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हरियाणा शहरी विकास प्राधिकरण

HARYANA URBAN
DEVELOPMENT AUTHORITY

Address: C-3 HUDA HQ Sector-6,
Panchkula

Instructions No.15

NO.HUDA/CCF/Acctt II/2016/- 106134-36

Dated 8.11.2016

To

1. ✓ All Administrators,
HUDA (in the State).
2. All the Estate officers,
HUDA (in the State).
3. All Land Acquisition Officers,
(in the State).

Subject: Recovery from plot owners under Regulation 10 of Haryana Urban Development (Disposal of Land Buildings) Regulation, 1978 in respect of land compensation enhanced by the Courts – Review and monitoring-regarding.

Attention is invited to this office earlier Instructions No. 5 issued under letter No. HUDA/CCF/Acctt-II/2015/13987-89 dated 29.8.2015 on the above subject, available on the HUDA website at the link [https://www.huda.org.in/_layouts/CCF/Recovery from plot owners under Regulation 10 of Haryana Urban Development.pdf](https://www.huda.org.in/_layouts/CCF/Recovery_from_plot_owners_under_Regulation_10_of_Haryana_Urban_Development.pdf).

2. As per para 6 of the Instructions, a large number of orders have been passed by the Courts about enhanced compensation. It was directed that a summary exercise should be undertaken to ensure that demands had been issued to the plot owners under Regulation 10 in every enhanced compensation case. The Zonal Administrator were requested to review the position for enhancements orders issued by the Court w.e.f. 1.4.2011 by opening a register (as per Table 1 annexed to the instructions) and refer to the Hqrs. The cases (in the Table 2 annexed) where additional price has not been determined so far.

3. Also attention is invited to the policy approved by the Authority in the meeting on 27.7.2016 vide Agenda item No. 111th (22) regarding recovery of additional price from the allottees in case of sale of land by allotment. The policy is available on HUDA website at the link

https://www.huda.org.in/_layouts/CCF/Policy_regarding_recovery_of_enhanced_compensation_from

allottees in case of sale of land or building by allotment.pdf. The policy prescribes that the manner of calculation of additional price will be as below:-

- (i) Once the enhancement has been announced by the Court, the additional price shall be determined on liability basis without any condition whether payment of enhancement has been actually made or not.
- (ii) The differential amount of enhancement shall be updated @ 15% p.a. upto the quarter in which determination is being made.
- (iii) The approved layout in existence at the time of calculation of additional price, shall be taken as the basis while determining the additional price.
- (iv) The differential enhancement shall be proportionately off loaded on the total saleable area of the sector (sold both by allotment or auction). This automatically implies that common (non-saleable) area shall also be proportionately off loaded on the total saleable area of the sector.
- (v) HUDA will make an earnest effort for calculation of the additional price within one year from the date of award/court order. These calculations will be displayed on the HUDA website alongwith complete details.
- (vi) The additional price determined w.e.f. January, 2015 onwards are available on HUDA website at the link below:-

https://www.huda.gov.in/Financial%20Wing/Calculation_of_additional_price_on_account_of_enhancement_compensation.pdf

- ✓ (vii) Immediately after display on website, the IT Wing of HUDA shall upload the details in the individual plot account of the allottee on the PPM (Plot and Property Management) system.
- ✓ (viii) The allottee can view the amount of additional price required to be deposited, by logging in his respective plot account on the PPM system on HUDA website.
- (ix) The allottee shall update his email id and mobile phone number in his respective plot account. This will ensure timely dispatch & receipt of notices through the electronic media.

4. While determining the additional price, some instances have been observed where the original award was announced for a particular sector but at the time of layout planning, some of the land was actually utilised for some other sectors. As per Regulation 2 (b) of the Haryana Urban Development (Disposal of Land Buildings) Regulation, 1978, the enhancement in respect of land actually utilised for a sector can be demanded/recovered to the allottees.

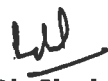
5. In some cases, the actual land usage ^{has} ~~as~~ undergone modifications vis-a-vis the earlier approved layout. As per approved policy, now actual layout in existence at the time of calculation of additional price, is to be taken as the basis for determining the additional price.

6. Therefore, the proposal to the H.Q. for calculation of additional price should be forwarded in the amended format enclosed as **Annexure 'I'** along with the copies of original award & enhancement orders passed by the respective Court and the approved layout showing the present land usages in the sector.

7. Instructions No. 5 issued under letter No. HUDA/CCF/Acctt-II/2015/13987-89 dated 29.8.2015 stand amended partially as above.

Copy of these instructions are also being displayed on [https://www.huda.gov.in/Financial%20Wing/Instruction of%20Finance HUDA.pdf](https://www.huda.gov.in/Financial%20Wing/Instruction%20of%20Finance%20HUDA.pdf)

DA/As above.


(Rajesh Jindal)
Chief Controller of Finance,
For Chief Administrator, HUDA,
Panchkula.

Annexure 'I'

[illegible]