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From

The Chief Administrator,
Haryana Shehri Vikas Pradhikaran,
Panchkula.

To

All the Zonal Administrators, HSVP.
All the Estate Officers, HSVP.

Memo No. A-1-UB-2024/ 324570 Dated: 2/12/24

Subject:- Regarding floatation of plots for allotment under the Oustee Quota.

Reference on the subject cited above.

The matter regarding inviting of applications/ claims from oustees pursuant to the orders passed by the Hon'ble High Court in CWP No. 22136 of 2015 titled as Adesh Aggarwal vs State of Haryana and Others was placed vide agenda item No. 127th (51) before the Pradhikaran in its meeting held on 08.11.2024. The agenda has been approved by Pradhikaran. In view of the ibid approval, it is hereby directed to take necessary action in following manner:

1. To issue public advertisement inviting oustees claims within a period of one month. The advertisement shall strictly be confined to the plots determined as per reservation policy dated 04.12.2015 for oustees. Advertisement shall give 02 months (two months) time to oustees to submit their respective applications as per policy.
2. To decide the oustees applications received against the public advertisement, following time period shall be adhered to:-
 - i) Application received against public advertisement be scrutinized to decide eligibility/entitlement within a period of two months after the expiry of the time allowed for submission of applications.
 - ii) After approval of competent authority the allotment shall be completed in one month.
3. The allotment shall be made on current reserve price and this price be specifically disclosed in the public advertisement.
4. In case finalization of allotment takes time, beyond the time lines herein above mentioned, for any reason whatsoever, in that eventuality bank rate of interest be charged by HSVP till date of allotment on the rate mentioned in the advertisement. This aspect be also mentioned specifically in public advertisement to be issued.
5. The applications be decided strictly in terms of policy dated 11.08.2016 as modified on dated 08.05.2018.
6. All the legal heirs of the land owner who were recorded as the owner of the land at the time of issuance of notification under section 4 will be

considered for allotment of only one plot as provided in instructions dated 26.10.2021 which be followed.

7. After discussion with Sh. Ankur Mittal, Senior Additional Advocate General, Haryana it has been decided that two separate advertisements shall be issued i.e one pertaining to awards passed prior to 10.09.1987 & Second pertaining to awards passed after 10.09.1987. A draft advertisement has also been got finalized from Sh. Ankur Mittal, Senior Additional Advocate General, Haryana pertaining to land acquired prior to 10.09.1987 of Urban Estate Gurugram-1 which is attached. The Zonal Administrator shall get the advertisement in respect of other Urban Estates issued on the similar lines qua land acquired prior to 10.09.1987. Detail of available plots as per reservation policy dated 04.12.2015 shall be specified by the Estate Officer concerned alongwith current reserve price in the table attached with advertisement. Further facts of advertisement be also verified by Estate Officer concerned.

This is issued with the approval of the Chief Administrator, HSVP.

DA/As above.

h
2/12/24
o/c Administrator (HQ),
HSVP, Panchkula.

Endst. No. A-1-UB-2024/ 324572

Dated: 2/12/24

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

1. The Legal Remembrancer, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner HSVP, Panchkula.
4. The Chief Controller of Finance, HSVP, Panchkula.
5. The Chief Architect, HSVP, Panchkula.
6. The CITO, HSVP, Panchkula for hosting on HSVP website.

h
o/c Administrator (HQ)
HSVP, Panchkula.

HARYANA SHEHRI VIKAS PRADHIKARAN

PUBLIC NOTICE

As per the decision of the Full Bench of Hon'ble High Court of Punjab and Haryana in CWP No. 22252 of 2016 titled as Rajiv Manchanda Vs. State of Haryana and others, reservation policy dated 04.12.2015 upheld by the Hon'ble High Court in CWP No. 22252 of 2016 titled as Rajiv Manchanda Vs. State of Haryana and others and affidavit filed by the Chief Administrator, HSVP, Panchkula in the Hon'ble High Court in CWP No. 22136 of 2015 titled as Adesh Aggarwal & CWP No. 14164 of 2017 Dalip Singh Vs. State of Haryana, Haryana Shehri Vikas Pradhikaran hereby invites applications from landowners (oustees) whose land was acquired for the development of sectors prior to 10.09.1987 in Urban Estate Gurugram-1 i.e. Sector 1, Sector 23-23A as the plots are available in these sectors only as per the affidavit submitted before the Hon'ble High Court of Punjab and Haryana.

It is worth mentioning that in respect of awards passed prior to 10.09.1987, as per mandate of Hon'ble the Full Bench of Hon'ble High Court in CWP 22252 of 2016 titled as Rajiv Manchanda and others v. State of Haryana and others, plots to oustees of such land can only be allotted in the same sector, for which the land came to be acquired that too only if any plot is available, i.e., to mean if there is no plot available in any such sector for which award was passed prior to 10.09.1987, the oustees of such sector shall not be entitled to any allotment in any other sector and reference in this regard is made to para no. 48 of the judgment of Rajiv Manchanda (supra) as reported in Recent Civil reports.

In order to satisfy the claims of the oustees for once and all, strictly in terms of the law laid down by the Hon'ble Full Bench in Rajiv Manchanda's case (supra), a detailed exercise was carried out as regards the availability/ unavailability of plots in the respective sectors acquired before 10.09.1987 which was also placed on record before the Hon'ble Court in the writ petitions mentioned above. The sectors in which plots are available along with the number of available plots is given in the scheduled appended herewith.

Thus, this is the last and final advertisement calling upon the oustees of such sectors qua which awards were announced prior to 10.09.1987 and plots are available in such sectors. No further advertisement shall be issued.

In view of above, all the interested claimants are required to submit the applications claiming allotment with complete due diligence and against the plots available in that very sector only for which their respective land was acquired prior to 10.09.1987. If there is no available plot in the sector for which the land was acquired prior to 10.09.1987, such an oustee would not be entitled to apply against the available plot in another sector in terms of the mandate of the Hon'ble Full Bench in Rajiv Manchanda's case (supra).

The oustees are requested to apply along with application money Rs.50,000/-. The claims of oustees shall be decided in terms of policy dated 04.12.2015, 11.08.2016 and 08.05.2018.

For detailed terms and conditions, terms of payment, policy guidelines and Sector wise & category wise details of the plots are available on the HSVP website i.e. (www.hsvphry.org.in).

The scheme will start w.e.f. _____ and close on _____ at 5:00 PM

Note-

1. Any landowner whose land is acquired post 10.09.1987 by Urban Estate Department are not eligible against the advertisement at hand for which separate advertisement will be issued.
2. Mere submission of application would not confer any right in the applicant as same is subject to the availability of plot, entitlement and eligibility to be determined as per the policy dated 04.12.2015, 11.08.2016 and 08.05.2018.
3. As held by Hon'ble High Court in Rajiv Manchanda's case (supra), the policy applicable to an oustee is the one which is in force when an application is made pursuant to an advertisement issued by HUDA and in pursuance of which the plot is allotted. Therefore, for deciding the claims of oustees the

applicable policy would be policy dated 04.12.2015, 11.08.2016 and 08.05.2018 as per which only the entitlement and eligibility shall be decided.

4. The allotment shall be made on the current reserve price mentioned in the table attached and in case finalization of allotment takes time, for any reason in that eventuality bank rate of interest be charged till the date of allotment on the rate mentioned in the advertisement.
5. No claim whatsoever will be entertained beyond the last date to apply.

For any other details may contact Estate Officer-1, HSVP, Gurugram.

Other terms & conditions shall be as under:-

1. Landowners shall have to submit online application with following documents:
 - a. A certificate from the District Town Planner of Urban Estate concerned with regard to the sector for which land has been acquired. Where the land has been acquired for non-residential purposes, certificate regarding the adjoining sector as per development plan shall be submitted. He will also give report as to whether any self occupied house was in existence at the time when notification under Section 4 of the Land Acquisition Act, 1894.
 - b. A certificate from Land Acquisition Officer with regard to detail of his acquired land i.e khewat/ khatauni/ khasra no, area of acquired land, detail of released land if any, i.e area of released land, khasra no., ownership. He will also report regarding co-sharers giving name and number of co-sharer (s) with their share (s). He shall also report about the area of self occupied residential house if said self occupied residential house was in existence at the time when notification under Section 4 of the Land Acquisition Act, 1894 was issued and was acquired. He shall further report that no litigation is pending in respect of any court of law in respect of acquisition of this land except a reference made under Section 18 of the Land Acquisition Act.
 - c. A certificate from Tehsildar of the District concerned with regard to oustee's ownership of total land in the same revenue estate as on date when notification under Section 4 of the Land Acquisition Act, 1894 was issued and also at the time when award was passed. He will give the certificate of the percentage of acquired land of oustee in regard to said oustee's total land.
 - d. An oustee shall submit a duly certified copy of jamabandi with respect to proof of ownership of land as on date when notification under Section 4 of the Land Acquisition Act, 1894 was issued and also when award was passed.
 - e. An affidavit containing all the elements of this policy.
2. Mere submission of such application or success draw of lots by itself shall not create any right for such allotment as eligibility will be determined only after oustees is declared successful in draw of lots.
3. Allotment of plots and all matters connected therewith shall be governed by HSVP Act and Rules/Regulations/policy framed there under and as amended from time to time.
4. Enhanced compensation already awarded or which may be awarded in future, by the competent court of law from time to time for land will be recovered from plot holders as per policy.

5. No application/claim of oustees shall be entertained after the closing date of this scheme.
6. The applications without application money shall be treated as invalid.
7. Applicants who have already availed benefit of reserved category including underoustees or have previously submitted NOC or allotted plot as co-sharer will not be eligible.
8. Applicants are required to apply strictly as per policy and are advised to read carefully the terms and conditions of policies which are available on website of HSVP. No claim will be entertained on ground that applicant was not aware of the terms of policy.
9. Allotment will be made only to the successful applicants found eligible by the Screening Committee on the current reserve price with the approval of Competent Authority and plot number will be identified for allotment through draw of lots.
10. Landowner who has been allotted plot pursuant to advertisement issued in the year 2018 shall not be eligible to apply.
11. Legal heirs of the landowners who were recorded owners at the time of Section 4 notification can also apply and in their case eligibility shall be decided as per instructions dated 26.10.2021.
12. Further terms and conditions shall be as follows.

Payment terms:-

1. The eligibility of oustees will be scrutinized strictly as per HSVP policy and only eligible oustees who fulfill requisite parameters will be required to deposit the balance amount after adjusting (Rs. 50,000/- already deposited with the application) so as to make 25% of the cost of the plot within 30 days of the date of issuance of the allotment letter. Allotment shall be made on the current reserve price and in case finalization of allotment takes time, for any reason in that eventuality bank rate of interest be charged till the date of allotment on the rate mentioned in the advertisement.
2. Thereafter, remaining 75% amount of the cost of the plot shall be paid within 180 days from the date of allotment, failing which the allotment shall stand cancelled without any notice and money deposited by successful oustees (equal to 25% of the cost) shall stand forfeited and an oustees shall have no claim for the damages.

3. The payment shall be made either through online payment on HSVP website or offline mode through authorized Banks by gathering general purpose challan from the HSVP website.
4. Other terms & conditions regarding, possession, construction, resumption, surrender of plots etc. are available on the HSVP website.