



Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO.HUDA-CCF-ACCTT-II-2017/74892

Dated: 27/4/17

To

The Estate officer,
HUDA, Ambala

Subject: Revised recovery of Additional Price (5th EC) pertaining to the acquired land for the development of Sector-10, Ambala City.

1. Kindly refer to this office letter No. HUDA-CCF-ACCTT-II-2017/41710, dated 07.03.2017 on the subject cited above.

2. It is informed that the additional price (5th EC), conveyed vide above said letter **dated 07.03.2017** has been reviewed and **revised calculations** have now been made on the basis of liability of enhanced compensation on each stage of award. Accordingly, on the basis of enhanced compensation awarded by the Hon'ble Supreme Court vide order dated 11.4.2013 in Civil Appeal No. 3279-87 of 2013 arising out SLP (C) Nos. 24704-24712 of 2007 and Civil Appeal Nos. 3706-3738 of 2013 SLP (C) arising out SLP(C) Nos. 16372-16404 of 2008 pertaining to the acquired land for the development of Sector-10, Ambala City, the **revised recovery rate of additional price (5th EC)** is now worked out to **₹ 2568.00 per sq. mtr. instead of ₹ 991.00 per Sq. mtr. for General Category and ₹ 743.00 per sq. mtr. instead of Rs. 318.00 per sq. mtr. for EWS category.** The additional price on account of this enhancement has been determined by the Chief Administrator, HUDA, Panchkula under Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulation, 1978, which shall be payable by the transferees or lessee with respect to the land or building sold or leased to them in **Sector-10, Ambala City** subject to condition that if interest on solatium amount & additional amount prior to 19.9.2001 is awarded by Hon'ble Court at any later stage then the same will be recovered from the plot owners of the respective sector by revising the calculations accordingly. Detailed calculations are attached herewith at **Annexure "A"**.

3. You are requested to issue **revised recovery notices** immediately to the transferees or lessee with respect to the land or building sold or leased to them in Sector-10, Ambala City under regulations 10 (2) of Haryana Urban Development (Disposal of Land and Building) Regulations, 1978 by intimating them the detailed calculations of additional price. **The earlier notices of 5th EC issued in view of above said letter dated 07.03.2017 may be withdrawn.**

4. The allottees/transferees or lessee, who had paid excess/short amount will be refunded/recovered alongwith simple interest @ 15 % p.a.

DA/as above

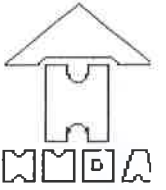
For


Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula



Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO.HUDA-CCF-ACCTT-II-2017/ 74896-97

Dated: 27/4/17

Copy forwarded to the following information and further necessary action:-

1. Administrator, HUDA, Panchkula alongwith calculation sheet for information and necessary action please.
2. GM (IT) alongwith calculation sheet for uploading on website of HUDA.

DA/As above.

For


Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula.

ANNEXURE-"A"

Revised Calculation of additional price of Sector-10, Ambala City under Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978.

1. Additional price of land of Sector-10, Ambala City has been fixed by **Hon'ble Supreme Court vide order dated 11.4.2013 in Civil Appeal Nos. 3279 to 3287 of 2013 arising out SLP No.24704-24712 of 2007 and Civil Appeal Nos. 3706-3738 of 2013 arising out SLP Nos. 16372-16404 of 2008 with other connected cases** vide which land cost of Sector-10, Ambala City is enhanced and accessed @ ₹ 325 Per. Sq. Yd (₹ 15,73,000/- Per Acre).
2. This Sector was plotted by HUDA after acquisition of land measuring 235.09 Acre of Village Saunda and Jandli District Ambala, Notification for which was issued on 02.02.1989 under Section-4 of the land acquisition act 1894. The notification under Section-6 of the Act was issued on 10.01.1990. The Land Acquisition Collector, Urban Estate, Panchkula (LAC) by his award dated 27.12.1990 fixed the compensation @ ₹ 101376 Per Acre (₹ 20.95 Per Sq. Yd.). The land owners removed application act and the additional district judge, Ambala, by his order dated 06.10.1994 raised the compensation to ₹ 1,41,000/- (₹ 29.13 per Sq. Yd.) alongwith statutory benefit. The land owner preferred RFA which was disposed by the single judge of the High Court on 24.12.1998. By raising the compensation to ₹ 2,91,000/- Per Acre (₹ 60.28 per Sq. Yd). The matter did not rest their and it was taken to division bench by way of LPA. It was decided on 22.02.2006 enhancing the compensation to ₹ 8,95,000/- Per Acre (₹ 185 Per Sq. Yd) with statutory benefits. As per the above said orders of Additional District Judge, Ambala and Hon'ble High Court, Additional Price of Sector-10, Ambala City has been calculated and conveyed to the Estate Officer, HUDA, Ambala by issuing the notices of 1st to 4th enhancement on the basis of actual payments to the land owners.
3. Hon'ble Supreme Court as further enhanced the compensation to ₹ 15,73,000/- Per Acre (₹ 325 Per Sq. Yd) vide its Judgment dated 11.04.2013 in Civil Appeal 3279 to 3287 of 2013 arising out SLP Nos. 16372-16404 of 2008 and Civil Appeal Nos. 3706-3738 of 2013 arising out SLP Nos. 16372-16404 of 2008 with other connected cases. Now the policy to calculate the Additional Price has been approved by HUDA authority in its 111th meeting at Agenda No. 22 and calculations are now to be made as per this policy and Additional price is required to be fixed under

Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978. For brevity, regulation 2(b) is reproduced below :-

"ADDITIONAL PRICE" and "ADDITIONAL PREMIUM" means such sum of money as may be determined by the Chief Administrator in respect of the sale or lease of land or building by allotment, which may become payable by the transferee or lessee with respect to land or building sold or leased to him in a sector on account of the enhancement of compensation of any land or building in the same sector by the Court on a reference made under section 18 of the Land Acquisition Act, 1894, and the amount of cost incurred in respect of such reference."

4. The calculations of 5th EC were earlier made at NP 132 to 140 and the same were conveyed to the Estate Officer, HUDA, Ambala vide letter No. HUDA-CCF-ACCTT-II-2017/41710, dated 7.3.2017 after getting the same approved by Worthy C.A. Now, the earlier calculations have been reviewed and it is observed that the method of updation of earlier 1st to 4th EC alongwith 15% is not appropriate and there is a loss on the part of HUDA. The revised calculations are to be made as per the payments made to the land owners on each stage as per the Court orders.
5. In view of above, revised calculations of **5th enhancement** are now made on the basis of land area of Sector-10, Ambala City supplied by the CTP, HUDA, Panchkula as per latest layout plan and calculations are made on the basis of liability of enhanced compensation as per the calculations made by the Zonal Administrator, HUDA, Panchkula at the time of approval of payment of enhanced compensation to the concerned land owners. Therefore, in view of award of Hon'ble Supreme Court and as per Regulation 2(b) of The Haryana Urban Development (Disposal of land & Building) Regulation 1978 and as per the new policy, following calculations have been made to arrive at the additional amount which shall be payable by the Allottees/Transferees or lessees of Sector-10, Ambala City. Accordingly, revised **5th recovery of EC of Sector-10, Ambala city** has been prepared as under:-



Detail of area of Sector-10, Ambala City as per approved layout plan by DTP, Ambala vide Drg.No. DTP (A) 2852/05, dated 27.9.2005 as intimated by DTP, Ambala vide Memo. No. 1367, dated 21.9.2016.

SNO	AREA FOR	Area in Hects.	Total Saleable area in Acres
1	Total Acquired Land	95.24	235.24
2	Net Area of Sector- (Including ½ of 30 mtr. wide road)	79.90	197.35
	Area under ½ of 30 mtr. roads	5.35	13.21
3	Area under IOC Pipe Line & Minor	3.12	7.71
4	Area Reserved for Housing Board	7.71	19.04
5	Area under W. Works	1.95	4.82
6	Area under Sewerage water Disposal & Electric Sub Station	0.65	1.61
7	Area under HUDA Land	0.22	0.54
8	Net Area Planned	60.90	150.42
9	Residential Plots	27.89	68.89
10	Shopping Centre	1.93	4.77
11	Stadium	5.20	12.84
12	Police Post	0.40	0.99
13	School & Creche	4.05	0.10
14	Community Building & Dharamshala	1.07	2.64
15	Old Age Home	0.42	1.04
16	Clinik/Nursing Home	0.1	0.25
17	Orphanage	0.40	0.99
18	Poly Clinic	0.42	1.04
19	Tubewell	0.28	0.69
20	Area under Roads & Open Spaces	18.73	46.26
	Total Area	79.90	106.19

Detail of area of Sector-10, Ambala City as per approved layout plan by DTP, Ambala vide Drg.No. DTP (A) 2852/05, dated 27.9.2005 as intimated by DTP, Ambala vide Memo. No. 1367, dated 21.9.2016.

S.NO	PARTICULARS OF PLANNED AREA	Area in Hects.	Total Saleable area (in Acre)	Proportionate Area of Saleable / Common Area (in acres)	Total (3+4) (In Acres)	Total Chargeable / Common area (in acres)
1	2		3	4	5	6
1	Residential Plots	27.89	68.89	59.14	128.03	0.00
2	Shopping Centre	1.93	4.77	4.09	8.86	0.00
3	Stadium	5.2	0.00	0.00	0.00	12.84
4	School & Creche	4.05	5.00	4.29	9.29	5.00
5	Police Post	0.4	0.00	0.00	0.00	0.99
6	Community Building & Dharamshala	1.07	0.00	0.00	0.00	2.64
7	Old Age Home	0.42	0.00	0.00	0.00	1.04
8	Clinic/Nursing Home	0.1	0.25	0.21	0.46	0.00
9	Orphanage	0.4	0.00	0.00	0.00	0.99
10	Tubewell	0.28	0.00	0.00	0.00	0.69
11	Poly Clinic	0.42	0.00	0.00	0.00	1.04
12	sewerage water disposal & electric sub station	0.65	0.00		0.00	1.61
13	HUDA Land	0.22	0.54	0.46	1.00	0.00
14	Water Works	1.95	0.00	0.00	0.00	4.82
15	IOC Piper Line	3.12	7.71	6.62	14.33	0.00
16	Housing Board	7.71	19.03	16.34	35.37	0.00
17	1/2 of 30 mtr wide road	5.35	0.00	0.00	0.00	13.21
18	Area under road, Green Belt, open spaces, Boosting Station, Parking	18.74	0.00	0.00	0.00	46.29
	Total Area		106.19	91.16	197.35	91.16

**1st EC pertaining to Sector-10, Ambala City
(on liability basis)**

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of 39624.00 (₹ 141000-101376) as per ADJ, Ambala order dated 6.10.1994 @ ₹ 1,41,000/- per acre						
		Days				Amount in ₹
		From	To	Total Days		
	Rate Awarded by ADJ, Ambala @ 141000/- PER ACRE vide order dated 6.10.94 per Acre					141000
Less	Rate of Award @Rs.101376/ per Acre					1,01,376
	ADDITIONAL PRICE OF LAND per Acre					39,624
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	11,887
Add:	12% additional interest	02-02-89	27-12-90	694	(Section 23 (IA) of LA Act, 1894)	9,041
					Total	60,552
					Balance	60,552
Add:	9% additional interest (one year)	28-12-90	27-12-91	365	(Section 28 of LA Act, 1894)	3,566
Add:	15% Interest	28-12-91	02-5-97	1952	(Section 28 of LA Act, 1894)	31786
					Grand Total	95,904
					Net Enhancement Per Acre	95,904
	Enhancement 197.35 x95904					1,89,26,654
	Total Liability				Total (A)	1,89,26,654

1 st EC of Sector-10, Ambala City					
1	Total liability	1,89,26,654.00			
2	Total Land as per layout plan	197.35			
3	EC per Acre	95,904.00			
4	Rate of General Category	625.00	Per Sq.yards		
5	Rate of EWS Category	200.00	Per Sq.yards		
6	Proportionate Ratio				
i)	General Category	(A)	(103.81x 625x4840)	31,40,25,250	
ii)	EWS Category	(B)	(2.38x200x 4840)	23,03,840	
		(C)	Total	31,63,29,090	
7	Amount for EC (General Category)	(A/Cx18926654)		1,87,88,810	
8	Amount for EC (EWS Category)	(B/Cx18926654)		1,37,844	
9	E.C. for General Category	(18788810/ 103.81/4840)		37	Per Sq.yd
10	E.C. for EWS Category	(137844/2.38/ 4840)		12	Per Sq.yd

General Category

Revised 1st EC for General Category	₹ 37.00 per sq. yard
1 st EC Already conveyed vide letter dt. 2.5.1997	₹. 44.37 -do-
Excess conveyed EC of General Category	₹. 7.37 -do-

EWS Category

Revised 1st EC for EWS Category	₹. 12.00 -do-
1 st EC Already conveyed vide letter dt. 2.5.1997	₹. 44.37 -do-
Excess conveyed EC	₹. 32.37 -do-

2nd EC Sector-10, Ambala City

(on liability basis)

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of 150800.00 (Rs. 291800-141000) as per Hon. High Court order dated 24.12.1998 @ Rs. 291800/- per acre						
		Days				Amount in (₹)
		From	To	Total Days		
	Enhanced rate of award (Per Acre)					291800
	Already of loaded amount of compensation (Per Acre)					141000
	Differential amount of EC (Per Acre)					150800
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	45240
Add:	12% additional interest	02-02-89	27-12-90	694	(Section 23 (IA) of LA Act, 1894)	34407
					Total	230447
Add:	9% additional interest (one year)	28-12-90	27-12-91	365	(Section 28 of LA Act, 1894)	13,572
Add:	15% Interest	28-12-91	01-05-97	1952	(Section 28 of LA Act, 1894)	1,20,971
Add:	15% Interest	02-05-97	22-08-05	3034	(Section 28 of LA Act, 1894)	1,88,025
					Grand Total	5,53,015
					Net Enhancement Per Acre	5,53,015
	Enhancement 197.35 x553015				TOTAL (B)	10,91,37,510



2 nd EC of Sector-10, Ambala City					
1	Total liability	10,91,37,510.00			
2	Total Land as per layout plan	197.35			
3	EC per Acre	5,53,015.00			
4	Rate of General Category	625.00	Per Sq.yard		
5	Rate of EWS Category	200.00	Per Sq.yard		
6	Proportionate Ratio				
i)	General Category	(A)	(103.81x 625x4840)	31,40,25,250.00	
ii)	EWS Category	(B)	(2.38x200 x4840)	23,03,840.00	
		(C)	Total	31,63,29,090.00	
7	Amount for EC (General Category)	(A/Cx109137510)		10,83,42,656.00	
8	Amount for EC (EWS Category)	(B/Cx109137510)		7,94,854.00	
9	E.C. for General Category	(108342656/103.81/4840)		216.00	Per Sq. yard
10	E.C. for EWS Category	(794854/2.38/4840)		69.00	Per Sq. yard

General Category

Revised 2nd EC for General Category	₹. 216.00 per sq. yard
2 nd EC Already conveyed vide letter dt. 22.8.2005	₹. 279.82 -do-
Excess conveyed Enhancement Compensation	(-) ₹. 63.82 -do-
Add previous excess conveyed 1 st EC (with 15% interest w.e.f. 2.5.97 to 22.8.05 on Rs. 7.37) (3034 days)	(-) ₹.16.56 -do
Total excess upto 22.8.2005	(-) ₹.80.38 -do-

EWS Category

Revised 2nd EC for EWS Category	₹. 69.00 per sq. yard
2 nd EC Already conveyed vide letter dt. 2.5.1997	₹. 44.77 -do-
Less conveyed EC	(+) ₹. 24.63 -do-
Add already excess 1st EC conveyed (with 15% interest w.e.f. 2.5.97 to 22.8.05 on Rs. 32.37) (3034 days)	(-) ₹. 72.73 do-
Total Excess upto 22.8.2005	₹ 48.10 -do-

3rd and 4th EC of Sector-10, Ambala City

(on actual liability basis)

CALCULATIONS OF TOTAL LIABILITY on the differential amount of enhanced compensation of ₹ 603600.00 (Rs. 895400-Rs.291800) as per Hon. High Court order 22.2.2006 (₹ 185/- per sq.yard) in LPA No. 292 of 1999 @ Rs. 895400/-

		From	To	Total Days		Amount in ₹
	Differential amount of enhanced compensation (Per Acre)					6,03,600
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	1,81,080
Add:	12% additional interest	02-02-89	27-12-90	694	(Section 23 (IA) of LA Act, 1894)	1,37,720
					Total	9,22,400
Add:	9% additional interest (one year)	28-12-90	27-12-91	365	(Section 28 of LA Act, 1894)	83,016
Add:	15% Interest	28-12-91	18-09-01	3553	(Section 28 of LA Act, 1894)	13,46,830
Add:	15% Interest	19-09-01	22-08-06	1798	(Section 28 of LA Act, 1894)	6,81,565
					Grand Total	30,33,811
					Net Enhancement Per Acre	30,33,811
	Total Liability of EC (197.35 x30,33,811/-)				TOTAL (C)	59,87,22,601



Calculations of 3 rd & 4 th EC Sector-10, Ambala City					
1	Total liability	59,87,22,601		Amount in ₹	
2	Total Land as per layout plan	197.35			
3	EC per Acre	30,33,811			
4	Rate of General Category	625	Per sq. yard		
5	Rate of EWS Category	200	Per Sq. yard		
6	Proportionate Ratio				
i)	General Category	(A)	(103.81x 625x 4840)	31,40,25,250	
ii)	EWS Category	(B)	(2.38x200x48 40)	23,03,840	
		(C)	Total	31,63,29,090.00	
7	Amount for EC (General Category)	(A/Cx598722601)		59,43,62,075	
8	Amount for EC (EWS Category)	(B/Cx598722601)		43,60,526	
9	E.C. for General Category	(594362075/103.81/4840)	(A)	1183.00	Per Sq. yd
10	E.C. for EWS Category	(3650232 /2.38/4840)	(X)	379.00	Per Sq.yd

General Category

Revised 3 rd & 4 th EC for General Category	₹. 1183.00 per sq. yard
3 rd & 4 th EC Already conveyed vide letter dt.20.7.2016	₹. 690.35+248.65=939.00
Less: conveyed EC	(+) ₹. 244.00 -do-
Add previous excess conveyed 1 st & 2 nd EC (with 15% interest w.e.f. 22.8.05 to 22.8.06at Rs.80.38) (365 days)	₹.92.44 -do
Total less upto 22.8.2006	(+) ₹.151.56 -do-

EWS Category

Revised 3 rd & 4 th EC for EWS Category	₹. 379.00 per sq. yard
3 rd & 4 th EC Already conveyed vide letter dt.20.7.2016	₹. 220.91+79.57=₹.300.48
Less: conveyed EC	(+) ₹. 78.52
Add already excess of conveyed EC (with 15% interest w.e.f. 22.8.05 to 22.8.2006 at Rs. 48.10) (365 Days)	(-) ₹. 55.31
Total Less upto 22.8.2006	(+) ₹. 23.21

Revised 5th EC of Sector-10, Ambala City

(On actual liability basis)

Calculations of liability of EC as per Orders of Hon'ble Supreme Court of India order dated 11.4.2013 in CA No. 3279-87 of 2013 arising out of SLP No. 16372-16404 of 2008

		Days			Total Days	
		From	To			
	Differential amount of enhanced compensation (Rs.1573,000 -895400) as per award of Hon'ble Supreme Court order dated 11.4.2013 in CA No. 3279-87 of 2013 arising out of SLP No. 16372-16404 of 2008					6,77,600.00
	ADDITIONAL PRICE OF LAND					6,77,600.00
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	2,03,280.00
Add:	12% additional interest	02-02-89	28-12-90	694	(Section 23 (IA) of LA Act, 1894)	1,54,604.00
					Total	10,35,484.00
Add:	9% additional interest (one year)	28-12-90	28-12-91	365	(Section 28 of LA Act, 1894)	60,984.00
Add:	15% Interest	28-12-91	19-09-01	3553	(Section 28 of LA Act, 1894)	9,89,389.00
Add:	15% Interest	19-09-01	31-03-17	5672	(Section 28 of LA Act, 1894)	24,13,671.00
					Grand Total	44,99,528.00
					Net Enhancement Per Acre	44,99,528.00
	Total Liability 197.35x 4499528				TOTAL (C)	88,79,81,851.00

Revised 5 th EC of Sector-10, Ambala City					
*****Sector-10, Ambala City*****					
1	Total liability	88,79,81,851.00			
2	Total Land as per layout plan	197.35			
3	EC per Acre	44,99,528.00			
4	Rate of General Category	625.00	Per Sq. yard		
5	Rate of EWS Category	200.00	Per Sq. yard		
6	Proportionate Ratio				
i)	General Category	(A)	(103.81x625x4840)	31,40,25,250.00	
ii)	EWS Category	(B)	(2.38x200x4840)	23,03,840.00	
		(C)	Total	31,63,29,090.00	
7	Amount for EC (General Category)	(A/C x 887981851)		88,15,14,636.00	
8	Amount for EC (EWS Category)	(B/C x 887981851)		64,67,215.00	
9	E.C. for General Category	(88,15,14,636/103.81/4840)		1,754.00	Per Sq.yd
10	E.C. for EWS Category	(6467215/2.38/4840)		561.00	Per Sq.yd

General Category

Revised 5th EC for General Category	₹ 1,754.00 per sq. yard
ADD: previous less conveyed upto 4 th EC (with 15% interest w.e.f. 22.8.06 31.3.2017 at Rs.151.56) (3874 days)	₹. 393.00 -do
Net Revised 5th EC for General Category	₹.2147.00 -do Say ₹. 2568.00 per sq. meter instead of 991.00 per sq. meter

EWS Category

Revised 5th EC for EWS Category	₹. 561.00 per sq. yard
ADD: previous less conveyed upto 4 th EC (with 15% interest w.e.f. 22.8.6 31.3.2017 at Rs.23.21) (3874 days)	₹. 60.00 -do
Net Revised 5th EC for EWS Category	₹. 621.00 -do Say ₹. 743.00 per sq. meter instead of ₹. 318.00 per sq. meter