

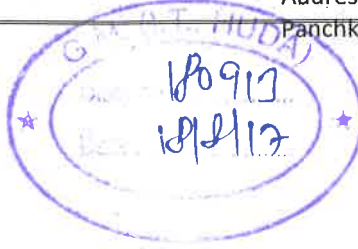


हरियाणा शहरी विकास प्राधिकरण

HARYANA URBAN
DEVELOPMENT AUTHORITY

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To

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Gurugram.
2. Sh. Atul Chopra S/o Sh. Surender Kumar Chopra,
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10. Sh. Jagdish Chander S/o Sh. Phool Singh,
1061, Sector-51, Gurugram.
11. Smt. Kamlesh Vs HUDA & Others,
729, Sector-51, Gurugram.
12. Smt. Nirueh Dubey W/o Sh. Awadh Bhushan Dubey,
1035, Sector-51, Gurugram.

**Memo NO.HUDA-CCF-ACCTT-II-2017/-
DATED:-**

Subject: - Revised calculation of Additional Price of sector-51, Gurugram and speaking order in compliance with the orders of Hon'ble Punjab & Haryana High Court in CWP No. 6284 of 2015, CWP No. 6344 of 2015, CWP No. 6295 of 2015, CWP No. 10424 of 2015, CWP No. 10426 of 2015 and CWP No. 7371 of 2015.

1. Please refer to the subject cited above.
2. Please find enclosed herewith the copy of speaking order No. 12/2017, passed by the Chief Administrator, HUDA in the above said CWPs in compliance of Hon'ble High Court orders.

DA/As Above

Chief Accounts Officer,
for Administrator (HQ),
HUDA, Panchkula.

Endst.No.HUDA-CCF-Acctt-II-2017/-153858 Dated:- 17/8/17

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

1. Sh. Umesh Yadav S/o Sh. Bharat Pal Yadav, # 861, Sector-47, Gurugram in continuation of this office letter No. 105084-85 dated 04.11.2016.
2. Sh. Raman Yadav S/o Sh. Bharat Pal Yadav, # 861, Sector-47, Gurugram in continuation of this office letter No. 105084-85 dated 04.11.2016.
3. District Attorney, Legal cell, HUDA (HQ), Panchkula.
4. ✓ GM (IT), HUDA (HQ), Panchkula for uploading the same on HUDA Website.
5. The Estate Officer-II, Gurugram with the request to refund the amount of EC of Sector-51, Gurugram according as per speaking order 12/2017.

Chief Accounts Officer,
for Administrator (HQ),
HUDA, Panchkula.

ccfhuda@gmail.com

SPEAKING ORDER No. 12/2017

Passed in compliance of Hon'ble Punjab & Haryana High Court orders for Sector-51, Gurugram.

1. This speaking order is passed in respect of Sector-51, Gurgaon in compliance of the orders of Hon'ble Punjab & Haryana High Court in following CWPs No.

Sr. No.	CWP No.	Petitioner	Date of High Court orders
1.	6284/2015	Smt. Ritu Tushir V/s HUDA & Others	6.4.2015
2.	6019/2015	Atul Chopra vs HUDA & ors.	01.4.2015
3.	6022/2015	Kuldeep Singh Vs. HUDA & Ors	01.4.2015
4.	6023/2015	Varun Malik Vs HUDA & ors	01.4.2015
5.	6076/2015	B.C. Bhardwaj vs HUDA & ors	01.4.2015
6.	7331/2015	Hemant Kumar vs HUDA & ors	22.4.2015
7.	7357/2015	Sumit Kumar vs HUDA & ors	01.4.2015
8.	9639/2015	Anita and Sanjay Jindal vs HUDA & ors	15.5.2015
9.	10424/2015	Anita Beniwal Jagdish Chander vs HUDA & ors	25.5.2015
10.	10426/2015	Jagdish Chander vs HUDA & ors	25.5.2015
11.	6295/2015	Smt. Kamlesh vs HUDA & ors	6.4.2015
12.	7844/2015	Nirueh Dubey	27.4.2015

2. The Court has passed the orders and directed HUDA to take a decision on the representation of the petitioners, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.
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Record of Personal hearing

3. As per the orders of the Hon'ble High Court, personal hearing in the case was given to the petitioners on 25.05.2015, 15.07.2015, 27.08.2015, 30.03.2016 and 25.05.2016. The petitioners submitted the representation and requested to pass the speaking orders as per orders of Hon'ble High Court.

Discussions and Findings

4. Before taking up the matter, it is clarified that additional price on account of the enhanced compensation is recovered from the allottees, as worked out by the Chief Administrator as per Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulations, 1978 on account of the enhancement of compensation of any land in the same sector by the Court. This amount is calculated sector wise and is applicable for the full sector.
5. Due to lot of litigations and queries from the plot owners about the manner of determination of additional price, a need was felt to notify the procedure required to be followed while determining the additional price under Regulation 2(b) of Haryana Urban Development (Disposal of Land & Building) Regulations, 1978. Therefore, a policy has been approved by the HUDA Authority in its 111th meeting held on 27.7.2016 at Agenda item No.22. For the guidance of the public, the guiding principles on the basis of which enhancement is calculated by HUDA are available on HUDA Website under the link https://www.huda.gov.in/layouts/CCF/Policy_regarding_recovery_of_enhanced_compensation_from_allottees_in_case_of_sale_of_land_or_building_byallotment.pdf
6. The similar enhancement case pertaining to Sector-51, Gurgaon has earlier been considered in another CWP No. 7184 of 2015 titled as Umesh Yadav & Others Vs Haryana Urban Development Authority & Others by passing speaking order No. 8/2016 which was issued vide office letter No. HUDA-CCF-ACCTT-II-2016/105084-85, dated 4.11.2016 in view of the above said policy and necessary benefits have also been given to the petitioners and other allottees of Sector-51, Gurgaon by making the revised calculations of enhanced compensation as per the detail of actual acquired and planned area as per latest layout plan of Sector-51, Gurgaon, as supplied by the Chief Town Planer, HUDA, Panchkula. But error has occurred inadvertently in the calculations made earlier by updating the previous recoveries in the last stage whereas the same were required to be made by updating the interest and recovery on the each stage of



recoveries of enhancement and necessary benefits was to made in the 3rd recovery by keeping intact the 1st and 2nd recovery of enhancement.

7. Now, the calculations are reviewed and revised by giving all the benefits and by updating the interest on the excess/less calculated amount of previous enhancements on the each stage of recovery. Accordingly, the 3rd enhancement is now worked out for **₹ 3557.68 per sq. mtr. instead of ₹ 311.90 per sq. mtr. for General category and ₹ 532.38 per Sq. mtr. instead of ₹ 46.44 per Sq. mtr. for EWS category. Ist and 2nd recovery is remained intact as the 3rd recovery is calculated by giving all the adjustments of excess/less otes o enhancements of 1st & 2nd recovery.**

8. However, issues raised by the petitioners, in their representations are common. For convenience, Annexure P-6 in CWP No. 6022 of 2015 titled as Kuldeep Singh Yadav Vs HUDA & Ors is hereby dealt as under :-

Issue No. 1: The Petitioners has stated that please provide me Preamble of HUDA.

Apprise me if there is any provision in HUDA laws wherein compensation paid by HUDA for acquisition of any land has to be reimbursed by plot owners whose plot lie on such acquired land.

- a) If such provision exists than why the money earned by the sale of Commercial sites, School sites, Nursing Home sites is not reimbursed amongst plot owners in whose sectors such sites exists.
- b) If such provision does not exist then HUDA shall have no ground to claim such enhancements as per its own convenience.

Findings: The Urban Estates Department acquires the land on which the sectors are developed by HUDA. The tentative price of the plot under Regulation 4 of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, for allotment is fixed by considering the cost of acquisition of land. If subsequently the land-owners are awarded higher compensation by the court in appeal procedures, the additional amount is liable to be paid by HUDA. In turn, such cost needs to be passed on to the allottees of the same sector. Regulation 2(h) of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 stipulate that fixation of sale price/premium has to be done Sector wise. Similarly, additional amount of compensation to be paid after court's orders is also to be distributed over the same sector as per Regulation 2(b) of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978 Therefore, the cost incurred by HUDA for acquisition of land has to be distributed over the same particular sector.



As per Regulation (c) of the Haryana urban Development (Disposal of Land & Buildings) Regulations, 1978, the plots are given either by allotment or by auction. The residential plots are allotted on the tentative price worked out on coming method on basis of initial acquisition cost of land, prescribed under Regulation 6 of Haryana Urban Development (Disposal of Land & Buildings) Regulation, 1978.

Therefore, the allotment of residential plots and commercial plots are governed by entirely two separate methods. For the purpose of calculation of additional price the incidence on account of commercial area is not cross subsidized and passed on to the residential plot-holder. Any amount payable on account of enhanced compensation of the commercial area is borne by HUDA and is taken outside the purview of the calculation made for determining the additional price payable by the residential.

Issue No 2: Some portions of present land of sector 51 were acquired under the acquisition of Sector-46 Gurgaon. What is the area of such land whether HUDA has reduced this area while calculating chargeable plotted area for Sector-51, Gurgaon.

Findings: The area of sector -51 Gurgaon is 159.33 acres. Out of which 130.03 acres is planned for Sector-51. The details of acquisition of 159.33 acres are as below:-

Award No.	Dated	Area falling under Sector-51
4	13.5.2000	20.72
5	13.5.2000	9.61
6	13.5.2000	75.08
8	23.3.1993	53.92
	Total	159.33

53.92 acre area of award no.8 dated 23.03.1993 of Sector-46, Gurgaon has been included in Sector-51, Gurgaon as per detail provided by CTP, HUDA.

Issue No3: During and after acquisition of land for Sector-51 Gurgaon, how much land has been sold/allotted to private developers like M/S. MAYFIELD, M/S TODAY, M/S M2K & M/S. ORCHID etc and other societies in Sector-51, Gurgaon. Please clarify whether Private developers & societies have been

made to pay enhancement for this land, if not why, when they are also enjoying all facilities available in this sector at the cost of plot owner.

Findings:

An area total measuring 28.17 acres (24.22 acres to M/s Sheetal International Pvt. Ltd. And 3.95 acres to other Private Licensees) has been released to Private licensees.. The enhancement in respect of these pockets have not been loaded on the HUDA plot owners.

There are two tiers of development process in an urban estate. The first tier relates to providing and integration of town level facilities and services under external development works .This component is funded through levy and recovery of external development charges (EDC). The charges on account of external development works are divided proportionately on all the sectors in the urban estate i.e. both private colonizers as well as HUDA plot owners.

The second tier relates to facilities within the sector under internal development works, this is recovered in the form of internal development charges (IDC). But charges on internal development works are to be accounted for under "Development Cost" in the price fixation formula for the sector.

Therefore, it is revealed that common facilities of only external development works can be charged to the private builders proportionately in the form of EDC levied by the DGTCP at the time of grant of license. The internal development works within the private licensed area are borne by the private builder Similarly internal development works within the HUDA allottee area are to be borne only by the HUDA allottees.

Issue No.4: I would like to ask, why HUDA has included the area for the sites such as boosting station, high school, college, nursery school, office of Joint commissioner traffic police, electricity substation area etc. for whose compensation plot owners have been charged with enhancement where as all the above sites are for the use of Public at large and the usage is not confined to residents of sector 51 exclusively. Please distribute the cost of enhancement to the private developers and the societies also who have their stake in sector-51 as you have done in the case of other Urban Estates of Haryana.

Findings:

The averments made in the findings of para No.3 are also reiterated here. The common facilities of external development works can be charged to the private builders proportionately in the form of EDC levied by the DGTCP at the time of grant of license. The internal development works within the private licensed area are borne by the private builders.

Similarly internal development works within the HUDA allottee area are to be borne only by the HUDA allottees.

Issue No. 5: There has been a lot of changes in the site plan since the inception of this sector-51, Gurgaon but the area under plotting shown in all the 3 calculation sheets of enhancements are same. Besides these there have been changes in sizes of sites marked as PS, NS, GROUP HOUSING, COLLEGES etc, but the enhancements cost has not been adjusted accordingly.

Findings: In this regard, the calculations have been made based on the latest layout plan of Sector-51, Gurgaon supplied by CTP, HUDA on 19.10.2016 as below:-

Detail of acquired/planned area of Sector-51, Gurgaon as supplied by the CTP, HUDA, Panchkula on 19.10.2016		
Sr No		Area of Sector-51, Gurgaon (in Acres)
1	Total area under scheme	159.33
2	Area of HUDA land (not planned)	0.45
3	Area released for private licensees	28.17
3	Area of released land	0.68
	Net planned area	130.03
Details of planned area of the Sector		
1	Area Under residential Plots	46.12
2	Area under clinic	0.25
3	Area under nursing home	0.55
4	Area under college	9.02
5	Area under Hospital	8.3
6	Area under Boosting station	8
7	Area under Nursery School/Creche/Pry. School	3.29
8	Area under Elect. Sub Station	1.21
9	Area for religious building	0.2
10	Area under police station	2
11	Area under Group Housing	9.27
12	Area under Commercial area	5.02
13	Area under Roads & open spaces	36.8
	Total Area	130.03

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Issue No. 6: HUDA In their enhancement calculation sheet has shown area under group housing schemes as 9.567 acres where as it appears that the actual area under the group housing is much more. I would like to know why the increased area is not been shown in calculation sheet. I fail to understand the logic behind 90% calculations of the total for GHS and 100% in case of plots.

Findings: As per attached revised calculation sheet, the area under Group Housing Scheme is 9.27 acres which is supplied by CTP, HUDA, Panchkula as per latest layout plan of Sector-51, Gurgaon.

Issue No.7: The subsidy in levying of enhancements to EWS housing has been once again burdened on other plot owners like me. Why should general public suffer because of generous claims and commitments of governments towards EWS. Being a welfare state HUDA should have born the cost.

Findings: The plots under EWS Category are allotted at the concessional rates through cross subsidization from other allottees of the same sector This issue has also been upheld by the Punjab and Haryana High Court in CWP No.1483/1997 in case of Bhisham Sawrup and ors and this also brought finality in Hon'ble Supreme Court of India on 11.02.2014.

Issue No.8: The calculation sheet shows that the park area of sector 51 comprises of 6.132 acres whereas no park is available in this sector because this area has been converted into residential area and handed over to private developer

Findings: The common areas such as roads and open spaces is 36.8 acres as per the latest area supplied by the CTP, HUDA, the same has been taken into account while making calculations now.

Issue No.9: HUDA has sufficient commercial land in this sector which still to be sold or to be auctioned. Analyzing the current scenario and the price which HUDA is getting on sale of such commercial space is enormously high HUDA could have easily sold this piece of land & paid compensation to farmers from its auction proceeds without burdening the plot owner If HUDA has not sold that land as of now and plans to sell it later then it could have anticipated the price and adjusted notional price that it would have fetched in future .

a) Sector 44 and sector 29 which are exclusively commercial sectors and there is no compensation cases in these sectors, the money HUDA is earning from sale of such commercial spaces could have easily adjusted in payment of compensation to farmers/land owner.

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- b) 5 Star Hotel sites in sector - 47 for which HUDA has fixed reserved price as ₹ 100 Crore per acre for a 5 acres plot. Besides this whole of commercial complex of sector-47 is to be auctioned and once again there are no compensation cases in sector 47. Why such discrimination.
- c) Not only above mentioned sites HUDA has been auctioning commercial sites in other sectors in which HUDA has no compensation liability.

Please explain does HUDA pocket all the money they earn from sale of such property or they reimburse such earned money to plot owners of respective sector If money is not reimbursed then HUDA has no locus stand to seek compensation money as enhancements.

Findings: As per Regulation 3(c) of the Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, the plots are given either by allotment or by auction. The residential plots are allotted on the tentative price worked out on costing method on basis of initial acquisition cost of land, prescribed under Regulation 4 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

The procedure of allotment is by draw of lots prescribed by Regulation 5 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978. But in case of commercial plots, tentative price of land so determined is taken as initial reserve price of auction and allotment is to the highest bidder by auction under Regulation 6 of Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978.

Therefore, the allotment of residential plots and commercial plots are governed by entirely two separate methods. There is no legal provision to recover enhanced compensation from the plot-owners to whom allotment was made as a result of auction. But for the purpose of calculation of additional price, the incidence on account of commercial area is not cross subsidized and passed on to the residential plot-holder Any amount payable on account of enhanced compensation of the commercial area is born by HUDA and is taken outside the purview of the calculations made for determining the additional price payable by the residential.

Issue No.10: Land for the sector 51 was acquired in 2000 & was allotted in 2003 and thereafter, HUDA is charging enhancements since 2000 along with heavy interest where as if at all it requires to claim it should be from the date of allotment of plots.

Findings: Now, revised calculations have been made on liability basis of HUDA regarding payments of enhanced compensation to the land owners of the

acquired land. The interest has been levied equal to the interest liable to be paid under Land Acquisition Act. As such, no extra burden of interest is passed to the allottees.

Issue No.11:

The illegal enhancement is being claimed at very high rate of interest and adding woes, like a shrewd money lender who charges interest on delayed payments higher than any financial institution. It reminds us of feudal system wherein the land owner was left with no other option to get his land confiscated from the clutches of moneylender. Please at least appear that you care public at large.

Findings:

HUDA is bound to pay interest as per the Land Acquisition Act to Land Owners and the same is charged from allottees so no excess amount of interest is charged from the petitioner and other allottees of Sector 51, Gurgaon.

Issue No.12: I am being made to pay for the wrong decision and incapability of HUDA & other government officials who failed to take up the matter correctly & wisely in courts wherein the land owners / farmers had appealed. HUDA has lost in court it had contested. It was the Land Acquisition Officer and his department that failed to assess the correct price which should have been given to farmers at the time of acquisition. Now I as plot owner is being made to pay for the bad decisions of incapable officers from the year 2000 retrospectively.

Findings: Comments of para No.11 are reiterated here.

Issue No.13: HUDA paid ₹ 361 per Sq. yards to farmers/land owners and allotted the land to plot owners at the rates as high as ₹3600.00 per sq. meter. Provide me the calculation sheet explaining full details of working and explain the difference. Please provide the minutes detail of the above abnormal difference in acquisition and allotment cost.

Findings: The tentative price of the plot under Regulation 4 of The Haryana Urban Development (Disposal of Land & Buildings) Regulations, 1978, for allotment at the time of sale is fixed by considering the initial cost of acquisition of land and estimated development cost, other direct and indirect charges.

Issue No.14: Plots owners wrongly made to pay for the delay and lethargic attitude of HUDA as it failed to calculate and pass on the enhancements to plot owners as and when Hon'ble Court pronounced verdicts to enhance compensation to farmers.

- a) 1st enhancements of ₹ 2,104 per sq. mtr was demanded in March 2010 where as the Sessions Court enhanced compensation to

villagers from collector rate of ₹212 per sq. yards to ₹361 pr sq. yards. Much before the allotments of the HUDA plots.

- b) 2nd Enhancement of ₹ 3984 per sq. meter was demanded in Sept., 2011 where as Sessions Court on being remanded by Hon'ble High Court enhanced the compensation to villagers from ₹361 to ₹515 per sq. yards in the year 2006.
- c) 3rd enhancement of ₹5581 per sq. mtr. was demanded in Feb. 2012 whereas the Hon'ble High Court enhanced the compensation to farmers/ land owners in the year 2010.

Clearly there has been unexplainable delay in passing on the enhancements cost onto plot owners because of which plot owners are made to hefty amount as enhancements and interest w.e.f from year 2000 without any logic and rationale.

Findings: Comments of para No.11 are reiterated here. Enhanced compensation is calculated as per rate awarded by the Hon'ble courts .

Issue No.15: Further I would like to know about Khasra/kila no. of land acquired by HUDA for sector-51 including the area of sector-46 used for sector 51.

Findings: Not relevant as Land for Sector-51 acquired by HUDA under award no. 4,5, & 6 dated 13.05.2000 as verified by LAO, Gurgaon and 53.92 acre area of award no.8 dated 23.03.1993 of Sector-46, Gurgaon has been included in Sector-51, Gurgaon as per detail provided by CTP, HUDA. Now, Calculation have been made accordingly.

Issue No.16: Applications for the sector-51 were invited by HUDA in year 2002 for the allotments of residential plots and even at that time HUDA was having full knowledge about court cases by farmers, rather one compensation was granted to farmer before allotment but kept secret by HUDA from the allottees which has been passed on allottees only during the year March 2010 whereas allottees should have been told all these factors before inviting application. Even after the allotment HUDA never intimated the plot owners about the progress in court cases concerning them directly.

Findings: Additional amount of compensation to be paid after court's orders is to be distributed over the same sector as per Regulation 2(b) of The Haryana Urban Development (Disposal of land & Buildings) Regulations, 1978. Therefore, the cost incurred by HUDA for acquisition of land has to be distributed over the same particular sector.

Issue No.17: Haryana Government has withdrawn similar enhancement notice in CWP 26149 of 2012 filled in Hon'ble High Court of PUNJAB & HARYANA by

the resident of Galaxy Apartments, Sector - 43 Gurgaon. Same formula should be applicable for me also. Besides this you have suo moto reduced the amount of enhancement of sector 27, Gurgaon as observed in orders of CWP 1078 of 2012. It is further added that relief in paying enhancements to the residents have been granted by Hon'ble High court Punjab & Haryana as a decision of CWP no. 1939 of 2013 filed by The Progressive Citizen Welfare Association Sector-52, Gurgaon.

Findings: The fresh calculation for sector-51, Gurgaon are now being made as per the policy decided by the Authority. The same principles is now being followed for sector 52 Gurgaon also and other sectors of HUDA in Haryana State.

Issue No.18: There has been various instances in HUDA sectors of Panchkula, Faridabad etc. where in HUDA has reduced the enhancement cost substantially. This clearly points to the fact that there are and there has been error in calculation of enhancement cost. Kindly apprise the reason of such reductions and how is Sector-51, Gurgaon is different from Panchkula, Faridabad & others various sectors of Gurgaon.

Findings: The fresh calculation for sector-51, Gurgaon are now being made as per the policy decided by the Authority. The same principles are being followed for other sectors of HUDA in Haryana also.

Order

In view of the above findings, the re-calculated additional price is as under:-

1. As already conveyed by HUDA vide this office No.CCF-Acctt-II-2011/17723 dated 23.05.2011, the 1st rate of recovery of enhanced compensation of ₹1759.33 per Sq. Yd (₹ 2104.16 per Sq. mtr.) for General Category and 263.16 per Sq.Yd (₹314.74 per Sq. mtr.) for EWS Category will remain intact.
2. As already conveyed by this office No.CCF-Acctt-II-2011/17723 dated 23.05.2011, the 2nd rate of recovery of enhanced compensation of ₹3330.80 per sq. yd. (₹ 3983.64 per Sq. mtr.) for General Category and ₹ 498.03 Per Sq. Yd (₹ 595.64 per Sq. mtr.) for EWS Category will remain intact.
3. 3rd rate of recovery of enhanced compensation worked out for ₹ 3557.68 per sq. mtr. instead of ₹ 311.90 per sq. mtr. for General category and ₹ 532.38 per Sq. mtr. instead of ₹ 46.44 per Sq. mtr. for EWS

category as by giving the benefit of updated interest on excess amount of previous enhancements as per detail given below:-

Detail of acquired/planned area of Sector-51, Gurgaon as supplied by the CTP, HUDA, Panchkula on 19.10.2016		
Sr No		Area of Sector-51, Gurgaon (in Acres)
1	Total area under scheme	159.33
2	Area of HUDA land (not planned)	0.45
3	Area released for private licensees	28.17
3	Area of released land	0.68
	Net planned area	130.03
Details of planned area of the Sector		
1	Area Under residential Plots	46.12
2	Area under clinic	0.25
3	Area under nursing home	0.55
4	Area under college	9.02
5	Area under Hospital	8.3
6	Area under Boosting station	8
7	Area under Nursery School/Creche/Pry. School	3.29
8	Area under Elect. Sub Station	1.21
9	Area for religious building	0.2
10	Area under police station	2
11	Area under Group Housing	9.27
12	Area under Commercial area	5.02
13	Area under Roads & open spaces	36.8
	Total Area	130.03

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Detail of saleable/common area of Sector-51, Gurugram			
SNO		Saleable area in acres	Common area in acres
1	2	3	4
1	Area Under residential Plots	46.12	----
2	Area under clinic	0.25	----
3	Area under nursing home	0.55	----
4	Area under college	4.51	4.51
5	Area under Hospital	8.3	----
6	Area under Boosting station	----	8.00
7	Area under Nursery School/Creche/Pry. School	1.64	1.65
8	Area under Elect. Sub Station	----	1.21
9	Area for religious building	----	0.2
10	Area under police station	----	2.00
11	Area under Group Housing	9.27	----
12	Area under Commercial area	5.02	----
13	Area under Roads & open spaces	----	36.80
	Total Area	75.66	54.37

Total Area :- 75.66 + 54.37 = 130.03 Acre

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Detail of Awards and orders of enhanced compensation pertaining to Sector-51, Gurugram

Sector No.	Area utilized Sector wise on which EC is worked out	Original Award		Additional District Judge		Additional District Judge		HC Court		SC Court	
		3	4	5	6			7	8	9	10
1	2	No. & Date	Amount (per acre)	Order No. & Date	Amount in ₹ (per acre)	Order No. & Date	Amount in ₹ (per acre)	Order No. & Date	Amount in ₹ (per acre)	Order No. & Date	Amount in ₹ (per acre)
51	105.41 Acre (20.72+9.61+75.08)	4, 5, 6 dt. 13.05.2k	673023	497/2k dt. 26.08.04	1747240	497/2k dt. 26.08.04	3470280	RFA No. 1824/06 Dt. 01.10.10	5885440	Pending	Pending
	Differential amount of Enhanced compensation to be off loaded on the saleable area of Sector-51, Gurugram on which calculations are now being made			1074217 (1747240-673023) Calculations of 1 st EC as at "A" on page no. 15		1723040 (3470280-1747240) Calculations of 2 nd EC as at "A" on page no. 18		-----	2415160 (5885440-3470280) Calculations of 3 rd EC as at "A" on page no. 20	-----	-----
51	53.92 Acre	8 dt. 23.03.93	392455		1026080					Pending	Pending
	Differential amount (1026080-392455) of Enhanced compensation to be off loaded on the saleable area of Sector-51, Gurugram on which calculations of 1 st EC are now being made as at "B" on page no. 16			633625				-----		-----	-----

Revised 1st Recovery of enhanced compensation of sector-51, Gurgaon.						
A)	Award No.4, 5,6 dated 14.5.2000 (land 105.41acres)					
		Days				Amount
		From	To	Days		
	Award announced by the Hon'ble Additional District Judge, Gurgaon @ Rs.361/- per sq. yd.				361 x 4840	17,47,240.00
Less	Land cost as per original award by LAC					6,73,023.00
	ADDITIONAL PRICE OF LAND					10,74,217.00
Add:	30% Solatium				(Section 23(2) of LA Act,1894)	3,22,265.00
Add:	12% Additional interest	15-05-97	14-05-00	1096	(Section 1(A) of LA Act,1894)	3,87,071.00
					Total	17,83,553.00
	Differential Cost					17,83,553.00
Add:	9% interest	15-05-00	14-05-01	365	(Section 28 of LA Act,1894)	1,60,520.00
Add:	15% interest	15-05-01	24-02-10	3208	(Section 28 of LA Act,1894)	23,51,358.00
	liability per acre					42,95,431.00
	Liability of 105.41 acres				Total (A)	45,27,81,382.00

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B) Award No.8 dated 23.03.1993 (land 53.92 acres)						
Days						
		From	To	Days		Amount
	Award announced by the Hon'ble Additional District Judge, Gurgaon @ Rs.212/- per sq. yd.				212 x 4840	10,26,080.00
Less	Land cost as per original award by LAC					3,92,455.00
	ADDITIONAL PRICE OF LAND					6,33,625.00
Add:	30% Solatium				(Section 23(2) of LA Act,1894)	1,90,088.00
Add:	12% additional price	20-04-90	23-03-93	1069	(Section 1(A) of LA Act,1894)	2,22,689.00
					Total	10,46,402.00
	Differential Cost of Land					10,46,402.00
Add:	9% interest	24-03-93	23-03-94	365	(Section 28 of LA Act,1894)	94,176.00
Add:	15% interest	24-03-94	24-02-10	5817	(Section 28 of LA Act,1894)	25,01,474.00
						36,42,052.00
	Total Liabilities of 53.92 per acre				Total (B)	19,63,79,444
	Total liabilities of 159.33 acres (53.92+105.41)				A+B	64,91,60,826
	liability per acre					40,74,316.36
	Total liabilities of 130.03 Acres					52,97,83,356.00

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*****Sector-51, Gurgaon*****[1st EC]				
1	Total liability	52,97,83,356.00		
2	Total Land as per layout plan	130.03		
3	EC per Acre	40,74,316.00		
4	Rate of General Category	3,344.00	Per Sq.yd	
5	Rate of EWS Category	500.00	Per Sq.yd	
6	Proportionate Ratio			
	i) General Category	(A)	(72.55x 3344x4840)	1,17,42,18,848.00
	ii) EWS Category	(B)	(2.91x 500x4840)	70,42,200.00
		(C)	Total	1,18,12,61,048.00
7	Amount for EC (General Category)	(A/Cx 529783356)		52,66,25,002.00
8	Amount for EC (EWS Category)	(B/Cx 529783356)		31,58,354.00
9	E.C. for General Category	(526625002/ 72.55/4840)		1,500.00 Per Sq.yd
10	E.C. for EWS Category	(3158354/ 2.91/4840)		224.00 Per Sq.yd

Revised 1 st EC of General Category	
Particular	Amount in Per sq. yd
Revised 1st EC for General Category	₹ 1500.00
1 st EC Already conveyed vide letter dt. 24.02.2010	₹ 759.33
Excess conveyed EC for General Category as on 24.02.2010	(-) ₹ 259.33

Revised 1 st EC of EWS Category	
Particular	Amount in Per sq. yd
Revised 1st EC for EWS Category	₹ 224.00
1 st EC Already conveyed vide letter dt. 24.02.2010	₹ 263.16
Excess conveyed EC for EWS Category as on 24.02.2010	(-) ₹ 39.16

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Revised 2nd Recovery of enhanced compensation of sector-51, Gurgaon.						
Award No.4,5,6 dated 14.5.2000 (land 105.41acres)						
A)		Days				Amount
		From	To	Days		
	Award annouced by the Hon'ble Additional District Judge, Gurgaon @ Rs.717/- per sq. yd.				717 x 4840	34,70,280.00
Less	Land cost as per ADJ award @ 361/- per sq. yard					17,47,240.00
	ADDITIONAL PRICE OF LAND					17,23,040.00
Add:	30% Solatium				(Section 23(2) of LA Act,1894)	5,16,912.00
Add:	12% Additional interest	15-05-97	14-05-00	1096	(Section 1(A) of LA Act,1894)	6,20,861.00
					Total	28,60,813.00
	Differential Cost					28,60,813.00
Add:	9% interest	15-05-00	14-05-01	365	(Section 28 of LA Act,1894)	2,57,473.00
Add:	15% interest	15-05-01	23-05-11	3661	(Section 28 of LA Act,1894)	43,04,152.00
	liability per acre					74,22,438.00
	Liability of 130.03 acres (Saleable area)					
					Total (A)	96,51,39,613.00

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*****Sector-51, Gurgaon*****[2nd EC]				
1	Total liability	96,51,39,613.00		
2	Total Land as per layout plan	130.03		
3	EC per Acre	74,22,438.00		
4	Rate of General Category	3,344.00	Per Sq.yd	
5	Rate of EWS Category	500.00	Per Sq.yd	
6	Proportionate Ratio			
i)	General Category	(A)	(72.55x 3344x4840)	1,17,42,18,848.00
ii)	EWS Category	(B)	(2.91x 500x4840)	70,42,200.00
		(C)	Total	1,18,12,61,048.00
7	Amount for EC (General Category)	(A/Cx 965139613)		95,93,85,841.00
8	Amount for EC (EWS Category)	(B/Cx 965139613)		57,53,772.00
9	E.C. for General Category	(959385841/ 72.55/4840)		2,732.00 Per Sq.yd
10	E.C. for EWS Category	(5753772/ 2.91/4840)		409.00 Per Sq.yd

Revised 2 nd EC of General Category	
Particular	Amount in per sq. yard
Revised 2nd EC for General Category	₹ 2732.00
2 nd EC Already conveyed vide letter dt. 23.5.2011	₹ 3330.80
Excess conveyed EC	(-) ₹ 598.80
previous excess conveyed 1 st EC (with 15% interest w.e.f. 24.2.2010 to 23.5.2011 on Rs. 259.33) (452 days)	(-) ₹ 307.50
Total excess conveyed EC upto 23.5.2011 for General Category	(-) ₹ 906.30

Revised 2 nd EC of General Category	
Particular	Amount in per sq. yard
Revised 2nd EC for EWS Category	₹ 409.00
2 nd EC Already conveyed vide letter dt. 23.5.2011	₹ 498.03
Excess conveyed EC	(-) ₹ 89.03
already excess 1st EC conveyed (with 15% interest w.e.f 24.2.2010 to 23.5.2011 on Rs. 39.16 (452 days)	(-) ₹ 46.43
Total Excess conveyed EC upto 23.5.2011 for EWS Category	(-) ₹ 135.46

Revised 3rd Recovery of enhanced compensation of sector-51, Gurgaon.

A) Award No.4,5,6 dated 14.5.2000 (land 105.41acres)						
Days						
		From	To	Days		Amount
	Award announced by the Hon'ble High Court orders dated 1.10.2010 in RFA No.1824 of 2006@ Rs.1216/- per sq. yd.				1216x 4840	58,85,440.00
Less	Cost of land as per ADJ Award @ 717/- per sq. yard					34,70,280.00
	ADDITIONAL PRICE OF LAND					24,15,160.00
Add:	30% Solatium				(Section 23(2) of LA Act,1894)	7,24,548.00
Add:	12% additional price	15-05-97	14-05-00	1096	(Section 1(A) of LA Act,1894)	8,70,252.00
					Total	40,09,960.00
	Differential Cost of Land					40,09,960.00
Add:	9% interest	15-05-00	14-05-01	365	(Section 28 of LA Act,1894)	3,60,896.00
Add:	15% interest	15-05-01	31-12-11	3883	(Section 28 of LA Act,1894)	63,98,907.00
						1,07,69,763.00
	Total Liabilities of 130.03 per acre (Saleable area)				Total (A)	1,40,03,92,283.00

*****Sector-51, Gurgaon*****[3rd EC]					
1	Total liability	1,40,03,92,283.00			
2	Total Land as per layout plan	130.03			
3	EC per Acre	1,07,69,763.00			
4	Rate of General Category	3,344.00	Per Sq.yd		
5	Rate of EWS Category	500.00	Per Sq.yd		
6	Proportionate Ratio				
i)	General Category	(A)	(72.55x 3344x4840)	1,17,42,18,848.00	
ii)	EWS Category	(B)	(2.91x 500x4840)	70,42,200.00	
		(C)	Total	1,18,12,61,048.00	
7	Amount for EC (General Category)	(A/Cx 1400392283)		1,39,20,43,711.00	
8	Amount for EC (EWS Category)	(B/Cx 1400392283)		83,48,572.00	
9	E.C. for General Category	(1392043711/72.55/4840)		3,964.00	Per Sq.yd
				Say 4741 per sq.mtr.	
10	E.C. for EWS Category	(8348572/2.91/4840)		593.00	Per Sq.yd
				Say 708.90 Per sq.mtr.	

Revised 3 rd EC of General Category	
Particular	Amount in per sq. yard
Revised 3 rd EC for General Category	₹ 3964.00
previous excess conveyed 2nd EC (with 15% interest w.e.f. 23.5.2011 to 31.12.2011 on Rs. 906.30) (223 days)	(-) ₹ 989.35
Net 3rd EC for General Category	2974.65
	Or 3557.68 per sq. mtr. instead of 311.90 per sq. mtr.
Revised 3 rd EC of EWS Category	
Particular	Amount in per sq. yard
Revised 3 rd EC for EWS Category	₹ 593.00
already excess 2nd EC conveyed (with 15% interest w.e.f. 23.5.2011 to 31.12.2011 on Rs. 135.46) (223 days)	(-) ₹ 147.87
Net 3rd EC for EWS Category	₹ 445.13
	Or 532.38 per sq. mtr. instead of 46.45 per sq. mtr.

CAO, HUDA (HQ)

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