge, Jagadhri, for determination of the market value of the land.
- That as per the award, the petitioners were paid the compensation.
- 5. That the Government of Haryana introduced a new Rehabilitation and Resettlement Policy for Oustees vide notification dated 07.12.2007. This Policy was adopted by the HUDA. The Policy is applicable to all land acquisitions where award of compensation was announced on or after 05.03.2005. A copy of the Policy as available on the website of HUDA is attached as **Annexure P-2**. It is provided in the Policy that the land owners will be paid annuity for 33 years @ Rs. 15,000/- per acre per annum with an increase of fixed amount of Rs. 500/- per acre per annum.
- 6. That pursuant to the Policy, the petitioners applied for payment of annuity. However, the annuity was not paid for almost two years. With lot of efforts, the Chief Controller of Finance, HUDA, Panchkula transferred the amount of annuity payable as on 01.01.2008 to the Land Acquisition Officer, Panchkula vide letter dated 25.09.2008. A copy of the said letter dated 25.09.2008 is appended as <u>Annexure P-3</u>.
- 7. That even after the deposit (transfer) of the amount by HUDA, the payment of annuity was not released. Repeated visits and requests of the petitioners yielded results and the annuity was paid as payable on ::: P3701994 ::: ::: Downloaded on 11-06-2017 11:37:09 ::: 01.01.2008, on 31.03.2009 i.e. after a period of one year 3 months of the

date when it became due. Copies of the cheques representing the amount of annuity of certain petitioners are annexed as Annexure P-4 (Colly.). While releasing the payment in March, 2009, neither the payment as payable on 01.01.2009 was released nor any steps in this regard were taken (by the respondents). Petitioners once again kept on requesting the respondent – Land Acquisition Collector to release the payment of annuity. Even applications under the Right to Information Act, 2005 were submitted. Pursuant to the application dated 10.01.2011, one of the petitioners was informed vide letter dated 09.02.2011 that the amount of annuity received has been paid and the remaining amount has not been received from the Government. It was further intimated that the demand for the amount has already been made and the payment would be released only after receipt of the amount. A copy of the letter dated 09.02.2011 is attached as Annexure P-5.

- 8. That the petitioners even thereafter waited for sufficient time. In the meantime, the Respondent State revised its Policy dated 07.12.2007 and revised the rate of annuity payable for a period of 33 years as social security benefit for the farmers. As per the revised Policy, the rate of annuity payable was fixed @ Rs. 21,000/- per acre p.a. with a provision for increase by a fixed sum of Rs. 750/- per acre p.a. This Policy took effect from 07.09.2010. It was further provided that the amount of annuity would become payable during the month of January of the following year. A copy of the revised Policy is appended as **Annexure P-6**.
- 9. That after having waited for considerable time, in fact more than two years, petitioners, through their counsel, got a legal notice issued demanding the release of payment of the annuity amount, vide notice dated 11.07.2011.

 A copy of the notice dated 11.07.2011 is annexed as Annexure P-7. Even after: service to the payment.

The amount which was due in January 2009, January 2010 and January, 2011 i.e. for a period of three years is being withheld by the respondents without any justification. Petitioners have waited for more than 2-1/2 years.

- 10. That the counsel for the petitioners has been informed vide letter dated 25.07.2011 that the demand for the amount of annuity payable has already been made with the Chief Financial Controller, HUDA and the payment would be disbursed, as and when, it is received from HUDA. A copy of the reply dated 25.07.2011 is attached as **Annexure P-8**. It is thus clear that even after a period of lapse of 2 ½ years from the date the amount became payable, the reply of the respondents remains the same and there is no progress.
- 11. That forced by these circumstances, the petitioners have been compelled to approach this Hon'ble Court with a prayer to intervene and issue suitable directions to the Haryana Urban Development Authority / State of Haryana to release the amount of annuity, with interest @ 15% p.a. as payable under the Land Acquisition Act. Petitioners-land owners whose land has been compulsorily acquired are not even being paid the amount of annuity in spite of the Policy adopted and implemented. Hence the present writ petition.
- 12. That the following substantial questions of law arise in the present case for kind consideration of this Hon'ble Court: -
 - (i) Whether the action of the respondents in refusing to release the amount of annuity is arbitrary and illegal?

(*)

- (ii) Whether the respondents can be allowed to withhold the amount of annuity without any rhyme or reason?
- 13. That the petitioners have not filed any such or similar writ petition either in this court or in the Hon'ble Supreme Court of India.
- 14. That the petitioners have no other alternative remedy of appeal or revision but for to approach this Hon'ble Court through the present writ petition.

It is, therefore, most respectfully prayed that in the interest of justice and equity, this Hon'ble Court may kindly be pleased to:-

- respondents to release the annuity for compulsory acquisition of their land, as per the Policy of the State dated 07.12.2007, ANN 1-3 adopted by HUDA, and revised vide notification dated 09.12.2010/alongwith interest @ 15% Per Annum from the date the amount became due;
- (ii) Issue any other writ, direction or order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in favour of the petitioners.
- (iii) Filing of certified copies of annexures may kindly be dispensed with; and also permitted to tile photo lefty of ANN. P.6. wished no type one.
- (iv) Service of advance notice on the respondents may kindly be dispensed with;

(v) Costs of the writ petition may also be awarded in favour of the
petitioners. Place: Chandigarh. Place: Chandigarh. Place: Chandigarh.
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与相名为10 EITINE @ 21101289 LTLy franz B UT story the 99 OR nothy 60. Verified the contents of Para-1 to Para-11 and Para-13 and Para-14 of the above writ petition are true and correct to my knowledge and Contents of Para-12 are believed to be true as per legal advice received and no part of it is false and nothing has been concealed therein. Place: Chandigarh. Dated: 06.08.2011 @ ओस प्रमारा की ठाना पान कि गुड़ी 261 UM & 1210 UND (9) HAYIM D SINCITY (B) affective (B) enforcement र्। मक्मार कि । निरांग मिलि रमें पाट कि रमियाराम टिक्टिंग्यर्थिय

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA

AT CHANDIGARH

C.W.P. NO. OF 2011

Rameshwar Dass & Others

...Petitioners

Versus

State of Haryana & Others

.. Respondents

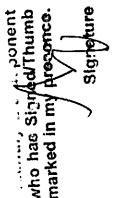
Affidavit of Rameshwar Dass son of Raghubir Sharan, resident of VPO Bhatoli, Tehsil Jagadhri, District Yamuna Nagar.

I, the above named deponent, do hereby solemnly affirm and declare as under: -

- 1. That the writ petition has been prepared on the instructions given by the deponent. The deponent has gone through the writ petition and found the same to be correct.
- 2. That contents of para 1-11 & Para 13-14 are true and correct to my knowledge and legal submissions made in Para 12 are believed to correct as per legal advice received. Annexure P-1 to P-8 are true and correct copies of the originals. रामेश्वर अभी

Place: Chandigarh Date: 08.08.2011

DEPONENT



Verification:-

Verified that contents of para 1-2 of the above affidavit are true and correct to my knowledge and nothing material has been withheld from this Cartified that above statement made

Hon'ble Court.

Place: Chandigarh

Date: 08.08.2011

on Oath/S.A. before me at Chandigarh Son/Daughter, Wie Rock

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TO & EXPLAINED IN HINDIPUNJOR (OSTANDING THE SA

Annexure P-1

AWARD NO. 28 FOR THE YEAR 2007-2008.

Made by Sh. Ram Nath HCS, Land Acquisition Collector, Urban Estate, Haryana, Panchkula.

Village: Bhatauli, Hadbast No. 405, Tehsil Jagadhri, District Yamuna Nagar.

Acquisition of land vide notification detailed below in Revenue Estate of village Bhatauli, Hadbast No. 405, Tehsil Jagadhri, District Yamuna Nagar for a public purpose namely for the development and utilization of land as Residential, commercial area for Sector 22, 23 and 24 Part Jagadhri under the Haryana Urban Development Authority Act, 1977.

AWARD

In pursuance of Haryana Govt. vide notification No. LAC (P)-NTLA-2005/2988 dated 30.5.2005 published in Haryana Govt. (Extra-ordinary) Gazette dated 30.5.2005 under section 4 of the Land Acquisition Act of 1894 (hereinafter called the Act), and by subsequent notification No. LAC (P) – NTLA-2006/5880 dated 22.5.2006 published in Haryana Govt. (Extra-ordinary) Gazette of the same date under section 6 of the Land Acquisition Act of 1894, it was declared that the said land was needed for the aforesaid purpose. The Land Acquisition Collector, Panchkula was directed vide letter nos. 2-2006/7218 dated 26.7.2006 under section – 7 of the Land Acquisition Act, to start process for the acquisition of land in question. The Government has accorded sanction to acquire the land vide letter No. 10/46/90-2 T C P dated 29.3.2007.

LAND

(**)

The area given in the notification under section 6 of Village Bhatauli was 285.22 acres but award in the respect of village Bhatauli 207.45 acres has been made and announced measuring 207.45 acres being announced.

1.	Area notified u/s 6	285.22
2.	Area released	77.77
3.	Award has been given	207.45

The detail of which are given in the award statement (place on the file of this case)

CLASSIFICATION OF THE LAND

Classification of the area under acquisition in the latest Jamabandi for the year 2000-2001 are given as under: -

VILLAGE: Bhatauli

	K		M
1. Chahi	1459		17
2. Banjar Kadim	88	-	3
3. Gair Mumkin plot	111		12
G. Total	1659		12 (207.45 acres)

DEMAND OF THE LAND OWNERS AND INTERESTED PERSONS:

The right holders / interested persons were called on 7.2.2007 in office of Estate Officer Jagadhri to appear before my predecessor personally or through their duly authorized agents to state the nature of their respective interest and claim of the land, the amount of compensation demanded and their objections, if any, to the measurement of the land. The interested persons demanded compensation @ Rs. 6000/- to Rs. 65000/- per sq. yard. But no persons have produced any documentary proof in support of this claim.

MARKET VALUE

The rates demanded by the right holders / interested persons appear to be unreasonable and without concrete evidence. Hence demand is rejected.

The location of land under acquisition is like this. Eastern side is ::: P3701994 ::: ::: Downloaded on - 11-06-2017 11:37:09 ::: agriculture land of villages Jagadhri and Gulab Nagar, western side is un-

(₮)

acquired agriculture land of village Bhatali, Southern side is Jagadhri-Ambala road and northern side is Daupur Nalvi canal.

In order to determine the value of the land, the date of notification u/s 4 which is material date is to be kept in view. This date is 30.5.2005. The Distt. Collector (Deputy Commissioner) Yamuna Nagar was requested vide letter No. LAO (P)-2006/6681 dated 26.06.2006 to supply the Collector's rate as required under Financial Commissioner's standing Order No. 28. I have considered the Collector's rate supplied by the Distt. Collector, Yamuna Nagar vide his memo. No. 2333-DRA dated 15.9.2006 for Prime Land bearing Khasra Nos. 32//5/2, 6/2, 15/2, 33//10, 11, 12/1, 12/2, 19/1, 19/2, 20, 23, 36//2/2/1, 2/2/2 measuring 56 K-10 M (7.06 acres) @ Rs. 24-lacs per acre.

The area under Municipal limit bearing Khasra Nos. 27//20, 21, 22, 23/1, 23/2, 28//9, 10, 11, 12, 13/1, 14/1, 14/2/1, 14/2/2, 14/3/1, 14/4/3, 16/1, 16/2, 17, 18/1, 19/1, 29//5, 6, 15/1 measuring 96K-7M (12.04 acres) @ Rs. 20-lacs per acre. The remaining land measuring 1506K-15 M (188.35 acres) @ Rs. 10-lacs per acre of village Bhatauli Tehsil Jagadhri, District Yamuna Nagar.

I have considered the rate supplied by the District Collector and I am in agreement with rate of the land of village Bhatauli supplied by the District Collector i.e. Prime Land Rs. 24 lacs per acre, area under Municipal limit Rs. 20 lacs per acre and the remaining land Rs. 10-lacs per acre would be fair, adequate and reasonable compensation for the land acquired vide present award. So I announce the award accordingly.

BUILDING / STRUCTURES AND TREES

The assessment of the buildings / structures, tube wells and trees under acquisition was referred to the Technical Experts were not made available till this day of the award. Hence a supplementary award for the same shall be announced soon after the report is received. The interested parties \$\frac{1}{27} \text{all 1994} \text{given: advance (intimation) 1 for 6 the 37:09 :::



COMPULSORY ACQUISITION CHARGES AND ADDL. AMOUNT U/S 23 (1-A) AND 23 (2)

The addl. Amount @ 12% from the date of notification under section 4 of the Land Acquisition Act till the date of award and compulsory acquisition charges @ 30% of the market value as provided under section 23 (1-A) and 23 (2) of the Act respectively are also allowed in case of land, buildings and structures. It is specifically mentioned here that 12% addl. amount in case of trees shall not be payable to the land-owners.

CROPS

(₹)

Some land is under Kharif crops for the time being. The farmers have requested for permission to harvest their crops after ripening or allow them due compensation for the same.

In view of the above, instead of awarding any compensation for the standing crops, I allow harvesting the same. But the possession and ownership of the land shall be vest with the HUDA for all interest and purpose.

MODE OF PAYMENT

The payment will be made to land-owners and other interested persons according to their shares as entered in the latest record of rights. (Jamabandi) 2000-2001 amended to the extent of sanctioned mutation thereafter. In the event of any dispute, the amount of compensation will be kept in revenue deposit till the dispute is settled in accordance with law. This detail of apportionment is given in the award statement attached with the file.

The notices u/s 12 (2) are being issued to the land-owners / interested persons who are not present today i.e. day of announcement of award.

POSSESSION OF THE LAND

2021

dispossession passed by the Hon'ble High Court and other competent court of law after offering the compensation and made over to HUDA u/s 16 of the Land Acquisition Act.

The land, thus acquired hereafter vests fully in the ownership of the Haryana Urban Development Authority, free from all encumbrances.

CONCLUSION:

Subject to the above remarks, this award is made as under:

1. Compensation for land Rs. 22,93,81,250.00

2. 30% CAC Rs. 6,88,14,375.00

3. Addl. amount @ 12% p.a. Rs. 5,85,95,912.00

Grand Total Rs. 35,67,91,537.00

Dated: 16.7.2007 Sd/-

Camp at Estate Office, Jagadhri Land Acquisition Collector,

Urban Estate, Hr. Panchkula.

Made and announced this day in the presence of those interested persons who appeared before me in the Estate Office, Jagadhri. The award is now filed in my office.

Dated: 16.07.2007 Sd/-

Camp at Estate Office, Jagadhri

Land Acquisition Collector,
Urban Estate, Hr. Panchkula.

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ANNEXURE P-2

Oustees Scheme

HUDA has introduced a scheme w.e.f. 10.09.1987 whereby a plot is offered to the oustees whose land has been acquired. Size of plot is decided as per eligibility criteria and the area of land acquired. Allotment of plot to the oustees is made in the same sector at the normal rate of HUDA. The person whose land was acquired may apply to the Estate Officer concerned as and when oustees claim for a sector are invited, along with copy of award, Nakal Jamabandi or registry as the case may be along with 10% earnest money.

The State Government has introduced a new Rehabilitation and Resettlement Policy for Oustees vide notification No. 5451-R-V-2007/13258 dated 7th December, 2007 which has been adopted by the Haryana Urban Development Authority. This Policy is applicable to all those lands where award of compensation was announced on or after 5th March, 2005. Salient features of the Policy are given as under:

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. 49/48/2006-41BI, dated 4th May -2006, a_{2.00} 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.
- Allotment of plots by Haryana Urban Development authority and Haryana State Industrial Infrastructure Development Corporation Ltd.
- (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 owner 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 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 ::: P3/70ars9/4farmers aviolog demoisustaioable is outce?of income, in addition

24

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 Ltd, 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 sectors, the plots as mentioned in para (v) above will be allotted in the residential sector to be developednext 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 of the land acquired in continuity of transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.
- (ix) The sale price of residential plots may 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 structure / houses / dwelling units fall within

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alignment of essential infrastructure services and is acquired under urgency clause.

- (xi) The plot sizes proposed 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.
) RIUT I UTIO	ad AMD
100 to 500 sq. yd.	3 Marla
501 to 1000 sq. yd.	4 Marla
1001 sq. yd to ½ acre	6 Marla
Above ½ acre to ¾ acre	8 Marla
Above ¾ acre to 1 acre	10 Marla
One acre and above	14 Marla

OR

b) In case of constructed residential structure acquired, the plots size will be as under:-

Size of the residential house	Size of plot to be allotted.
acquired	
Upto 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.

Oustee 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 ::: P3701994 ::: ::: Downloaded on - 11-06-2017 11:37:09 ::: agency.







- 3. Haryana State Industrial Infrastructure Development Corporation Ltd 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 Ltd.
- 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.

Procedure for allotment

- The Estate Officer invites the claims, through Press / Newspapers for allotment of plots under the oustees policy of the sector on the prescribed Proforma along with the earnest money equivalent to 10% of the tentative cost of the plot of the sector in question.
- The claims so received are scrutinized and decided by the Standing Committee headed by Zonal Administrator concerned, Land Acquisition Officer, Distt. Town Planner and Estate Officer of the area. Thereafter, the allotment shall be made in accordance with the provisions of HUDA Act, 1977, Rules & Regulations framed thereunder as applicable in the case of other general allotments.

36 of Advocate

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ANNEXURE P-3

HARYANA URBAN DEVELOPMENT AUTHORITY

NO. HUDA.CCF.ACCTT-II-2008/33673-74

DATED: 25.09.2008

To

The Land Acquisition Officer, Panchkula.

Subject: Payment of Annuity under the Rehabilitation and Resettlement policy of State Govt. notified on 07.12.2007 to the land owners whose land has been acquired from 05.03.2005 to 31.12.2007.

Please refer to the subject cited above and the meeting held under the Chairmanship of FCTCP on 22.07.2008 which was attended by you. The details of land acquired during 05.03.2005 to 31.12.2007 were also furnished by you in the above said meeting. On the meeting, various options of payment of annuity were discussed. The case was submitted to the State Govt. and State govt. has decided as follows:

- The annuity for the last 3 years will be disbursed in cash as early as possible;
- The annuity will be paid on the 1st January every year for the awards made in the previous calendar year;
- In the case of death of the beneficiary, the compensation will be paid to the nominee of the beneficiary;
- 4. The annuity due as on 01.01.2009 will be paid through public sector banks / Insurance Company for which steps are being taken separately.

On the basis of data supplied by you in the meeting held on 22.07.2008 and as per the decision of the Govt. as stated above, the payable amount on account of annuity for land acquired for the period 05.03.2005 to 31.12.2007 works out to Rs. 4383,74,425/- as per detailed calculations given below 707.01924 author 22007 to extend of Rs. 14383.74425/- has been



issued to you through Union Bank of India, Sector 17, Chandigarh (copy enclosed) along with blank cheque books bearing No. 572401 to 572500.

Annuity Payable as on 01.01.2008

LAO, PANCHKULA

Period of	Area	1 st year	2 nd Year	IIIrd tear
Award	acquired in	15,000/-	15,500/-	16,000/-
	acres			
05.03.2005	683.95	1,02,29,250/-	1,06,01,225/-	1,09,43,200/-
to]			
31.12.2005				<u> </u>
01.01.2006	276.80	41,52,000/-	42,90,100/-	Not Legible
to				
31.12.2006	25.5			Y
01.01.2007	541.89	81,28,350/-	Not Legible	Not Legible
to		Man Control		YA
31.12.2007				
Total			4,83,74,425/-	' <i>y</i>
7				V

(B) G. Total:

4,83,74,425/-

You are requested to check these calculations and make the payment of annuity to the land owners as per rehabilitation and resettlement policy dated 07.12.2007 and above decision to the Govt.

DA / Bank Cheque books

Sd/- (Shakti Singh)
Accounts Office
For Chief Controller of Finance,
HUDA, Panchkula.

C.C. Director, Urban Estate, Panchkula, for information and necessary action.

True Copy

Advocate

ANNEXURE P-4 (Cally)

Date: 31.03.2009

PAY Sukhbir Singh s/o Ranjeet Singh

OR BEARER

RUPEES FIFTY NINE THOUSAND NINE HUNDRED SEVEN ONLY

RS. 59,907/-

UNION BANK OF INDIA,

SECTOR 17-B, CHANDIGARH

635859

Sd/-

Land Acquisition Collector,

Panchkula

þ

30 ANN: P-4 (ally)

Date: 31.03.2009

PAY Dharamvir s/o Ranjeet Singh

OR BEARER

RUPEES FIFTY NINE THOUSAND NINE HUNDRED SIX ONLY

RS. 59,906/-

UNION BANK OF INDIA,

SECTOR 17-B, CHANDIGARH

635858

ANN f. 4
(colly)

Date: 31.03.2009

PAY Jayanti w/o Ranjeet Singh

OR BEARER

RUPEES TWENTY TWO THOUSAND SEVEN HUNDRED EIGHTY ONE

ONLY

RS. 22,781/-

UNION BANK OF INDIA,

SECTOR 17-B, CHANDIGARH

635860

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AXM. P. 4 Celly

Date: 31.03.2009

PAY Janardhan s/o Raghbir

OR BEARER

RUPEES TWENTY SIX THOUSAND FIFTY FIVE ONLY

RS. 26,055/-

UNION BANK OF INDIA,

SECTOR 17-B, CHANDIGARH

554836

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PTO

ANN P-4
(ally)

Date: 31.03.2009

PAY Jagir Singh s/o Latur Singh

OR BEARER

RUPEES FOURTEEN THOUSAND FIVE HUNDRED THIRTY ONE ONLY

RS. 14,531/-

UNION BANK OF INDIA,

SECTOR 17-B, CHANDIGARH

635899



ANNEXURE P-5

From

Land Acquisition Officer, Department of Urban Estate, Haryana, Panchkula.

To

Prithi Singh s/o Mangal Ram, R/o Village Bhatoli, Tehsil Jagadhri, District Yamuna Nagar.

No. 426

Dated: 09.02.2011

Subject: Information under the RTI Act.

With reference to your letter dated 10.01.2011, it is informed that award of Sector 22 / 23, Jagadhri was announced on 16.07.2007. The amount of annuity with respect to one year received from the Government has been paid. The remaining amount of annuity (Theka) has not been received from the Govt. Demand in this respect has already been made. Whenever this amount of annuity is received from the Govt., you shall be informed.

Sd/- Land Acquisition Officer, Urban Estate Department

Copy to:

A copy of this letter is being sent to Sh. Jitender Kumar son of Raj Kumar with reference to his letter dated 10.01.2011.

Sd/- Land Acquisition Officer, Urban Estate Department

True Translation

Advocate

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ANN. P-6 35

Regd. No. CHD/0093/2009-2011



Haryana Covernment Gazette EXTRAORDINARY

Published by Authority

C Govt. of Haryana

CHANDIGARH, TUESDAY, NOVEMBER 9, 2010 (KARTIKA 18, 1932 SAKA)

HARYANA GOVERNMENT

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 9th November, 2010

No. 3212-R-5-2010/12140.— In super-session of this Department Memo. No. 1298-R-5-2007/4174, dated the 6th April, 2007 and the Notification bearing No. 5451-R-V-2007/13258, dated 7th December 2007, the Governor of Haryana is pleased to notify a comprehensive revised policy laying down the floor rates in different parts of the state for acquisition of land under the Land Acquisition Act, 1894 or any other corresponding statute on the subject. The revised policy, inter alia, includes introduction of a new Scheme of 'No Litigation Incentive', revised rates of Annuity and a number of additional benefits for the landowners whose land is acquired by the Government under the Statute.

2. The policy, of which the details are given in Annexure-A, has been concurred by the Finance Department vide their U.O No. 1/17/09-4FG-II/2362, dated 09.11.2010 and approved by the Council of Ministers in its meeting held on 09.11.2010. This Policy will take effect from 07.09.2010.

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

Enclosure:

Annexure-'A'

Price: Rs. 5.00

(7569)

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Annexure 'A'

Revision of minimum floor rates and the Policy for Rehabilitation and Resettlement of Land Owners - Land Acquisition Oustees

A. Preamble:

As a welfare state, the Government of Haryana recognises that acquisition of land under the statute and the alienation of landowners from their source of livelihood could be a painful process, notwithstanding the payment of compensation for the same as per law. Therefore, it intends to minimise this pain of the affected persons through a set of policy initiatives that include (a) payment of market value as compensation of land to the landowners with the revision and fine-tuning of minimum floor rates in respect of land situated in different parts of the state; (b) introduction of a special incentive for reducing litigation qua the compensation amount; (c) revision of the rates of Annuity payable for a period of 33 years as a social security benefit for the landowners; and (d) review and introduction of certain additional benefits over and above the one-time compensation paid in accordance with the law so as to provide for alternate means of sustenance for the landowners and other landless persons/artisans who are dependent on the agricultural land being acquired for non-agricultural purposes.

B. Strategy and Approach:

The objectives set out in the Preamble of this Policy are sought to be achieved through the following approach:

- Undertake revision of the minimum floor rates of land as contained in the Notification dated 6th April 2007 for different parts of the state, and further finetune the same with introduction of a larger number of categories;
- Introduction of a 'No Litigation Incentive' for such of the landowners who opt to
 accept the compensation award with a view to containing litigation on this account;
- Revision of the basic rates of 'Annuity' and the annual increase to make it more
 meaningful as a means of social security for the landowners;
- Recognising two broad categories of infrastructure projects for acquisition of land and treatment of benefits to the landowners based on the feasibility thereof;
- Making arrangements for professional advice to the landowners for prudent investment of the compensation amount with various options;

 Addressing the concerns of such landless persons and artisans in a village community whose source of livelihood is dependent upon the agricultural operations in respect of the acquired land.

C. The Policy:

- Revision of Floor Rates of Land for determining the Compensation:
- The Government had introduced the concept of determining the minimum floor rates of land for acquisition purposes for the first time vide its Memo No. 2025-R-5-2005/4299, dated 28.04.2005, which were further revised vide Memo No. 1298-R-5-2007/4174, dated 06.04.2007. It has been observed that market rates of land have registered an upward movement with the passage of time and recovery of markets from the general economic meltdown of 2008-09. Accordingly, after considering all the related aspects for determining the compensation amount payable to the landowners, the Government has decided to revise the minimum floor rates as under:

Sr.	Particulars	Floor Rates per	Floor Rates
No.		acre of land	per acre as
1		(pre-revision)	revised w.e.f.
		(2.0.30.0.0.)	07.09.2010
1	Land situated within the notified limits of Gurgaon Municipal Corporation	Rs. 20.00 Lakh	Rs. 40.00 Lakh
3	Land situated within (i) the notified limits of Faridabad Municipal Corporation, (ii) the notified limits of Panchkula Municipal Corporation as on 07.09.2010, (iii) Development Plans of (a) Gurgaon-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon) (b) Sohna, and (c) Sonepat-Kundli Urban Complex	Rs. 16.00 Lakh	Rs. 30.00 Lakh
	Areas situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal and Panipat towns	Rs. 16.00 Lakh	Rs. 25.00 Lakh
4	Rest of the National Capital Region, areas situated out side the limits of	Rs. 16.00 Lakh	Rs. 20.00 Lakh
	Panchkula Municipal Corporation (as on 07.09.2010) in Panchkula District, and the land situated within the Development Plans of all other district headquarters outside the NCR	Rs. 8.00 Lakh	
5	Remaining Parts of the State	Rs. 8.00 Lakh	Rs. 12.00 Lakh
Note	 The floor rates mentioned above represent the basic rate of land and do not include the amount payable under Section 23 (1A) and 30% Solatium [U/s 23(2)], payable in addition. Please see Appendix-1 for an indicative total amount payable to a landowner based on these floor rates. 		

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The Committee headed by the Divisional Commissioner will continue to perform its ii) duties while fixing the basic rates of compensation for various categories of land under acquisition. The Committee shall take into account (i) the sale-deeds executed in the area during the one year period immediately before issue of Section 4 of the Act (while doing so, it will ignore any isolated transaction/ sale deed that may be in the nature of a distortion/ aberration and not representative of the average market value of land in the area) (ii) the Collector Rates prescribed for the area for charging the stamp duty on sale deeds, and (iii) the Minimum floor rates revised under this policy. While the highest of the above three rates would form the basis for working out the basic rate, the Committee would not be precluded from taking into account the current prevailing market rates, which could still be higher in certain cases, but based on some dependable/ reliable guiding parameters. The said committee is expected to give a well-reasoned justification behind its recommendations. It will continue to take into account all these parameters for working out the land acquisition compensation rates being followed at present while communicating the rates to the Acquiring Departments/ Agencies in the State. To the rates so determined, would be added the additional amount as per Section 23(1A) and the 30% amount under Section 23(2) payable in accordance with the Land Acquisition Act, 1894.

2. Introduction of Incentive for 'No Litigation':

- A landowner or an interested person, whose land is acquired, has a statutory right to seek a reference under Section 18 of the Land Acquisition Act for determination of the Court qua (a) the measurement of land, (b) the amount of compensation, (c) the persons to whom it is payable, or (d) the apportionment of the compensation among the persons interested. However, a reference under Section 18 with reference to the amount of compensation is not competent where the Award is announced by the Land Acquisition Collector under Section 11 (2).
- ii) It has been observed that notwithstanding the liberal rates of compensation being awarded by the Land Acquisition Collectors as per the State Policy, the incidence of litigation has not abated, be it by way of Civil Writ Petitions challenging the acquisition of land per se in some cases or by way of references seeking higher amount of compensation. Acknowledging the need for reducing litigation on this account, at least in matters pertaining to the amount of compensation, the Government has decided to introduce an incentive for 'No Litigation' so as to move towards the domain of 'consent acquisition' qua the 'compensation amount'.
- iii) Accordingly, it has been decided to pay an additional amount equal to 20% of the basic rate of land determined by the Land Acquisition Collector (excluding the interest and the Solatium components) as an incentive for 'No Litigation' to such of

the landowners who opt (a) not to challenge the acquisition of their land, and (b) to accept the compensation amount as awarded and undertake not to seek a reference under Section 18 of the Act qua the amount of compensation. This incentive would still be available in cases where a reference is sought with respect to other issues i.e. (a) the measurement of land, (b) the persons to whom it is payable, or (c) the apportionment of the compensation among the persons interested.

The landowner opting to avail of this incentive would have to submit an undertaking as per Application Form-1 to the effect that he accepts the compensation amount as Awarded and, that once he opts to avail of the Incentive, he would not be entitled to seek a reference under Section 18 of the Act. The Award would be deemed to have been made under Section 11(2) of the Act to that extent qua those who opt for this incentive.

3. Effective Date:

The revised floor rates, the policy of payment of 'No Litigation' incentive, and the revision in various parameters of the R & R Policy will be applicable to all such acquisition cases where awards have been announced on or after 07 September, 2010 irrespective of the date of notification under Section 4 of the Land Acquisition Act, 1894.

D. Rehabilitation and Resettlement Policy:

4. Annuity Scheme - revised rates and features:

The payment of Annuity to the persons, who are the landowners at the time of issue of Section 4 Notification (including their nominees over the prescribed period), whose land is acquired by the Government under a statute, is in the nature of a Social Security and Benefit Scheme as a part of the overall R & R Policy of the Government. It has been introduced primarily with a view to providing additional basic sustenance to the erstwhile landowners for a period of 33 years. Broad features of the Annuity scheme are as under:

- The eligible landowners will be paid Annuity @ Rs. 21,000/- per acre per annum for a period of 33 years over and above the usual land compensation;
- ii) The Annuity amount of Rs. 21,000/- will be increased by a fixed sum of Rs. 750/- every year;
- iii) In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/ Technology Cities/ Technology Parks, in addition to the rehabilitation and resettlement package notified by Industries and Commerce

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Department vide No. 49/48/2006-41B1, dated 4th May, 2006, a sum of Rs. 42,000/per acre per annum will be paid for a period of 33 years by private developers and the Annuity amount will be increased at the rate of Rs.1,500/- every year;

- The scheme of Annuity payment will be applicable to all cases of land acquisition by the Government irrespective of the same being acquired for the State Government and its agencies or the Government of India/ its agencies, including the NHAI, the Railways, and the Defence purposes;
 - v) The Government Departments acquiring land under a statute shall recover the amount required for discharging the Annuity obligations along with the compensation amount from the concerned agencies (for whom land is acquired) and shall ensure that the 'Instrument of Annuity' creating a right in favour of the erstwhile landowner is issued at the earliest;
 - vi) The landowner would be entitled to appoint his nominee and change the same at any time before his demise for receipt of benefits under this Scheme who would step in his shoes after his death and so on so forth till the completion of 33 years period. In cases where a landowner dies intestate without leaving a nominee behind, the Annuity amount for the remainder of the period would be payable to the legal heirs of the deceased erstwhile landowner;
 - vii) In cases where the land acquired in respect of a landowner/ co-sharer works out to less than one acre, such landowner will have the option to avail the commuted value of the Annuity amount upfront in one go which is fixed @ 30% of the gross amount of Annuity payable during the 33 years. He would be required to submit his application as per Application Form-3.
 - viii) The Annuity in respect of land acquired during the preceding calendar year would become due for payment during the month of January of the following year. The landowner would be required to submit his Annuity claim in the prescribed form, (Application Form-2) along with the supporting documents, within a period of six months of the announcement of the Award. The acquiring departments shall be responsible for processing and compilation of the database of all such valid claimants within a period of further six months. The Annuity amount would be paid through Bank transfers.
- 5. Allotment of residential plots in cases where a self-occupied residential house is acquired for unavoidable reasons:
- Recognising the sensitivity involved in acquisition of built-up residential houses/ structures for unavoidable reasons, the Government has decided to accord the highest priority to the resettlement of this category of persons. In the first

instance, all efforts will be made by the acquiring departments to leave out the residential structures existing in the form of clusters from acquisition except where it becomes absolutely unavoidable either due to its stand-alone character or its location being within the Right of Way of infrastructure projects such as roads, canals, railway line etc.;

ii) Accordingly, it has been decided that wherever any self-occupied residential structure/ house has to be acquired for unavoidable reasons in the process of acquisition of land by the Government for any purpose, such owners of built-up residential structures would be offered assured allotment of residential plots as per the following scale:

Scheme applicable u		cture is acquired Scheme Revised w. e.f. 0	7.09.2010
Size of the residential house acquired	Size of Residential Plot to be allotted		Size of Residential Plot to be allotted
Up to 100 sq. yards	50 sq. yards	Up to 150 sq. yards	90 sqm
Above 100 but up to 200 sq. yards	100 sq. yards	Above 150 but up to 200 sq. yards	150 sqm
Above 200 and up to 300 sq. yards	150 sq. yards	Above 200 and up to 250 sq. yards	200 sqm
		Above 250 and up to 300 sq. yards	250 sqm
Above 300 up to 400 sq. yards	200 sq. yards	Above 300 up to 400 sq. yards	300 sqm
Above 400 up to 500 sq. yards	250 sq. yards	Above 400 up to 500 sq. yards	350 sqm
Above 500 sq. yards	350 sq. yards	Above 500 sq. yards	450 sqm

- iii) As the affected persons would be entitled to compensation on account of acquisition of land and the structures constructed thereon, the price/ cost of the plots to be allotted in favour of the affected persons as per above scale would be payable by the allottee;
- iv) The benefit of allotment of a residential plot in this category would be admissible only if the acquired residential house/ structure was self-occupied and was in existence on the date of issue of Section 4 Notification, and further subject to the condition that such residential house had not been constructed by way of any encroachment on the public/ community/ government land. The self-occupation of such house by the landowner's family as their regular residence would be an essential condition for this purpose. Residential structures used for rental purposes or those in the form of kothras in the fields would not be reckoned as 'residential houses' for this purpose;

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- While assessing the entitlement for size of the plot to be allotted, the land under the existing residential house only would be taken into account and not the appurtenant facilities for other farm operations. Further, while computing the area under such Residential House, the plinth area of the constructed house and equal area towards admissible open space shall be taken into account. Appendix-4 may be referred for the basis of calculation of area;
- vi) Development and allotment of the residential plots under this part would be the responsibility of the acquiring Department/ agency. Such plots, to the extent, possible, would be carved out in the area adjoining/ in close vicinity of the village abdi deh so that the displaced/ rehabilitated persons continue to remain a part of their social milieu. While HUDA, HSIIDC, and the HSAMB would plan their residential blocks for this part as well as for the 'oustee' category as one cluster, the other acquiring departments would have to acquire additional land specifically for this purpose also;
- the rates of Plots allotted under this category by HUDA and the HSIIDC shall be 20% lesser than the nodal price of the plot determined for the general public. In all other cases, the rates of plots would be determined by the allotting agency based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area.
- viii) The affected landowner would be required to submit his claim in the prescribed Application Form-4.

6. Categories of Land Acquisition Cases:

It has been observed that the Government acquires land for various infrastructure projects, which could be broadly clubbed under the following two categories:

- Projects where the urban/ industrial/ agriculture marketing infrastructure is developed in the form of large clusters by the state agencies i.e. the HUDA, the HSHDC, and the HSAMB, for which comparatively large mass of land is acquired for development of planned infrastructure;
- ii) Projects where the land is either acquired in smaller pockets (e.g. water works and STPs of the Public Health Engineering Departments or the Power Sub-stations set-up by the power utilities) or where the land is acquired in a linear/strip form for construction of roads and canals etc.

Whereas it has been found feasible to grant certain benefits in respect of the cluster development projects, the same has not been found feasible in the second category cases.

 Benefits for the affected persons whose land is acquired for HUDA, HSIIDC and the HSAMB:

Recognising that the Government is expected to address the concerns of all sections of landowners to the extent possible, it has been decided to follow a two-pronged strategy in this behalf. Accordingly, it has been decided to grant the following benefits to the landowners whose land is acquired for HUDA, HSHDC, and the HSAMB:

- Reservation and allotment of residential plots for the land-oustees, and
- Provision for allotment of commercial booth-sites/ industrial plots to the landowner in whose case 75% or more of his land in a revenue estate, subject to a minimum of one acre, is acquired.
- 8. Allotment of 'oustee-category' residential plots in cases of land acquisition for development of infrastructure HUDA, HSIIDC, and the HSAMB.
- i) Where the land is acquired for development of planned urban infrastructure by HUDA, or development of planned industrial infrastructure by the HSIDC, or marketing infrastructure by the HSAMB, developed residential plots will be reserved for assured allotment to the land oustees as per the following scale:

scheme applicable up to	06.09.2010	and is acquired (Oustee Q Scheme Revised w.e.f. (7 09 2010
Land/Area acquired	Size of residential plot to be allotted	Land/Area acquired	Size of residential plot to be allotted
100 to 500 sq. yards	3 maria	100 to 500 sq. yards	
501 to 1000 sq. yards	4 marla	501 to 1000 sq. yards	90 sq. mtrs.
1001 sq yards to 1/2 acre	6 marla	1001 sq yards to ½ acre	150 sq. mtrs.
Above 1/2 acre to 1/4 acre	8 marla	Above 1/2 acre to 3/4 acre	200 sq. mtrs.
Above ¾ acre to 1 acre	10 marla		300 sq. mtrs.
One acre and above		Above ¼ acre to 1 acre	350 sq. mtrs.
one acre and above	14 marla	Above one acre	450 sq. mtrs.

- The rates of residential plots reserved for allotment to the land oustees, in both the above categories, as per the scale prescribed, would be 20% lesser than the nodal price applicable for the general public at the time of first floatation in the case of HUDA and HSIIDC, in all other cases the rates of plots would be determined by the acquiring departments/ organisations based on the actual costs taking into account (a) the cost of acquisition of land, (b) costs incurred on provision of minimum amenities/ services, and (c) loading of the areas under roads/ streets/ services and utilities on to the plotted area;
- iii) Each of the co-sharers, depending upon his share in the land acquired as per the entries in the revenue records at the time of issue of Section 4 Notification, would

be entitled to the allotment of a plot under the 'oustee category'. The co-sharers would be limited to the persons mentioned in the revenue records on the date of Section 4 Notification. Wherever any such landowner/ co-sharer dies during the intervening period of Section 4 Notification and the Award, the natural successors will be treated as one single unit;

- As regards the co-sharers, it may be clarified that the entitlement for size of the iv) plot would be determined based on the share of each of the co-sharers as on the date of Section 4 Notification. Further, under no circumstances, the total land under the plots allotted to the co-sharers put together would exceed 50% of the total acquired land of such co-sharers. An illustrative list of the entitlements is enclosed with this policy as Appendix-2.
- In cases where the land of a landowner is acquired in phases, and he becomes entitled to a bigger size of the plot due to subsequent acquisition, he would be entitled to additional area as per his revised entitlement. In such cases, either (a) the plot allotted as per the original entitlement may be upgraded as per his entitlement, or (b) in case he has already utilised/ transferred the earlier allotted plot, he may be allotted an additional plot as per his entitlement on account of the пеt additional area.
- In case a landowner or co-sharer avails of a plot under para (5), he will not be entitled to a second plot in the 'oustees category' under para 8. Such a person, however, will have the option to either apply for allotment of a plot under para 5 or para 8 of this Policy. The landowner interested in availing this benefit would be required to submit his application in the prescribed Application Form -5.
- No litigation should be pending in respect of the acquired land, except a reference vii) under Section 18 of the Act, in order to be eligible for allotment of an 'oustee category' plot under the Scheme.
- The acquiring department/ development agency will earmark a separate chunk of viii) land, preferably close to the village in close vicinity of the Toshi Abadi, for carving out 'oustee category plots' for the landowners as stated under para 5(vi) above. The allotment of 'Oustee Category' Plots will precede the allotment of 'General Category' plots.
- Allotment of Commercial/ Industrial Sites: 9.
- Where 75% of the land-holding of a landowner/co-sharer in a revenue estate, i) measuring one acre or above, is acquired by the Government for HUDA, HSIIDC, and

the HSAMB, thereby substantially impacting his means of sustenance, developed commercial/ industrial sites would be reserved and allotted to such land oustees as per the following criterion:

1	Commercial Sites measuring 3 mtr x 4 mtr (12 sq. mtrs)	To be allotted by HUDA/ HSIIDC/ HSAMB at the Reserve Price, which will be no more than 3 times of the price of residential plot in that area/ sector.
2	Industrial Plot measuring 450 sq mtrs. in the case of HSIIDC	A landowner oustee eligible under this category will have the option in the case of HSIIDC to opt for the Commercial site or an industrial plot.
	c OF PUN	The rate for the Industrial Plot will be 20% lesser than the rate determined for the general public at the time of first floatation.

- The allotment of commercial sites/ industrial plots would be made to each cosharer provided his share in the acquired land is one acre or more, otherwise all the co-sharers will be allotted a site(s) as per entitlement. In case the total acquired land of all the co-sharers put together is less than one acre, they would not be entitled to this facility. Illustrations given in Appendix-2 may be referred for any clarity;
- iii) The commercial/ industrial sites would be reserved and allotted in addition to the residential plots for the land-oustees in these categories. The affected landowner would be required to submit his application in the prescribed Application Form-6.
- 10. Special dispensation by the Town & Country Planning Department:

The Town & Country Planning Department will make appropriate provisions in their rules/ regulations so as to allow additional component of residential and commercial use in the Estate/Sector to the extent of the area earmarked for the plots/ sites carved out for the purpose of R & R Policy.

- Benefits for the affected persons whose land is acquired for infrastructure projects other than those of HUDA, HSIIDC, and the HSAMB:
- i) While provision has been made for allotment of 'oustee category plots' in case of land acquired for development by HUDA, HSIIDC, and the HSAMB and for allotment of commercial sites/ industrial plots in case of those landowners whose 75% land gets acquired (subject to a minimum of one acre) for these organisations, extension of these additional benefits in case of the landowners whose land is acquired for public purposes other than these organisations, has not been found feasible. To that extent, it is also fortuitous.

- ii) In order to balance this situation and partially compensate the landowners in this category, it has been decided that wherever 75% or more land of a landowner in a revenue estate, subject to a minimum of two acres, is acquired for other infrastructure projects, and thereby impacting his sustenance to a considerable extent, one dependent of the land-owning family would be provided a job in the Government or its Boards/ Corporations/ State PSUs in Group 'D' and Group 'C' categories, subject to the incumbent fulfilling the qualifications prescribed for such posts;
- Recognising that certain persons may indulge in large scale division of their holdings to acquire title to government jobs in this process, the entitlement of dependants would be based on the revenue records of four years prior to the date of issue of Notification under Section 4 of the Land Acquisition Act or a corresponding provision in other statutes;
- The affected landowner would be required to file his claim-application in the prescribed Application Forms- 7 and 8.
- iv) While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land is used. In case of non-availability of adequate number of suitable jobs in the Project, the claim would be considered against vacancies available in the said department or its PSUs, failing which, the claim would be considered for employment in other departments/ organisations of the Government;
- In cases necessitating consideration of the applications for employment in the other Government Departments, the application receiving Department would forward such applications to the Financial Commissioner, Revenue & Disaster Management Department, along with a certificate that there are no vacancies in the Project/Department/ its PSUs so as to accommodate the applicants elsewhere. The office of FCR would compile all such applications and pass these on to the office of Chief Secretary for appropriate action. Thereafter, the office of Chief Secretary would complete the process of employment;
- within a period of six months of the announcement of the Award, there may be some isolated cases where the dependent may be a minor or decide to take-up employment only after completion of his/ her studies. The erstwhile landowners would be allowed to defer their actual employment in such cases up to a period of 5 years from the date of Award. In such cases, the claim of the erstwhile landowner applicant would be processed and a letter of entitlement would be issued by the concerned Department.

12. Electricity Connection under agriculture category

Wherever the landowner has installed one or more tube-wells with an electricity connection sanctioned on agricultural tariff, and portion of the land whereupon such tube-well is installed is acquired, he would be entitled to alternate tube-well connection(s) in this category either in his un-acquired land or over the agricultural land that he may purchase elsewhere in the state within a period of two years of the Award. The alternate connection would be provided within a period of three months of his application to this effect.

13. Exemption from Stamp Duty & Registration Charges on purchase of alternate agricultural land

In case a landowner, whose land is acquired, purchases alternate agricultural land within the state of Haryana within a period of two years of the Award, such purchase of land, limited to the amount of compensation, would be exempt from payment of Stamp Duty and Registration charges. The Revenue & Disaster Management Department would separately issue necessary orders/notification to this effect.

14. Scheme for the Landless persons and artisans dependent upon agricultural operations over the acquired land:

- There is another category of landless people in the rural set-up who have traditionally been associated with the land-owning families. These comprise of the landless workers engaged in the agricultural operations for generations (under the jajmani custom) and the rural artisans e.g. the blacksmiths, the carpenters, the potters, the masons, the barbers etc. which together constitute the village society. It is a well recognised fact that there is an association between landowners and the families of landless persons (in above categories) for generations and such association is well known in the village set-up. The Government is fully conscious of the adverse impact caused by acquisition of land for non-agriculture purposes on these dependant categories of people. It has, therefore, been decided to lay a special focus on the creation and up-gradation of skill-sets of these people/ their dependents so as to improve their employability in the organised sector.
- The Government has decided to take the following measures for the rehabilitation/ resettlement of these affected persons:
 - The Government would impart free technical education to the dependents of these categories of people in the Government run Industrial Training Institutes and Polytechnics;

- b) HSIIDC, HUDA and the HSAMB would set apart a fund equal to 1% of the Compensation amount for creating adequate skill-sets among the dependents of land-oustees and the affected landless persons;
 - HSIIDC would stipulate a condition for the allottees of industrial plots to give preference to these people in employment in their industrial projects;
 - d) Wherever land is acquired for the Private Developers, they would be required to make arrangements for creation and up-gradation of the skillsets of the affected persons and preference in employment of the affected persons/ their dependants in the projects set-up over such land.

15. Admissibility of benefits under the R & R Policy - exclusion of entrants after issue of Section 4 Notification:

It takes anywhere between 3 to 6 months before a Notification under Section 4 is issued for acquisition of land as the acquiring departments/ agencies start the process of ground survey in advance. As such, it becomes known in the area that the Government is in the process of acquiring land in a specific locality. The Government is also conscious that certain unscrupulous persons may, with the intention of availing un-earned and undeserved benefits of this Policy, which are meant for the landowning farmers, purchase the land (i) after it is known in the area that the land is proposed to be acquired by the Government, or (ii) even after issue of Section 4 Notification under the Act. In order to take care of any such misadventures, it has been decided that the benefits under this policy, including the Scheme of Annuity, would be admissible only for such of the landowners who own the title of land at least three months prior to the date of issue of Section 4 Notification or acquire the title by way of natural inheritance. Any person becoming an interested party or acquiring interest in the land through sale/ purchase of the subject land within three months prior to the date of issue of Notification under Section 4 of the Act, save by way of natural inheritance, shall not be entitled to any of these benefits, including the payment of Annuity.

16. Information to the Landowners and implementation of the Scheme

While a copy of this Policy would be available on the web-sites of the Departments of (i) Revenue & Disaster Management, (ii) Town & Country Planning Department, (iii) Industries & Commerce, (iv) HUDA, and (v) HSIIDC for the information of general public, the Land Acquisition Collector may, in addition, also inform the landowners about their entitlements under the R & R Policy along with the notices under Section 9 of the Act as per Appendix-3. However, non-communication of the same by the LAC would not in any manner vitiate any such proceedings by him. Further action in respect of each of the benefits would be taken as follows:

- The landowners, opting to accept the amount of compensation and avail of the 'No Litigation Incentive', would normally be required to make an application to the LAC within a period of 30 days of the announcement of Award and furnish an undertaking to that effect in the prescribed format (Application Form-1). A claim for the 'No Litigation Incentive' could also be entertained if filed after 30 days provided the landowner has not filed a reference under Section 18 qua the compensation amount, or if filed, undertakes to withdraw the same before receipt of the incentive amount. However, no such claim would be entertained after a period of six months of the announcement of the Award. It may be noted that once the landowners agree to avail of the said incentive, they would not be entitled to seek a reference under Section 18 of the Act for enhanced compensation and to that extent the Award would be deemed to have announced under Section 11 (2) of the Act. No references under Section 18 of the Act qua the amount of compensation would be competent in these cases;
- ii) As for the allotment of residential plots/ commercial sites/ industrial plots, the landowners would be required to submit their claim-applications in the prescribed formats (Application Forms 4/5/6) to the acquiring departments/ agencies within a period of six months of the date of announcement of Award along with the requisite details and supporting documents. No claims on this account would be entertained after the expiry of six month period;
- Wherever a landowner is entitled to employment/ government job under para 11 of this Policy, he would submit his claim-application in the prescribed format (Application Form -7) to the acquiring department within a period of six months of the announcement of Award, along with the supporting documents, and the concerned Government Department/ Organisation would process his claim within a further period of six months. On finding the claim valid, a letter of entitlement would be issued in favour of the applicant and the Government would provide a job to such valid claimant within the shortest possible time.
- As regarding the payment of Annuity/ payment of commuted value of the Annuity, the landowner would submit his claim- application in the prescribed format (Application Form-2/3) to the designated officer of the Acquiring Department along with all the supporting documents/ verification, whereupon, the Acquiring Department would process the same within a period of next six months and ensure commencement of payment of the Annuity at the earliest;
- The acquiring departments/agencies shall process such claims and issue a certificate of entitlement (Appendix-5) in favour of the eligible beneficiary within

a period of further six months of the last date of receipt of claim-applications. In matters of allotment of residential/ commercial/ industrial plots, the allotments under the R &R Policy would precede the general allotments.

17. Investment Advisory Services

It has been observed that the landowners are invariably unable to make proper investment of the amount received as one-time compensation due to lack of their education and exposure, and familiarity with various investment options. As a result, they end-up exhausting these resources in meeting their consumption needs which has an adverse bearing on their long-term sustenance. In order to fill this knowledge gap, the Government would arrange for engagement of professional agencies to advise the landowners on various investment options of the compensation amount so as to enable them to utilise the resources in a prudent and productive manner. These services would be purely advisory in nature and it is ultimately for the landowners to decide their own investment options. The professional agencies engaged by the Government for this purpose would hold 2-3 day camps at sites at the time announcement of Award by the Land Acquisition Collector.

18. Social & Community infrastructure facilities:

i) Wherever land is acquired by the Government for development by HUDA, HSIIDC, and the HSAMB, an amount equal to 2% of the Compensation Amount will be set apart by the respective organisations for creation of community development/infrastructure works in the respective villages.

Further, area in the close vicinity of the village will be set apart not only for rehabilitation, but also for necessary village level social infrastructure. The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.

ii) Similarly, 1% of the Compensation amount will be set apart and expended on skill development initiatives for the dependents of oustees and other landless persons dependent on agriculture operations over the acquired land.

19. Acquisition of Land for Railways/ NHAI/ Other Central Government Ministries/ Central PSUs:

This policy shall also be applicable for any land acquisition for the Central Government (including the Ministry of Defence)/ its PSUs, the NHAI/ Railways in the state of Haryana and an undertaking to this effect would be obtained in advance from such indenting agencies before initiating any land acquisition proceedings. The

amount of Annuity Policy will be charged upfront from such agencies in addition to the compensation paid to the landowners;

ii) In addition to the above, wherever land is acquired for any of the Central Government Ministries/ their PSUs/ NHAI/Railways by the State Government machinery, administrative charges @ Rs. 1.00 lakh/ acre, as revised from time to time, would be charged from the concerned towards the administrative expenses involved in the entire exercise, inclusive of the expenses incurred on publication of the Notifications in the media/ newspapers.

20. Capital Gains Tax on Land Acquisition - a reference to the Gol

Capital Gains Tax is payable on the compensation amount paid in respect of land acquired within 8 kms of the Municipal Limits with 1981 as the base year for arriving at the Capital gains. The interest component in any case attracts the CG Tax. Since taxation is a Central Government subject, the State Government has decided to make a reference to the Ministry of Finance, Government of India, for exemption of the compensation amount for the land acquired under the Statute from the purview of Capital Gains Tax where the land is *Dadalahi* (i.e. acquired by the grandparents) or owned by a person in his own name or in his father's/mother's name for a period of 10 years or more.

21. Nodal Department

The Revenue & Disaster Management Department would be the nodal department of the State for the implementation, interpretation, review and monitoring of this R&R Policy of the State.

22. Grievances/ Dispute Resolution Mechanism

Though every effort has been made to introduce clarity in respect of all the features and the process of implementation of this Policy, the possibility of some grievances/ disputes arising in the course of implementation of the policy cannot be ruled out. The Government has decided to establish an institutional mechanism to address all such grievances/ disputes with a view to settlement of such grievances and minimising any litigation on this account. A separate Notification would be issued shortly in this behalf.

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

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ANNEXURE P-7

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Tel: (M) 98150-23321 0172-2704333, 2727152

Anil Kshetarpal #233, Sector 21-A,

Advocate

Chandigarh

Punjab & Haryana High Court

July 11, 2011

To

The Land Acquisition Collector, SCO No. 61, Sector 8, Panchkula (Har)

Subject: NOTICE

Sir.

(*)

As per instructions my clients namely Sh. Ram Sarup & others, residents of Village Bhatoli, Tehsil Jagadhri, District Yamuna Nagar, I hereby serve you notice to the following effect: -

That the land of my clients situated in village Bhatoli, Tehsil Jagadhri, District Yamuna Nagar, was acquired vide award dated 16.07.2007. The acquisition was for development of residential and commercial Sector 22-23-24 by H.U.D.A. The award was passed pursuant to the notification dated 30.05.2005 issued under Section 4 of the Land Acquisition Act, 1894 and notification dated 22.05.2006 issued under Section 6 of the Act.

That as per the notified scheme issued by the Govt. of Haryana, my clients are entitled to annuity as a social security benefit, for their land acquired. My clients were disbursed the amount of social security annuity during the first year after acquisition of the land. However, thereafter, no amount has been disbursed on account of annuity.

My clients, through this notice, call upon your goodself to disburse the amount of commity: as: pervite lates to Policy instructions of the: Govt. within 15

days of receipt of this notice, failing which my clients shall be forced to seek redressal of their grievance by approaching the Court of Law.

The annuity is payable as social security, to the land owners who have been deprived of their land. For years together, the payment has not been released.

Therefore, my clients further call upon to release the payment of annuity amount for the subsequent years along with interest @ 15% p.a. as payable under the Land Acquisition Act.

You shall ignore this notice at your own peril.

A copy of the notice has been retained in my office.

Anil Kshetarpal Advocate

Advocate

True Copy



ANNEXURE P-8

From

Land Acquisition Officer, Department of Urban Estate, Haryana, Panchkula.

To

Sh. Anil Kshetarpal, advocate # 233, Sector 21-A, Chandigarh

No. 5574

Dated: 25.07.2011

Subject:

Notice.

In response to your notice dated 11.07.2011, it is stated that the office has already submitted request for amount of annuity with the Chief Financial Controller, HUDA and upon receipt of the same, it shall be paid to the land owners.

Sd/- Land Acquisition Officer, Urban Estate Department,

Haryana,

Panchkula.

Copy to:

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

- 1. Managing Director, Urban Estate Department, Haryana, Panchkula.
- 2. Chief Controller of Finance, HUDA, Sector 6, Panchkula.

Sd/- Land Acquisition Officer, Urban Estate Department

True Translation

Advocate



VAKALAT NA MA
IN THE HIGH COURT OF PNJAB & HARYANA AT CHANDIGARH
Ramechuar Dals + Otters } Petitioner(s) / Appellant(s) Plantiff/Defendent
VERSUS Plantiff/Defendent
State of Haryana + Ottory Applicant KNOW ALL to whom these presents shall come that //We/the undersigned appoint
KNOW ALL to whom these presents shall come that //We/the undersigned appoint
ANIL KSHETARPAL
, ADVOCATE
(Room No. 16, New Bar Complex)
Punjab & Haryana High Court, Chandigarh Off -Cum-Pasi : # 233 Sector 21.4 Chandigarh, Ph : 0172 270423 2727152
OffCum-Resi.: # 233, Sector 21-A, Chandigarh Ph.: 0172-270433, 2727152 to be the Advocate for the Letitoners
in the above mentioned case to do all the following acts, deeds all things or any of them that is to say :-
 To act, appear & plead in the above mentioned case in this Court or any other Court in which the same may be tried or heard in the first instance in appeal, Letters Patent Appeal, Review, Revision, Execution or in any other stage of its progress until its final decision.
 To present sign & verify pleadings, appeals, Letters Patent Appeals, Cross-objections or petitions execution review, revision, withdrawal, compromise, other petitions, affidavits, other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
To withdraw or compromise the said case or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said cause.
4. To deposit, draw and receive moneys and grant receipts thereof by way of costs, refund or balance of sucurity and other miscellaneous expanses from court or parties and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
5. To employ any other Advocate authorise him to exercise the power and authorities and to confer upon such advocate, whenever he may think fit to do so.
AND I/WE hereby agree to ratify whatever the Advocate or his substitute shall do in the premises and in this connection.
AND I/WE hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequences of his absence from the Court when the said case is called up for hearing.
AND I/WE hereby agree not to hold the Advocate responsible for not intimating the date of hearing of the case & for not applying any certified copy of the judgement on the decision of the case.
AND I/WE hereby agree that the Advocate will not be bound to appear for us if the case is transferred to any other Court or the Court sits at any place other than its normal place of sitting and if any application or Petition is to be filed in the case, the Advocate will be entitled to fresh fee as paid in the case.
AND I/WE hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the prosecution from thesaid cause until the same is paid.
IN WITNESS WHERE OF I/WE hereunder set my/our hands of these presents the contents of which have been explained to and understood by me/us this
the
Witness 1217901 312 5 1 2110-21391
Accepted (Signature or thumb impression)
PV
Advocate (Enrl. No. P/568/1987)
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IN THE HIGH COURT OF PNJAB & HARYANA AT CHANDIGARH
Rameshuan Day + Otiery } Petitioner(s) / Appellant(s) Plantiff/Defendent
VERSUS
State of Navyana + Otter } Defendent Applicant Respondent(s) KNOW ALL to whom these presents shall come that I've the undersigned appoint
ANIL KSHETARPAL ADVOCATE
(Room No. 16, New Bar Complex) Punjab & Haryana High Court, Chandigarh OffCum-Resi.: # 233, Sector 21-A, Chandigarh Ph.: 0172-270433, 2727152 to be the Advocate for the
in the above mentioned case to do all the following acts, deeds all things or any of them that is to say:-
1. To act, appear & plead in the above mentioned case in this Court or any other Court in which the same may be tried or heard in the first instance in appeal, Letters Patent Appeal, Review, Revision, Execution or in any other stage of its progress until its final decision.
2. To present sign & verify pleadings, appeals, Letters Patent Appeals, Cross-objections or petitions execution review, revision, withdrawal, compromise, other petitions, affidavits, other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said cause.
4. To deposit, draw and receive moneys and grant receipts thereof by way of costs, refund or balance of sucurity and other miscellaneous expanses from court or parties and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
5. To employ any other Advocate authorise him to exercise the power and authorities and to confer upon such advocate, whenever he may think fit to do so.
AND I/WE hereby agree to ratify whatever the Advocate or his substitute shall do in the premises and in this connection.
AND I/WE hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequences of his absence from the Court when the said case is called up for hearing.
AND I/WE hereby agree not to hold the Advocate responsible for not intimating the date of hearing of the case & for not applying any certified copy of the judgement on the decision of the case.
AND I/WE hereby agree that the Advocate will not be bound to appear for us if the case is transferred to any other Court or the Court sits at any place other than its normal place of sitting and if any application or Petition is to be filed in the case, the Advocate will be entitled to fresh fee as paid in the case.
AND I/WE hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the prosecution from thesaid cause until the same is paid.
IN WITNESS WHERE OF I/WE hereunder set my/our hands of these presents the contents of which have been explained to and understood by me/us this
the5/8/1day of
Witness
Accepted (Signature or thumb impression)
Anil Kshetarpal of Clients
Advocate (Enrl. No. P/568/1987) 67 of 72

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	<i>A</i>
IN THE HIGH COURT OF PNJAB & HARYAN	
Rameshuan Dass + Otters }	Petitioner(s) /Appellant(s)
VERSUS	
State of Harayama + Others KNOW ALL to whom these presents shall come that 1/V	Defendent Applicant Respondent(s) Ve the undersigned appoint
ANIL KSHETARI	PAL
(Room No. 16, New Bar Complex Punjab & Haryana High Court, Chardigarh Photo be the Advocate for the photo be the Advocate for the photo in the above mentioned case to do all the following or any of them that is to say:	s) ndigarh i.: 0172-270433, 2727152
 To act, appear & plead in the above mentioned case in which the same may be tried or heard in the first instance in appeal, L. Revision, Execution or in any other stage of its progress until its final. 	etters Patent Appeal, Review,
2. To present sign & verify pleadings, appeals, Letters Patent Appeacution review, revision, withdrawal, compromise, other petitions, a be deemed necessary or advisable for the prosecution of the	ffidavits, other documents as shall
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5. To employ any other Advocate authorise him to exercise the confer upon such advocate, whenever he may think fit to do so.	ne power and authorities and to
AND I/WE hereby agree to ratify whatever the Advocate opremises and in this connection.	or his substitute shall do in the
AND I/WE hereby agree not to hold the Advocate or his sub- the said case in consequences of his absence from the Court when the	
AND I/WE hereby agree not to hold the Advocate respons hearing of the case & for not applying any certified copy of the judge	
AND I/WE hereby agree that the Advocate will not be bou transferred to any other Court or the Court sits at any place other than application or Petition is to be filed in the case, the to fresh fee as paid in the case.	its normal place of sitting and if ar
AND I/WE hereby agree that in the event of the whole of me/us to be paid to the Advocate remaining unpaid, he shall to prosecution from thesaid cause until the same is paid.	• • •
IN WITNESS WHERE OF I/WE hereunder set my/our contents of which have been explained to and the day of day o	-
Anil Kshetarpal	Signature or thumb impresion of Clients

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Advocate

(Enrl. No. P/568/1987)

Ann Bre ADV.

- निम अपन अभिकारी 218री -सम्बद्धा कि. हरियागा

खिर् ४ राम महेल हैं र ्राठ -- इंड्रेस हर्जावार - स्विता. ध्या मुटाह्य द्वीनाचा देवी व्याद्र क्यांका तरि स्वास ते-४-४०॥ म्यांका तरित स्वास ते-४-४०॥

-31404 ND 1541-4 10-01-2011 On 31-2-21 4 - anny & for solor so 23 continued our Accord dated 16-7-07 out 331 247 524 del मा कि है है जाता भी जिल्ला है जाता है की · : " अपटा देन दिया अमा है खदामा हैका माम डे इह मान कार्य हैं हैं है। कि कार्य के नाम की जा निक है किए गा में भारत न स जात होती ही ज्ञापको सिन्ति कार हिमाजावेगा ;

> मीन अर्थन अविनवी ताहरी अभिवाष हरिमान्।

प्राप्टिक्स जी अर्थन अर्थन

्निष्यः - त्रीम अभीन अध्यवपारी आहरी सम्पदा वि हिर भागा। पालकाता !

Anil Kahatapal Havocate # 233, seto2-21-A,

Chandigaoh!

abhou! - 5574

1504an 25071)

NOTICE

उपरोक्त विषयं क्ये सम्बन्ध में स्थापका पान Netice trailor 11-7-2011 on Zingaeu & auto Elan oursand 3121 annuity at layment व्य विम राभी भी मांग मुख्य विवानमञ्जाम डे विक कार मिहार कि मिले के हैं कि के पहार के विक ं रात्रामा कि ई तिकामि - टि

ं अपि डापान माट्यावपार अहरी अभावा हि : इरमा०१

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इस गिर्म दे विमा की कि निर्म किर की कार्य की कार्य की हैंद्र नेभीनाती है।

म अहानिदेश न बाहरी सञ्जला वि. हरियाना पन्यवाना 3 मुख्या वित्र नियमम् उडा प्रत्युक्ता seles-6

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