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हरियाणा शहरी विकास प्राधिकरण

**HARYANA URBAN
DEVELOPMENT AUTHORITY**

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

Instructions No.12

No. HUDA-CCF-Acctt-II-2016/ *86/50-51*

Dated: 05.10.2016

To

1. All the Zonal Administrator,
HUDA (In the State).
2. All the Land Acquisition Officer,
Urban Estate Department,
Haryana (In the State).

Subject: Priority for payment of enhancement compensation in land acquisition cases.

Attention is invited to H.Q. letter No. CCF-Acctt-II-2007/16499-6503 dated 22.2.2007 that the Zonal Administrator is competent authority to sanction the payment of enhanced compensation to the land owners after receipt of the proposal from the Land Acquisition Officer.

2. The landowners whose land is acquired under the Land Acquisition Act, have a statutory right to file references under Section 18 of the Act seeking higher compensation as compared to what has been determined by the Land Acquisition Collector and paid to them at the Award stage. The amount of compensation is often enhanced by the Courts of competent jurisdiction. Finality in this behalf is a long drawn process. As such, the pricing of plots at the initial stage can not take into account any component of enhancement allowed by the Courts subsequently. It is for this reason that the enhanced cost of the land announced subsequently by the competent Courts is recovered proportionately from the plot owners separately under Regulation 10 of the Haryana Urban Development (Disposal of land and Building) Regulations, 1978 by issuing demand of additional price on account of enhanced compensation. This recovery from plot owners, is made over a period of time.

3. To streamline the procedure for recovery of enhanced compensation from plot owners, a policy approved by the HUDA Authority in its 111th meeting held on 27.7.2016 at Agenda item No.22 , is available on HUDA Website at link [https://www.huda.gov.in/ layouts/CCF/Policy regarding recovery of enhanced compensation from allottees in case of sale of land or building by allotment.pdf](https://www.huda.gov.in/layouts/CCF/Policy%20regarding%20recovery%20of%20enhanced%20compensation%20from%20allottees%20in%20case%20of%20sale%20of%20land%20or%20building%20by%20allotment.pdf)

4. Till the time, the enhanced compensation is recovered from the plot owners, payment of enhanced compensation can only be made by HUDA out of its own surplus resources and no assistance from the State Government or financial institutions is available to the Organization for this purpose. At present, HUDA is passing through phase of liquidity crunch and surplus funds are not available to make payment immediately after the announcement of the enhanced amount of compensation by the Courts.

5. A need has been felt to have a transparent system to arrive at the priority while making payments. The following method shall be followed in this regard:-

- a) **Original Award:-** The first priority will be given for payment of compensation announced in the original award, if any, pending due to oversight.
- b) **Enhanced Compensation:-** These cases shall be taken up for payment after all the original award payment cases have been exhausted. The priority shall be decided on the basis of date of order of Court of enhancement. The earlier order is to be given priority. Thereafter subject to availability of funds, payments shall be released in the ascending order of the amount to be disbursed to the concerned land owner. For example, if there are two enhancement orders **A & B** passed on 1.07.2015 and 3.08.2016 respectively. Each consisting of payment to 4 persons each of ₹ 10, 20, 30 & 40 respectively. The amounts of ₹ 10, 20, 30 & 40 under order A dated 1.07.2015 shall be released first in the ascending order i.e. ₹ 10 to be released first thereafter, ₹ 20 and so on. After making full payment of ₹ 100 under order A, payment of ₹ 10 under order B dated 3.08.2016 shall be made and so on.
- c) The Land Acquisition officer shall maintain a duly certified waiting list in this regard for disbursement of the amount and shall be displayed on the HUDA Website. The list shall be updated on quarterly basis and shall be submitted to the respective Zonal Administrator in the first week of month after quarter ending.
- d) In case of any execution being filed by the land owner in the court, the certified waiting list should be submitted in the court highlighting the serial number of the petitioner land owner.


Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.

Endst. No. HUDA-CCF-Acctt-II-2016/ 86154-55 Dated: 05.10.2016

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

1. Director General , Urban Estate Haryana, Chandigarh.
2. GM (IT), HUDA with request to display on HUDA website
(Policy – Finance – Instructions).

o/c 
Chief Controller of Finance,
for Chief Administrator, HUDA,
Panchkula.