

Through email only
Policy Matter

To

1. All the Administrators, HSVP.
2. All the Estate Officers, HSVP.
3. All the District Town Planners.

Memo no. CTP (N)/SB/ 143750

Dated: 17.07.2018

Subject: - Policy regarding purchase of land by HSVP for infrastructure projects or otherwise and exchange of HSVP land with the land of developers/ land owners.

Reference: In supersession of this office memo no. 11210 dated: 18.01.2017 and 25186 dated 08.02.2017.

1. A policy regarding exchange of HSVP land with the land of developers/land owners was circulated vide memo no. 11210 dated: 18.01.2017. Minor amendment in the policy was also circulated vide memo no. 25186 dated 08.02.2017. This policy was circulated with approval of the same by the Pradhikaran in its 112th meeting held on 10.01.2017 vide Agenda item no. 22. This policy does not envisage purchase of un-acquired land of developers/land owners required for various infrastructures projects or otherwise. The cases are being referred by the Zonal Administrators for purchase of un-acquired patches/pockets of land required for completion of roads, lying of infrastructure etc. It was felt that such requests cannot be considered and examined under the ibid policy of exchange. Hence, a proposal was submitted to the Government that the scope of policy may be widened to include purchase of land by HSVP for infrastructure projects or otherwise. The proposal has been approved by the Hon'ble CM Haryana-cum Chairman, HSVP. Accordingly, the revised policy is as under:-

A. Conditions under which purchase of land by HSVP and exchange of HSVP land shall be considered:

- i) Where HSVP land is irregular in shape and exchange of land with the developer land owner will help in regularization of boundaries of HSVP land. In such cases, exchange of land shall be executed on the principles of 'give equal and take equal' except in situation as mentioned in Clause (ii) hereinbelow. However, in case of exchange of land with unlicensed land or land owners where the land of the owner gets re-located as a compact chunk

or plot, residential plots of HSVP having area equivalent to 25% of the land taken in exchange shall be given to the applicant because in lieu of undeveloped land, developed land of HSVP is given.

- ii) Where no approach is available to the land of developer and an approach is to be provided through HSVP land, in such cases 1.5 times of the developer land out of the same land for which approach is being given shall be taken by HSVP in lieu of its land required for providing approach.
- iii) Where HSVP has utilized un-acquired land of land owner without paying compensation/land in exchange, in such cases, land owner can opt for one of the following benefits:-
 - a. HSVP shall pay the updated cost of land based on the award announced for the land abutting/adjoining to the land of land owner with no future encumbrance/liability on price of the land.

Or

- b. The land owner will have an option to have residential plot of area equivalent to 40% of his utilized un-acquired land by HSVP. This plot will be given to the land owner in the same sector in which his land has been utilized. If plot is not available in the same sector then plot will be given in the adjoining sector of the same Revenue Estate. If plot is not available in same sector or adjoining sector then only monetary benefits as given in (a) above shall be paid to the land owner.
- iv) Where HSVP intends to purchase un-acquired/released land of developers/land owners for infrastructure projects or otherwise, in such cases HSVP shall pay the updated cost of land based on the award announced for the land abutting/adjoining to the land of developers/land owners. However, this will be the 'offer' and the 'acceptance' of the same by such land owners shall be a sale of this land with no future encumbrance / liability on price of the land.

B. Terms and Conditions of exchange of HSVP land:-

- i) Exchange of land would be governed by HSVP Act, 1977 and the rules/regulations framed there under. However, the said exchange of land shall not provide immunity to the developer/land owner from the provisions of any other Acts/Rules in force.
- ii) The proposal of exchange of land shall be considered only in the same sector. The land of developers/land owners to be given to HSVP in exchange must abut already acquired HSVP land.
- iii) Land of both parties involved in exchange shall be got demarcated at site to ascertain/verify its area and clear availability, before execution of agreement.
- iv) An undertaking shall be given by developer/land owner that the title of the land to be given to HSVP in exchange is in favour of the applicant and is clear & free from all encumbrances.

- v) In case exchange is done on the request of the applicant, HSVP will not be liable to pay any compensation for the existing structures, if any, to the land owners in the land to be exchanged.
- vi) The cost of exchange deed/stamp paper shall be paid by the developer/land owner in case the exchange of land is being executed on the request of developer/land owner. However, in case where the exchange is to be executed on the initiative of HSVP necessitated for laying of services, provision of infrastructure facilities etc., the cost of exchange deed / stamp paper shall be paid by HSVP.
- vii) The developer/land owner shall execute an agreement for exchange of land with the concerned Estate Officer, HSVP before the exchanged site is handed over.

C. Constitution of Committee to examine the matters relating to purchase of land by HSVP and proposals of exchange of HSVP land :-

A Committee under the Chairmanship of Zonal Administrator, HSVP consisting of concerned District Town Planner, concerned Estate Officer and concerned Land Acquisition Officer shall examine the proposals of purchase of land by HSVP and proposals of exchange of HSVP land and will send its recommendations to Chief Administrator, HSVP.

D. Responsibilities of the Committee :-

- i) The Committee shall examine the revenue documents relating to land proposed to be purchased by HSVP and/ or the land involved in exchange. The committee will ascertain that the title of land proposed to be purchased by HSVP is clear and is free from encumbrances/litigation/disputes. Similarly, in exchange of land cases, the committee will ascertain that the title of the land of HSVP as well as developer/and owner involved in exchange is clear in their favour and is free from encumbrances.
- ii) The Committee will evaluate the land values of land proposed to be purchased by HSVP based on the award announced for the land abutting/adjoining to the land of land owner and calculate the updated cost of land to be paid by HSVP. In the exchange of land cases, the committee will evaluate the land values of HSVP land as well as land of developer/land owner involved in exchange and only the land of equivalent value shall be proposed for exchange except as provide in clause A (ii).
- iii) The Committee shall send the revenue details of the land proposed to be purchased by HSVP and the land involved in exchange duly marked alongwith HSVP existing acquired land and/or services or project for which land is proposed to be purchased or exchanged on shajra plan and relevant Layout

- Plan of HSVP. The actual dimensions and area of land proposed to be purchased/ involved in exchange shall also be given.
- iv) The Committee will clearly state the need for purchase of land by HSVP and in the case of exchange of land proposals, the benefits of exchange of land to HSVP. In both the cases, the committee will also intimate the proposed utilization of the land by HSVP.
2. The report of the Committee shall be examined by Chief Administrator, HSVP who will obtain approval of proposal from the Chairman of the Pradhikaran.
3. However, request of mega projects involving huge investment or socially important project like health or education for approach through HSVP land can be considered for grant of relaxation in Para A (ii) of the policy on a case to case basis.
4. The above instructions may be followed meticulously. These instructions shall come into force from the date of issue of this letter.


(Devender Pal, DTP)
for Chief Administrator, HSVP

Endst. No.: CTP(N)/SB/ 143757

Dated: 17.07.2018

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

- 1) The Chief Controller of Finance, HSVP, Panchkula.
- 2) The Administrator, HSVP (HQ), Panchkula.
- 3) The Chief Engineer-I, HSVP, Panchkula.
- 4) The Chief Engineer-II, HSVP, Panchkula.
- 5) The Chief Architect, HSVP, Panchkula.
- 6) The District Attorney, HSVP, Panchkula.
- 7) The General Manager (IT), HSVP, Panchkula with the request to host these instructions on HSVP website.


(Devender Pal, DTP)
for Chief Administrator, HSVP