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**HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
NOTIFICATION**

The 7th December, 2007

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

1. The operational details, keeping in view the above policy, would be worked out by the respective departments and agencies:
2. This policy issues with the concurrence of the Finance Department conveyed vide their U.O.No. 1/17/2007-4FG-II/2395, dated 28-11-2007.
3. The above policy may be brought to the notice of all concerned for compliance.

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

Annexure 'A'

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

1. Annuity

- i. The land owners will be paid annuity for 33 years over and above the usual land compensation. The amount of annuity will be Rs. 15,000/- per acre per annum.
- ii. Annuity of Rs. 15,000/- will be increased by a fixed sum of Rs. 500/- every year.
- iii. In respect of land acquired in terms of land acquisition policy for setting up of Special Economic Zone/Technology Cities, Technology Parks, in addition to rehabilitation and resettlement package notified by Industries and Commerce Department vide No. 49/48/2006-41BI, dated 4th May, 2006, a sum of Rs. 30,000/- per acre per annum will be paid for a period of 33 years by private developers and this annuity will be increased by Rs. 1,000/- every year,

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- iv. The policy of paying annuity will be applicable to all cases of land acquisition by Govt. except land acquired for defence purposes.
2. **Allotment of plots by Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited.**
 - i. The allotment will be made to each co-sharer depending upon his share in the land acquired for Haryana Urban Development Authority and Haryana State Industrial Infrastructure Development Corporation Limited as per scale mentioned in the entitlement.
 - ii. Plots under this policy would be offered if the land proposed to be acquired is under the ownership of oustees on the date of publication under section-4 of Land Acquisition Act and if 75% or more of the total land owned by the owner in that Urban Estate is acquired. Only one time benefit of this policy will be given to the land owners whose land is acquired in pocket at different times. In case, the land owner becomes entitled for a bigger size plot due to subsequent acquisition of his land then differential of the plot already allotted to him shall be allowed to him.
 - iii. This benefit will not be allowed to the applicant whose land has been released and he will not make such request to the Government for release of his land.
 - iv. No litigation should be pending except that of enhanced compensation in any Court.
 - v. The maximum size of the plot to be allotted will be restricted to 350 sq.yards. Since livelihood of the farmers predominantly depends upon his agriculture income and shops, in order to provide the affected land owners/farmers a long term sustainable source of income, in addition to the residential plot, commercial sites, measuring 2.75 x 2.75 mtr. may be allotted in Haryana Urban Development Authority sectors. Such allotment shall be made to each co-sharer provided his share exceeds

2.5 acres, otherwise all the co-shares will be allotted a single site.

Director, Town & Country Planning, Haryana will allow additional component of commercial use in the Sector if the booths are separately provided. In respect of Haryana State Industrial Infrastructure Development Corporation Limited, mixed land use of residential and commercial will be allowed for which a detailed scheme shall be worked out by Haryana State Industrial Infrastructure Development Corporation Limited.

- vi. In case the land is acquired for purposes other than residential sector, the plots as mentioned in para (v) above will be allotted in the residential sector to be developed next in that urban estate.
- vii. The development agency will earmark a separate chunk of land preferably close to the village as part of the Toshi Abadi. Area in the close vicinity of the village will be set apart not only for rehabilitation but also for necessary village social infrastructure.
- viii. The land required for social infrastructure could either be exchanged with the land of village Panchayat or the land acquired in continuity of the village can be transferred to village Panchayat together with the infrastructure developed thereon for its day to day management.
- ix. The sale price of residential plots will be kept as the issue price of the respective plot. In the case of commercial area of kiosks i.e. 2.75 mtr. x 2.75 mtr., the sale price will be 3 times of the nodal price of the residential plot.
- x. The Rehabilitation Policy will also be applicable to those land owners whose residential structures/ houses/ dwelling units fall within alignment of essential infrastructure services and is acquired under urgency clause.
- xi. The plot sizes for allotment are given as under:

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

<u>Land/ area acquired (each allotment)</u>	<u>Size of residential plot to be allotted</u>
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 structures acquired, the plots sizes will be as under:-

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

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

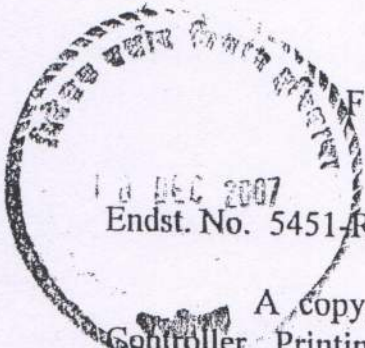
3 Haryana State Industrial Infrastructure Development Corporation Limited and Haryana Urban Development Authority would take steps for creation of social infrastructure and / or employment in the villages falling within the acquired land under their policy.

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

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



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

Endst. No. 5451-R-V-2007/13259,

Chandigarh, dated the 7-12-2007

A copy, alongwith a copy of the notification, is forwarded to the Controller, Printing and Stationery, Haryana, Sector-18, Chandigarh with the request that this Notification may please be got published in Haryana Government Gazette and 250 copies of the published notification may please be sent to this department for record.

J. S. Mehra

Under Secretary Revenue (ER)

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

Endst. No. 5451-R-V-2007/13260,

Chandigarh, dated the 7-12-2007

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

- 1 The Commissioner, Ambala, Hisar, Rohtak and Gurgaon Division.
- 2 All Heads of the Department in the State.
- 3 Chief Administrator, Haryana Urban Development Authority (HUDA), Sector-6, Panchkula.
- 4 Managing Director, Haryana State Industrial and Infrastructure Development Corporation, (HSIIDC) Plot No. C13-14, Sector-6, Panchkula.
- 5 All the Deputy Commissioners in the State.
- 6 All the Sub Divisional Officers (Civil) in the State.
- 7 All the Land Acquisition Collectors in the State.

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Under Secretary Revenue (ER)

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

A copy is forwarded to the Financial Commissioner and Principal Secretary to Government of Haryana, Finance Department for information and necessary action w.r.t. their U.O.No. 1/17/2007-4FG.II/2395, dated 28-11-2007.

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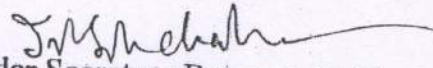
To

The Financial Commissioner and Principal Secretary to Government of Haryana, Finance Department (in FG-II Branch).

U.O.No. 5451-R-V-2007/2892,

Chandigarh, dated the 7-12-2007

A copy is forwarded to all the Financial Commissioners and Principal Secretaries to Government of Haryana / all the Commissioners and Secretaries to Government of Haryana for information and necessary action.



Under Secretary Revenue (ER)
for Financial Commissioner & Principal Secretary to Government of Haryana, Revenue & Disaster Management Department. *Ve*

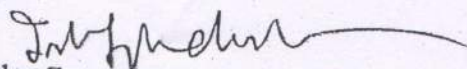
To

- 1 All the Financial Commissioners and Principal Secretaries to Government of Haryana.
2. All the Commissioners and Secretaries to Government of Haryana.

U.O.No. 5451-R-V-2007/2893,

Chandigarh, dated the 7-12-2007

A copy is forwarded to the Secretary, Council of Ministers, Haryana, Chandigarh, for information and necessary action w.r.t. his U.O.No. 9/189/2007-2 Cabinet, dated 29-11-2007.



Under Secretary Revenue (ER)
for Financial Commissioner & Principal Secretary to Government of Haryana, Revenue & Disaster Management Department. *Ve*

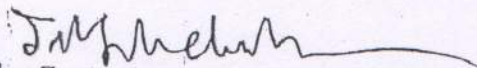
To

The Secretary, Council of Ministers, Haryana,
(in Cabinet Branch).

U.O. No. 5451-R-V-2007/2894,

Chandigarh, dated the 7-12-2007

A copy is forwarded to PSCM/APSCM-I/APSCM-II/OSDCM-I and OSDCM-II Haryana for information and necessary action.



Under Secretary Revenue (ER)
for Financial Commissioner & Principal Secretary to Government of Haryana, Revenue & Disaster Management Department. *Ve*

To

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U.O. No. 5451-R-V-2007/2895,

Chandigarh, dated the 7-12-2007



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LAND ACQUISITION OUSTEES

In view of our discussions regarding Land Acquisition Oustees, I have had a look at the existing policy for Rehabilitation & Resettlement. The policy covers SEZ, Technology cities, Technology Parks and prescribes annuity as laid down therein. Similarly, for all acquisitions for HSIIDC and HUDA it lays down provisions for plots as prescribed in xi (a) and xi (b). May like to have a detailed look

Arun

(Arun Kumar)

D.I & C

15.7.08

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Cl. Inds. No. 16/07/08
Dated

See. Thanks. I had a look at it on HUDA website. As a matter of fact, follow-up action is required to be taken on Ouster Plots by HSIIDC. We should also have it on the web-site of Industries Dept. We may discuss the follow-up action to be taken.

Yashwanth

15/7/08

Copy sent to
Coord (IPC) etc.

DI
Log (IPC)

See, a photocopy of this note along with the R&R policy has been sent to Coord (IPC) for hosting it on website of Industries Dept. In pursuance of above order of CI, we may request MD, HSIIDC to inform steps to be taken for implementation of this policy and their action plan thereof, please.

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**HARYANA GOVERNMENT
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
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DHARAM VIR

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

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J. S. Mehta

Under Secretary Revenue (ER)

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

Endst. No. 5451-R-V-2007/13260,

Chandigarh, dated the 7-12-2007

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- 2 All Heads of the Department in the State.
- 3 Chief Administrator, Haryana Urban Development Authority (HUDA), Sector-6, Panchkula.
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- 5 All the Deputy Commissioners in the State.
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- 7 All the Land Acquisition Collectors in the State.

J. S. Mehta

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J. S. Mehta

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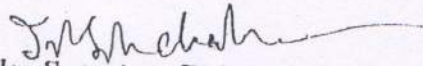
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for Financial Commissioner & Principal Secretary to Government of Haryana, Revenue & Disaster Management Department.

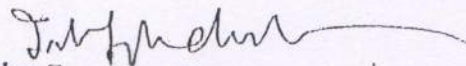
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- 1 All the Financial Commissioners and Principal Secretaries to Government of Haryana.
2. All the Commissioners and Secretaries to Government of Haryana.

U.O.No. 5451-R-V-2007/2893,

Chandigarh, dated the 7-12-2007

A copy is forwarded to the Secretary, Council of Ministers, Haryana, Chandigarh, for information and necessary action w.r.t. his U.O.No. 9/189/2007-2 Cabinet, dated 29-11-2007.



Under Secretary Revenue (ER)

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

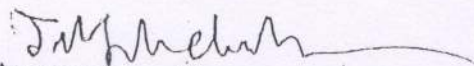
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Under Secretary Revenue (ER)

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

To

The PSCM/APSCM-I/APSCM-II/
OSDCM-I and OSDCM-II, Haryana.

U.O. No. 5451-R-V-2007/2895,

Chandigarh, dated the 7-12-2007

the balance amount of Rs. 115 crores (Rupees one hundred fifteen crores only) and payment of interest thereon upto a maximum of 8.50% p. a. for a period of 10 years, without guarantee fee. This guarantee is unconditional and irrevocable and will be in force until all the Bonds issued/Line of credit availed by the Haryana Financial Corporation pursuant to the above are redeemed/repaid.

P. K. CHAUDHERY,

Financial Commissioner and Principal Secretary to
Government Haryana, Industries Department.

HARYANA GOVERNMENT
INDUSTRIES & COMMERCE DEPARTMENT

Notification

The 4th May, 2006

No. 49/48/2006-4IBL.—Governor of Haryana is pleased to formulate Policy regarding acquisition of land for private development and in public-private partnership for setting up of Special Economic Zones, Technology Cities, Industrial Parks and Industrial Model Townships etc. This policy will come into force with immediate effect.

P. K. CHAUDHERY,

Financial Commissioner and Principal Secretary to
Government Haryana, Industries and Commerce Department.

**POLICY REGARDING ACQUISITION OF LAND FOR PRIVATE DEVELOPMENT AND IN PUBLIC
PRIVATE PARTNERSHIP FOR SETTING UP OF SPECIAL ECONOMIC ZONES, TECHNOLOGY
CITIES, INDUSTRIAL PARKS AND INDUSTRIAL MODEL TOWNSHIPS.**

Introduction

Industrial Policy, 2005 lays down that the objective of industrial and economic growth shall be achieved, amongst other factors, by encouraging public private partnership in infrastructure projects. In particular, development of industrial infrastructure with private sector participation has been emphasized. So far, the task of development of industrial infrastructure viz. Industrial Estates has been entrusted to Haryana State Industrial Development Corporation (HSIDC). This Corporation has developed industrial areas of over eight thousand acres at different locations in the State. This also includes two growth centers at Bawal and Saha and an Industrial Model Township at Manesar (Gurgaon).

The positive sentiment created by the Industrial Policy, 2005 and coordinated initiatives of various departments of the Government have given a tremendous boost to the industrial sector and as a result, many investment proposals have been received by the State Government. Practically the entire area developed in the Industrial Estates of HSIDC stands allotted. It is imperative to take immediate steps to acquire and develop fresh land at strategic locations for the creation of additional industrial infrastructure to sustain the momentum of industrial growth. HSIDC has proposed to develop additional about 10000 acres of land all over the State. This huge development work would strain the resources of HSIDC and further investment may not be possible in the near future. At the same time, 23 proposals for setting up Special Economic Zones in the State have been granted approval, in principle, by Government of India. Some of these proposals envisage large scale SEZs which are multi-product and when they come up, investment of gigantic magnitude would flow to the State creating large scale employment.

Interest has been shown by the private sector also in developing Industrial Model Townships, Industrial Parks and Technology Cities through private initiatives and in public private partnership.

In this context, it has been become essential for the State Government to come out with a policy to facilitate the private sector initiatives that supplement the State's own initiative in creation of industrial infrastructure. The critical factor in creation of industrial infrastructure is the availability of land and, therefore, intervention of State

Government to facilitate the private sector in acquisition of land becomes important. In respect of SEZs, this is even more critical since notification of such zones requires contiguity of the area for custom bonding.

Location of SEZs, Industrial Parks and Technology Cities

For creation of infrastructure for SEZs and Industrial Model Townships, huge investment is required to be made by the private sector. Even in cases where the initiative is in the public private partnership, the bulk of the investment has to come from the private sector. The investment decision in the private sector would primarily be motivated by commercial viability and most of the investment is expected in the NCR region due to locational advantage as generally indicated by the prospective industrial investors. It is equally important for the State Government to ensure development of the industrially backward regions of the State. In order to reconcile the State's objective with the preference shown by the private sector, it is envisaged that the State Government may assist the private sector in developing not more than 5-6 multi-product SEZs in the NCR region. As far as possible, it shall be the endeavour of the State Government to ensure dispersal of these SEZs even within the NCR region. Similarly, not more than two Industrial Model Townships would be encouraged in the NCR region. However, no such restriction shall be placed on developers who approach the State Government for assistance in land acquisition outside the NCR region. The State Government would also encourage setting up of Technology Cities mainly outside the NCR region.

Size of SEZ/Industrial Parks/Technology Cities

The State Government would leave it to the private sector to purchase land directly from the land owner for single product, IT/ITES, biotechnology and Warehousing SEZs where area requirement is much smaller. The State Government would, however, assist the private sector developer in acquiring left out pockets to ensure contiguity of SEZs.

In respect of multi-project SEZ, the State Government would encourage to purchase the land from the owners by mutual consent. However, considerations of the minimum area requirement of 2500 acre and its contiguity as a pre-requisite for approval of the SEZ would generally necessitate State support. Such a provision for assistance to the private sector by the State Government exists in section 7(1) of the Haryana Special Economic Zone Act, 2005.

Outside the NCR region, the State Government may assist the private sector in acquisition of land even in respect of single product SEZ where the minimum area requirement is 250 acres only.

The area restrictions on Industrial Parks/Industrial Model Townships within the NCR region would be 1500 acres.

This restriction shall not apply to industrial parks outside NCR region.

The minimum size stipulated for Technology Cities in the Industrial Policy, 2005 is 1000 acres and there is no maximum size restrictions. The State Government shall assist in acquisition of land in Technology Cities only outside the NCR region.

Public Private Partnership

Wherever the developer approaches HSIDC for development of SEZ, Industrial Park or Technology City in public private partnership, the decision on the terms and conditions of such partnership including the extent of participation in the equity of such projects shall be left to the Board of Directors of HSIDC. The State Government will assist in the acquisition of land for all such joint venture projects. The extent of land acquisition in such projects shall be decided by the State Government. However, in joint venture where HSIDC/State Government would have 26% or more share in equity, the State Government shall acquire the entire land for the project.

Selection of Projects for State assistance in acquisition of land

The proposals received by the State Government for assistance in acquisition of land shall be put up before the Haryana Industrial Promotion Board (HIPB) set up under the Chairmanship of Chief Minister under the Industrial Policy, 2005. The Board shall consider such proposals keeping in view the various parameters enshrined in the Industrial Policy to achieve the intended purpose of Industrialization. Where the Board is satisfied that setting up of such project would be in public interest, the Board may approve acquisition of land by the State Government not exceeding 25% of the total project area falling in the National Capital Region or Panchkula district and not exceeding 50% of the project area falling outside the NCR/Panchkula District. The Board may stipulate such additional conditions for providing the required assistance over and above the general terms and conditions given in subsequent paras of this Policy, as it may deem necessary. The Board may also consider customized incentives and support for successful implementation of such projects, including such relaxations as it may deem necessary for achieving the objectives of economic growth.

General Terms and Conditions

While the State Government would endeavour to encourage the private sector to purchase land directly from the land owners, it would not be feasible to expect large scale industrial infrastructure projects without the State intervention through acquisition of land for such projects. Keeping in view the need to give adequate compensation to the land owners, the State Government has also fixed floor rates in tune with the prevailing market rates for the purpose of giving suitable compensation to the land owners. In addition, the following general terms and conditions shall be applicable in all cases of acquisition of land for the private developers as well as for projects in private public partnership for setting up of SEZs, Technology Cities, Industrial Parks and Industrial Model Townships :—

- (i) The developer shall pay to the Government the total cost of acquisition of land and the administrative expenses incurred for such acquisition as well as any enhancement which would be ordered by the competent courts.
- (ii) The developer shall pay to the State Government administrative expenses @ 15% of the total cost of acquisition including enhancement except where HIPB decides to reduce or waive off such expenses as special incentive for the project.
- (iii) The developer shall be bound to provide, to the satisfaction of the State Government, rehabilitation of population by providing built up houses or residential plots alongwith cost of construction in case relocation of village abadi is necessitated for setting up of such projects.
- (iv) The developer shall undertake to provide essential services, like roads, street lights, drainage and sewage, drinking water supply and building of suitable medical care and schooling alongwith Community Centre, in all such villages where the village abadi is relocated at a new place.
- (v) Where relocation is not necessary but more than 25% of the total land of the village gets acquired, similar social infrastructure as at (iv) above shall be provided in existing abadi.
- (vi) The developer shall undertake to set up industrial training institutes, vocational training institutes and polytechnics to provide training to the wards of persons whose land is acquired to the satisfaction of the State Government. Such training institutes shall be fully funded and run by the developer.
- (vii) The developer shall undertake to provide right of way and develop such infrastructure by way of creation of roads and bridges as may become necessary to avoid inconvenience to the general public within the project area.
- (viii) The developer shall undertake to provide independent power plant or shall purchase power from a plant set up outside the project area or the State, to meet with power requirements of such projects.
- (ix) The developer shall undertake to pay for the water supply schemes that the State Government may consider for augmenting water supply requirement in such project on such terms and conditions as may be determined by the State Government.
- (x) The developer shall undertake to pay such external development charges as may become applicable in the event of the external services being provided by the Haryana Urban Development Authority or Local Body or any other State Government Department.
- (xi) The developer shall undertake to give employment to atleast one member of the family whose land is acquired for setting up the project. The nature of employment provided shall be to the satisfaction of the Industries Department.
- (xii) The developer shall undertake to employ atleast 25% of the total employment provided by him to the Haryana domicile in all categories except the Technical posts where preference shall also be given to Haryana domicile.
- (xiii) The developer shall enter into written agreement with the State Government in the Industries Department to comply with the above terms and conditions and any such conditions that may be imposed by Haryana Investment Promotion Board.

Monitoring of Compliance of terms and conditions of acquisition

The compliance of the terms and conditions as contained in the Policy shall be monitored by a Committee Constituted by the State Government. Non-compliance of the conditions shall make the developer liable for resumption of land and payment of such penalty as may be determined by the State Government.



Haryana Government Gazette

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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)

6. 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:

1. Revision of Floor Rates of Land for determining the Compensation:

- i) 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. No.	Particulars	Floor Rates per acre of land (pre-revision)	Floor Rates per acre as revised w.e.f. 07.09.2010
1	Land situated within the notified limits of Gurgaon Municipal Corporation	Rs. 20.00 Lakh	Rs. 40.00 Lakh
2	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) Sonapat-Kundli Urban Complex	Rs. 16.00 Lakh	Rs. 30.00 Lakh
3	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 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. 16.00 Lakh Rs. 8.00 Lakh	Rs. 20.00 Lakh
5	Remaining Parts of the State	Rs. 8.00 Lakh	Rs. 12.00 Lakh
Note	<p>1. 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.</p> <p>2. Please see Appendix-1 for an indicative total amount payable to a landowner based on these floor rates.</p>		

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.

- iv) 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:

- i) 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

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:

Scale of residential plots in cases where an existing self-occupied house/ residential structure is acquired			
Scheme applicable up to 06.09.2010		Scheme Revised w. e.f. 07.09.2010	
Size of the residential house acquired	Size of Residential Plot to be allotted	Size of the residential house acquired	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;

7. 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, HSIIDC, and the HSAMB:

- i) Reservation and allotment of residential plots for the land-oustees, and
- ii) 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 'oustees-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 HSIIDC, or marketing infrastructure by the HSAMB, developed residential plots will be reserved for assured allotment to the land oustees as per the following scale:

Allotment of in cases where only land is acquired (Oustee Quota Plots)			
Scheme applicable up to 06.09.2010		Scheme Revised w.e.f. 07.09.2010	
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 marla	100 to 500 sq. yards	90 sq. mtrs.
501 to 1000 sq. yards	4 marla	501 to 1000 sq. yards	150 sq. mtrs.
1001 sq yards to ½ acre	6 marla	1001 sq yards to ½ acre	200 sq. mtrs.
Above ½ acre to ¾ acre	8 marla	Above ½ acre to ¾ acre	300 sq. mtrs.
Above ¾ acre to 1 acre	10 marla	Above ¾ acre to 1 acre	350 sq. mtrs.
One acre and above	14 marla	Above one acre	450 sq. mtrs.

- ii) 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

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. The rate for the Industrial Plot will be 20% lesser than the rate determined for the general public at the time of first floatation.

- ii) The allotment of commercial sites/ industrial plots would be made to each co-sharer 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.

11. 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.

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:

- i) 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.
- ii) The Government has decided to take the following measures for the rehabilitation/ resettlement of these affected persons:
 - a) The Government would impart free technical education to the dependents of these categories of people in the Government run Industrial Training Institutes and Polytechnics;

- i) 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;
- iii) 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.
- iv) 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;
- v) The acquiring departments/agencies shall process such claims and issue a certificate of entitlement (Appendix-5) in favour of the eligible beneficiary within

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 *Dadlahi* (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

Appendix-2

Calculation of the size of plot /entitlement for co-sharers in the oustee category

1. Scale of entitlement for residential plot (Para 8): Illustrations:

Sr. No.	Total land Acquired	Particulars of land Acquired (Khasra No. etc.)	No. of co-sharers (along with names)	Share of land acquired	Size of Plot entitled
1.	0 A-4K-0 M	To be filled-up	Say 04	1/4 th each	150 sqm each
2.	0 A-4K-0 M	To be filled-up	Say 10	1/10 th each	90 sqm each
3.	0 A-4K-0 M	To be filled-up	Say 20	1/20 th each	A maximum of 11 plots of 90 sqm each; or 06 plots of 150 sqm each and one plot of 90 sqm; or 05 plots of 200 sqm each; or 03 plots of 300 sqm each and one plot of 90 sqm; or 02 plots of 350 sqm and 1 plot of 300 sqm; or 2 plots of 450 sqm each and 1 plot of 90 sqm (As a total of 1000 sqm, being 50% of the acquired land, is the upper admissible limit)
4.	5A-0K-00M	To be filled-up	Say 01	Single	One plot of 450 sqm
5.	5A-0K-00M	To be filled-up	Say 02	½ share	One plot of 450 sqm for each of the two co-sharers
6.	5A-0K-00M	To be filled-up	Say 05	1/5 th share	One plot of 350 sqm for each of the 05 co-sharers
7.	5A-0K-00M	To be filled-up	Say 08	1/8 th share	One plot of 300 sqm to each of the 08 co-sharers

2. Commercial Site/ Industrial Plot (para 9):

Sr. No.	Total land Acquired	Particulars of land Acquired (Khasra No. etc.)	No. of co-sharers (along with names)	Share of land acquired	No. of Commercial sites
1.	0 A-7K-00 M	To be filled-up	Say 04	1/4 th each	None, land being less than one acre
2.	1A-4K-00M	To be filled-up	Say 03	1/3 rd each	One site for all the 03 co-sharers
3.	2A-0K-00M	To be filled-up	Say 04	1/4 th each	02 sites for all the 04 co-sharers
4.	2A-0K-00M	To be filled-up	Say 02	½ each	One site each
5.	2A-0K-00M	To be filled-up	Say 01	Single	One site

Appendix-4

Method of calculation of the Area under a self-occupied residential house
(Reference Para 5 (v) of the Policy)

As per the practice followed by the Urban Estates Departments and the Industries, efforts are made to exclude the self-occupied residential houses, especially the clusters, from acquisition, subject to the feasibility thereof. Some of these exclusions take place pursuant to the settlement of objections filed under Section 5-A of the Act. Normally, the area under the house is released as such. Wherever the adjoining open space is much larger than the built-up area, open area equal to the plinth area is taken into consideration while releasing the land in respect of built-up houses. For instance, there could be following scenarios:

Sr. No.	Plinth Area of the house	Abutting Open Area	Total Area	Area considered for release
1	200 sq. yards	150 sq. yards	350 sq. yards	350 sq. yards
2	200 sq. yards	300 sq yards	500 sq. yards	400 sq. yards (200+ 200)
3	200 sq. yards	500 sq yards	700 sq. yards	400 sq. yards

2. Following the above principle, it has been decided that while considering the area under a built-up house for the purposes of allotment of a plot under para 5 (v) of the Policy, the actual area under the built-up portion (i.e. the Plinth Area) + equal open area will be taken into account.

3. Accordingly, the entitlements would be worked out as per the following illustrations:

Sr. No.	Plinth Area of the House	Abutting open Area	Total Area	Area to be reckoned for determining the entitlement	Plot Area to be allotted
1.	50 sq. yards	30 sq. yards	80 sq. yards	First block (i.e. Up to 150 sq. yards)	90 sq. mtrs.
2.	90 sq. yards	70 sq. yards	160 sq. yards	160 sq yards (i.e. Above 150 but up to 200 sq. yards)	150 sq. mtrs.
3.	90 sq. yards	200 sq. yards	290 sq. yards	90+90 = 180 sq. yards (i.e. Above 150 but up to 200 sq yards)	150 sq. mtrs.
4.	150 sq. yards	120 sq. yards	270 sq. yards	270 sq. yards (i.e. 250 to 300 sq yards)	250 sq. mtrs.
5.	200 sq. yards	300 sq. yards	500 sq. yards	200+200= 400sq yards (i.e. Above 300 up to 400 sq. yards)	300 sq mtr.
6.	250 sq. yards	225 sq. yards	475 sq. yards	475 sq yards (i.e. above 400 up to 500 sq. yards)	350 sq mtrs.
7.	300 sq. yards	225 sq. yards	525 sq. yards	525 sq yards (i.e. above 500 sq yards)	450 sq mtrs.
8.	300 sq. yards	300 sq. yards	600 sq. yards	600 sq. yards (i.e. above 500 sq yards)	450 sq mtrs.

Application Form -1
(Application for grant of 'No Litigation Incentive' Ref. Para 2 of the Policy)

From: _____
(The Landowner)

To: _____
(The LAC)

Dated: _____

Subject: Application for grant of 'No Litigation Incentive' and Undertaking.

Sir,

My land (as per description given below) has been acquired by the Government vide Award announced by you on _____.

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. As per the Award, following amount of compensation has been determined in respect of my subject land:

Sr. No.	Basic Rate of Land/ Acre	Amount under Section 23(1A)	30% Solatium	Total Amount/ Acre

3. This is to submit that the amount of compensation determined by you is acceptable to me and I wish to avail of the 'No Litigation Incentive' amount of Rs. _____/ acre, which is equal to 20% of the Basic Rate of land. Accordingly, in terms of the R&R Policy of the State Government, I request you to kindly disburse the amount of 'No Litigation Incentive' to me.

4. I/ we are fully conscious that having opted to accept the amount of compensation and availed of the amount of 'No Litigation Incentive', I/we would have no right, whatsoever, to seek a reference under Section 18 of the Act in so far as the amount of compensation in respect of acquired land is concerned. I/We undertake to abide by this provision of the Government Policy.

Yours faithfully,

(Landowner/ Name/ Signature)

Witness: _____

The entitlement of above said claim has been verified by the Revenue Patwari and accordingly, an amount of Rs. _____/- has been disbursed to the claimant.

(Land Acquisition Collector, _____)

Application Form -3
[Application for payment of Commutation Value of the Annuity: Ref. Para 4(vii)]

From: _____
 (The Landowner)

To _____
 (The Designated Officer of the Acquiring Department)

Dated: _____

Subject: Application for Payment of Commuted value of Annuity as per the R&R Policy of the State Government.

Applicant's
Photograph

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is submitted that my share in the land acquired by the Government works out to less than one acre. As such, I wish to exercise the option of availing the commuted value of the Annuity upfront. Accordingly, I request that the amount of Commuted value of the Annuity may kindly be paid to me as per the Policy at the earliest.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Application Form -5
(Application for Allotment of an 'Oustee Category' Residential Plot: Ref. Para 8)

From: _____
(The Landowner)

To _____
(The Designated Officer of the Acquiring Department)

Applicant's
photograph

Dated: _____

Subject: Application for allotment of an "Oustee Category Residential Plot" under the R&R Policy of the State of Haryana

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot the residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Application Form-7
(Application for Employment: Ref. Para 11)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated: _____

Subject: Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. My total land-holding in the Revenue Estate is _____ Acre _____ Kanal _____ Marlas and more than 75% of the same has been acquired by the Government for a public purpose i.e. _____. Further, my acquired land is more than 2 acres. We are the following co-sharers in the above-said land:

Sr. No.	Name of the Landowner/Applicant	Total Land-holding of the Applicant in the Revenue Estate			Land Acquired		
		Khasra No.	Kanal	Marla	Khasra No.	Kanal	Marla

3. I am enclosing a copy of the Jamabandi/revenue records in support of the above claim.

4. I would like to avail the opportunity of applying for a Job in Group 'C' / 'D' in the Government/ its PSUs for myself/ my son/ daughter as per the R&R Policy of the Government. The application for job, along with a copy of my/his/her educational qualifications/certificate is enclosed for ready reference. Accordingly, you are requested to consider this application for a job in the Government/ its PSUs as per the R&R Policy of the Government.

Yours faithfully,

(XYZ)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Format for the Enclosure to Application Form- 7 (Ref. Para 11)

From:

To

(The Designated Officer of the Acquiring Department)

Dated: _____

Applicant's
Photograph

Subject: Application for job under the R&R Policy of the State of Haryana on account of acquisition of land.

Sir,

Kindly refer to the application submitted by me/ my father/ mother for provision of employment for me under the R & R Policy of the Government. I am the real son/ daughter/ brother/ sister of the said landowner and dependent upon him.

2. I have studied up to _____ and my educational qualifications are as under:

Sr. No.	Board/ University	Name of School/ College from where studied	Examination Passed/ Year	Subjects	Marks	Division/ % of marks

3. A copy of my school/ college-leaving certificate, duly attested, is enclosed.

4. Sir, I am eligible for a post in Group 'C' / 'D' in the Organisation/ Department/ Government and as such I request that I may be provided a suitable job as per the R & R Policy of the Government.

Yours faithfully,

(X Y Z)

Certification by the Landowner:

I _____, son/ daughter of _____, resident of _____, certify that the above Applicant _____ is my son/ daughter/ brother/ sister and is dependent upon me and his name is recommended for the purposes of grant of employment under the R & R Policy of the Government. It is further certified that there would be no other claimant for this purpose from my family.

(Landowner)

Application Form-6
(Application for Allotment of a Commercial Site/ Industrial Plot: Ref. Para 9)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated: _____

Subject: Application for allotment of a Commercial Site/ Industrial Plot under the R&R Policy of the State of Haryana

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/ Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that 75% of my land situated in this Revenue Estate, and the same being more than one acre, has been acquired by the Government. Accordingly, I am entitled to the allotment of a commercial site/ industrial plot (strike out which is not applicable) in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot the commercial site/ industrial plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

It is verified that 75% of the land in the name of the applicant/ in his share in this Revenue Estate as per the above details, has been acquired by the Government.

(Patwari)

Countersigned by the Land Acquisition Collector:

Application Form-4
(Application for allotment of a Plot on account of acquisition of a Residential House)
(Ref. Para 5)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Applicant's
Photograph

Dated:

Subject: Application for allotment of a Plot in lieu of acquisition of a Self-occupied House/ Residential Structure)

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. Our self-occupied residential house situated in Khasra No. _____ since before issue of Section 4, over an area of _____ sq. yards has also been acquired through the aforesaid Award. I certify that I have been staying in the said house since _____ and I have no other residential house in this Revenue Estate. This residential house is being used for our own bona-fide residence purposes and has been constructed on the land in our title/ ownership. The following documents are enclosed in support of the above claim:

- i) A Copy of the Jamabandi/ Revenue Records in support of above;
- ii) A photograph of the residential structure/ house.
- iii) A copy of the Ration card/ Electricity bill/ voter Identity Card indicating the above address as my place of residence.

3. Accordingly, I am entitled to the allotment of a residential plot measuring _____ in accordance with the R&R Policy of the Government. You are requested to consider my claim and allot a residential plot in accordance with the Policy. I undertake to make payment of the price of the plot on demand.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Application Form -2
(Application for payment of Annuity: Ref. Para 4)

From:

(The Landowner)

To

(The Designated Officer of the Acquiring Department)

Dated:

Subject: Application for Payment of Annuity as per the R&R Policy of the State Government.

Applicant's
Photograph

Sir,

The Government has acquired my land situated in the Revenue Estate _____ with the following description vide Award No. _____ dated _____ announced by the Land Acquisition Collector, _____ :

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area	
					Kanal	Marla

2. A Copy of the Jamabandi/Revenue Records in support of above is enclosed herewith for ready reference.

3. It is further submitted that I am entitled to receive the Annuity as per the R&R Policy of the State Government. I have opened my account with the Bank, particulars of which are as under:

Name of the Applicant	Account No.	Branch name	Bank

4. Further, the particulars of my nominee(s) to receive the Annuity amount, after my demise, are as under:

Sr. No.	Name(s) of Nominee(s)	Date of Birth	Relationship with the landowner/ applicant	Share of the Annuity

5. The Photographs of my nominee(s), duly attested, are also enclosed herewith. My above said nominee(s), unless changed by me before my death, will be submitting their Bank Account details at the appropriate time to the Authority disbursing the Annuity. Accordingly, you are requested to consider my claim and disburse the Annuity amount to me as per the Policy.

Yours faithfully,

(_____)

Verification by the Revenue Patwari:

Countersigned by the Land Acquisition Collector:

Appendix-5

**Certificate of Entitlement for allotment of a Residential Plot/ Commercial Site/
Industrial Plot/Payment of Annuity/ Employment in accordance with the R&R
Policy, 2010**

From:

(HUDA/HSIIDC/HSAMB/ Any Other Dept.)

To

(The designated officer of the Department/ Organisation)

No. _____ Dated _____

Subject: Certificate of Entitlement for allotment of a Residential Plot/
Commercial Site/ Industrial Plot - reg.

Dear Sir,

Kindly refer to your application dated _____ for payment of Annuity/
commutation of Annuity/ allotment of a residential plot/ commercial site/ industrial plot/
grant of employment on account of acquisition of your land measuring _____ [_____
share in Khasra Numbers _____] for _____ (HUDA/HSIIDC/HSAMB) at
_____ (Location) under the R & R Policy, 2010 of the Government.

2. Having found your above said application in order, it has been found that you are
eligible for the allotment of a residential plot measuring _____ sqm / commercial site
measuring 12 sqm (3 mtr x 4 mtrs)/ industrial plot measuring 450 sqm/ payment of
Annuity/provision of employment (strike out whichever is not applicable). Accordingly, this
Certificate of Entitlement is being issued in your favour. The formal letter of
allotment/Instrument of Annuity/ appointment letter would be issued in due course before
which you will also be required to deposit 25% of the tentative price of the plot. We would
let you know about the same and give you a notice of 30 days for the purpose.

3. Please keep this letter of entitlement in safe custody as you would be required to
produce this letter at the time of issue of a Regular Letter of allotment.

Thanking you,

Yours faithfully,

XYZ

Note: The certificate may be suitably modified as per the entitlement/ benefit.

Appendix-3

Information regarding entitlements of a landowner/ co-sharers under this Policy

Dear Landowner,

As the Award for acquisition of your land is likely to be announced soon pursuant to the declaration issued under Section 6 of the Act, you may please note that you are entitled to the following special benefits under the R&R Policy of the State Government:

1. No Litigation Incentive:

You are entitled to claim a 'No Litigation Incentive' equal to 20% of the amount of basic rate of your land, in case you accept the compensation amount and execute an agreement to this effect. Acceptance of the compensation is entirely at your option. Once you agree to accept the Compensation amount, you may collect the prescribed format for the 'Undertaking' from the LAC Office and furnish the same duly executed within a period of 30 days of the announcement of the award. Your incentive money will be given to you simultaneously with the submission of the Agreement. Please also note that in case you accept the compensation amount, you will not be eligible for seeking a reference to the District Court for increase in the compensation amount under Section 18 of the Land Acquisition Act, 1894.

2. Payment of Annuity:

You are entitled to payment of Annuity @ Rs. 21,000/- per acre/ per annum, which will be increased by a fixed amount of Rs. 750/- every year. The rates of Annuity and yearly increase in case of land acquired for the Private Developers are double that of above. In case your acquired land/ share is less than one acre, you have the option of getting the Annuity upfront in one instalment @ 30% of the total amount payable during 33 year period. You are required to submit your claim-application in the prescribed form within a period of 6 months of the Award.

3. Allotment of a Residential Plot on account of acquisition of your self-occupied residential house (if applicable):

In case your self-occupied built-up house/ residential structure, as existing on the date of Section 4 notification, has been acquired, you are entitled to apply for a residential plot as per the scale prescribed under para 5. You may like to apply for a residential plot under this category. If you decide to avail of this benefit, please apply for the same within a period of 90 days in the prescribed format, copy of which may be obtained from the LAC/ nodal officer of the acquiring department.

4. Allotment of a Residential Plot on account of acquisition of your land under the 'Land Custee Scheme':

In case your land has been acquired for HUDA or HSIIDC or HSAMB, you are entitled to the allotment of a residential plot under the "Land Custee Scheme" as per the prescribed scale. You may like to apply for allotment of a residential plot under this category. In case you decide to avail of this additional benefit, please apply for the same within a period of 06 months (180 days) in the prescribed format, copy of which may be obtained from the LAC/ the nodal officer from the acquiring department.

5. Allotment of a Commercial Site/ Industrial plot in case 100% of your land has been acquired for HUDA, HSIIDC or HSAMB:

In case 75% of your land in a revenue estate, subject to a minimum of one acre, has been acquired for HUDA, HSIIDC, and the HSAMB, you are entitled to allotment of a commercial site (or an industrial plot in the case of HSIIDC, at your option) as an additional benefit under this Policy. You may like to avail of this additional benefit. In case you decide to avail of this additional benefit, you may submit your application within a period of 06 months in the prescribed format.

6. Provision of a 'Group-C' or 'Group-D' job in the Government or its Boards and Corporations:

In case 75% of your land in a revenue estate has been acquired for Government Infrastructure Projects, other than those for HUDA, HSIIDC or HSAMB, subject to a minimum of 2 acres, your one dependent would be considered for a job in Group 'C' or Group 'D' subject to fulfilment of qualifications prescribed for the post. In case you fall in this category, you may submit your application in the prescribed format within a period of 06 months in the prescribed format.

(Land Acquisition Collector, _____).

Indicative total amount payable to a landowner including the
'No Litigation' Incentive

1	2	3	4	5	6	7
Sr. No.	Particulars	Min. Floor Rate	Solatium @ 30%	Amount under Section 23(1A) for 30 months on col. 3	No Litigation Incentive @ 20% of the Floor Rate	Total Amount/ Acre
1	Land situated within the notified limits of Gurgaon Municipal Corporation	40.00 Lakh	12.00 lakh	12.00 lakh	8.00 lakh	72.00 Lakh
2	Land situated within the notified limits of Faridabad and Panchkula Municipal Corporations; Areas forming part of the Development Plans of Gurgaon-Manesar Urban Complex (excluding the areas falling within the limits of Municipal Corporation Gurgaon) Sohna, and Sonapat-Kundli Urban Complex	30.00 Lakh	9.00 Lakh	9.00 lakh	6.00 Lakh	54.00 Lakh
3	Areas situated within the Development Plans of Bahadurgarh, Rohtak, Rewari, Dharuhera, Bawal, and Panipat towns	25.00 Lakh	7.50 Lakh	7.50 Lakh	5.00 Lakh	45.00 Lakh
4	Rest of the National Capital Region, areas situated outside the limits of Panchkula Municipal Corporation in Panchkula District, and the land situated within the Development Plans of all other district headquarters outside the NCR	20.00 Lakh	6.00 lakh	6.00 Lakh	4.00 Lakh	36.00 Lakh
5	Remaining Parts of the State	12.00 Lakh	3.60 Lakh	3.60 Lakh	2.40 lakh	21.60 Lakh

Notes:

- The figures given under Column 5 are indicative only as the actual period for payment of 12% amount per annum u/s 23(1A) would vary from case to case;
- 'No Litigation incentive' would be admissible only in the cases where the landowners execute an agreement to this effect and accept it as an agreed settlement compensation.

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:

- i) 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

- 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;
- c) 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 skill-sets 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:

- 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;
- iii) 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;
- iii) 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;
- v) 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;
- vi) While the landowners are expected to submit their claim-applications for jobs 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.

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;

- iv) As regards the co-sharers, it may be clarified that the entitlement for size of the 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.
- v) 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 net additional area.
- vi) 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.
- vii) No litigation should be pending in respect of the acquired land, except a reference under Section 18 of the Act, in order to be eligible for allotment of an 'oustee category' plot under the Scheme.
- viii) The acquiring department/ development agency will earmark a separate chunk of 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.

9. Allotment of Commercial/ Industrial Sites:

- i) Where 75% of the land-holding of a landowner/co-sharer in a revenue estate, measuring one acre or above, is acquired by the Government for HUDA, HSIIDC, and

- v) 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;
- vii) 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:

- i) 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 HSIIDC, 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.

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;

- iv) 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:
- i) 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

- ii) The Committee headed by the Divisional Commissioner will continue to perform its 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':

- i) 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

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:

1. 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 fine-tune the same with introduction of a larger number of categories;
2. 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;
3. 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;
4. Recognising two broad categories of infrastructure projects for acquisition of land and treatment of benefits to the landowners based on the feasibility thereof;
5. Making arrangements for professional advice to the landowners for prudent investment of the compensation amount with various options;