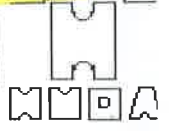




Haryana Urban Development Authority

C-3, Sector 6, Panchkula



NO. HUDA-CCF-ACCTT-II-2017/ 38529

Dated: 2/3/17

To

The Estate officer,
HUDA, Ambala

Subject: Recovery of Additional Price pertaining to the acquired land for the development of Sector-9, Ambala City.

1. Kindly refer to this office letter No. HUDA-CCF-ACCTT-II-2017/30957-58, dated 17.02.2017 on the subject cited above.
2. It is to inform you that 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-9, Ambala City, the recovery rate of additional price (**4th EC**) has been worked out to ₹ 122.00 per sq. yd (**₹ 146.00 per sq. mtr.**) for **General Category** and ₹ 0.00 per sq. yd (**₹ 0.00 per sq. mtr.**) for **EWS category**. As per the revised calculations, **3rd enhancement** pertaining to **EWS category**, which was conveyed vide this office letter dated 24.12.2007, for ₹ 345.35 per sq. yd (**₹ 413.04 per sq. mtr.**), is now reviewed as per policy and revised to ₹ 275.35 per sq. yd (**₹ 329.32 per sq. mtr.**) w.e.f. **24.12.2007**. 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-9, 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 recovery notices immediately to the transferees or lessee with respect to the land or building sold or leased to them in Sector-9, 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.
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


(P.K.SACHDEVA)
Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula

Haryana Urban Development Authority

C-3, Sector 6, Panchkula



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

38531-32


Dated: 2/3/17

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


(P.K.SACHDEVA)
Chief Accounts Officer,
Chief Administrator,
HUDA, Panchkula. 

ANNEXURE-"A"

Calculations of Additional Price to be Recovered from plot owners of Sector-9, Ambala City under regulation 10 of Haryana Urban Development (Disposal of Land & Building) Regulation, 1978 in respect of land compensation enhanced by the Court.

1. Additional price pertaining to the land acquired for the development of Sector-9, 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, vide which land cost of Sector-9, Ambala City is enhanced and accessed @ ₹ 180.00 Per. Sq. Yd (₹ 8,71,200/- Per Acre)**. This Sector was plotted by HUDA after acquisition of land measuring 250.51 Acre of Village Patti Mehar, Saunda and Jandli District Ambala, Notification for which was issued on 26.5.1981 under Section-4 of the land acquisition act 1894. The Land Acquisition Collector, Urban Estate, Panchkula (LAC) by his award dated 27.06.1984 fixed the compensation @ ₹ 52000 Per Acre (₹ 10.74 Per Sq. Yd.). The claimant remained dissatisfied with the market value value of the acquired land. The land owners moved application in reference court. The reference enhanced the market value vide his order dated 09.10.1991 raised the compensation to ₹ 57000/-per acre (₹ 11.77 per Sq. Yd.) alongwith statutory benefit. Subsequently, another Reference Court Assessed the market value of the acquired land at ₹ 3,38,800/-per acre (₹ 70/-per sq. yard). The matter did not rest their and it was taken to division bench by way of LPA. It was decided on 7.12.2005 enhancing the compensation to ₹ 532400/- Per Acre (₹ 110 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-9, Ambala City has been calculated and conveyed to the Estate Officer, HUDA, Ambala by issuing the notices of enhancement on the basis of actual payments to the land owners.
2. Now Hon'ble Supreme Court as further enhanced the compensation to ₹ 871200/- Per Acre (₹ 180/- Per Sq. Yd) vide its **Judgment dated 11.04.2013 in Civil Appeal 3279 to 3287 of 2013 (SLP Nos. 16372-16404 of 2008)**. 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."

3. Now, in view of award of Hon'ble High 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-9, Ambala City.
4. In view of above, calculations of **4th enhancement** are now has been made on the basis of land area of Sector-9, Ambala City supplied by the CTP, HUDA, Panchkula as per latest layout plan and calculations are made on the basis of actual liability 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. Accordingly, **4th recovery of EC of Sector-9, Ambala city** has been prepared as under:-

DETAIL AREA STATEMENT OF SECTOR-9, Ambala City

Total Area of the Acquired Land	214.25 Acres
Area Reserved for green belt	3.28
Area between sector boundary & Area earlier reserved for HUDA	2.47
Area of Nursery, now planned for Sector-21	10.82
Area released/allotted/acquired for Railway	4.45
NET AREA PLANNED	193.23
Net Area Planned	Acres
Area under plots	103.79
Area under shopping centre	5.71
Area under Crèche	0.20
Area under Religious building	0.20
Area under site proposed for A.W.H.O HUDA	4.35
Area under Telecommunication Department	1.62
Area under site of Bharat Petroleum	0.49
Area under pumping station	0.65
Area under Community centre	1.41
Area under High School	5.00
Area under Police Post	0.66
Area under site for office building of Joint Director intelligence Bureau	0.28
Area under Social Charitable use	0.53
Area under Primary School	2.55
Area under indoor sub station	0.02
Area under Nursing Home	0.10
Area under Clinic	0.053
Area under Clinic	0.053
Area under Clinic	0.05
Area under Diagnostic Centre	0.05
Area under Open spaces	7.71
HUDA Land	0.50
Area under Roads	57.254

Detail of Saleable/Common Area of Sector-9, Ambala City

S.NO	Particulars of Land Area	Total Saleable Area (in Acres)	Proportionate Area of Saleable / Common Area (in acres)	Total Area (3+4) (In Acres)	Total Chargeable / Common area (in acres)
1	2	3	4	5	6
1	Area Under residential Plots	103.79	61.33	165.12	0.00
2	Area under Commercial area	5.71	3.37	9.08	0.00
4	Area under School/creche	3.88	2.29	6.17	3.87
5	Area under Religious building	0.00	0.00	0.00	0.20
6	Area under community centre	0.00	0.00	0.00	1.41
7	Area under Police Post	0.00	0.00	0.00	0.66
8	Area under AWHO	4.35	2.57	6.92	0.00
9	Area telecom	1.62	0.96	2.58	0.00
10	Area under Bharat Petro.	0.49	0.29	0.78	0.00
11	Area for DG intelligence	0.28	0.17	0.45	0.00
12	Area for Institutional	0.53	0.31	0.84	0.00
13	Area of Indoor sub station	0.00	0.00	0.00	0.02
14	Area of pumping station	0.00	0.00	0.00	0.65
15	Area for Clinic/NH/D. Centre	0.31	0.18	0.49	0.00
16	Open spaces area	0.00	0.00	0.00	7.71
17	HUDA Land	0.50	0.30	0.80	0.00
18	Area under road, Green Belt, open spaces, Boosting Station, Parking	0.00	0.00	0.00	57.25
	Total Area	121.46	71.77	193.23	71.77

CALCULATION OF TOTAL LIABILITY on the differential amount of enhanced compensation of ₹ 2,86,800.00 (₹ 338800.00-₹ 52000.00) as per ADJ, Ambala orders dated 6.5.1992 in LA case No. 2/4.2.91 pertaining Sector-9, Ambala City. [A]

		Days				Amount in ₹
		From	To	Total Days		
	Rate Awarded by Hon'ble Court @ ₹ 3,38,800/- PER ACRE (₹70-per sq. yards)					3,38,800
Less	Rate of Award @ Rs. 52000/-per Acre					52,000
	ADDITIONAL PRICE OF LAND (₹ 338800-₹ 52000)					2,86,800
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	86,040
Add:	12% additional interest	26-05-81	28-06-84	1129	(Section 23 (IA) of LA Act, 1894)	
						1,06,454
					Total	4,79,294
					Balance	4,79,294
Add:	9% additional interest (one year)	28-06-84	28-06-85	365	(Section 28 of LA Act, 1894)	25,812
Add:	15% Interest	28-06-85	19-09-01	5927	(Section 28 of LA Act, 1894)	6,98,574
Add:	15% Interest	19-09-01	31-3-17	5672	(Section 28 of LA Act, 1894)	11,17,215
					Grand Total	23,20,895
					Net Enhancement Per Acre	23,20,895
	Total Liability 193.23x23,20,895					44,84,66,541
					Total (A)	44,84,66,541

CALCULATION OF TOTAL LIABILITY on the differential amount of enhanced compensation of ₹ 1,93,600.00 (₹ 532400.00-₹ 338800.00) as per Hon'ble High Court orders dated 7.12.2005 in LPA No. 399 of 1999-Sector-9, Ambala City-[B]

		Days				Amount in ₹
		From	To	Total Days		
	Rate Awarded by Hon'ble High Court @ ₹ 532400/- PER ACRE (₹40-per sq. yards) Additional Price (₹ 532400.00-₹ 338800.00)					1,93,600
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	58,080
Add:	12% additional interset	26-05-81	28-06-84	1129	(Section 23 (IA) of LA Act, 1894)	
						71,860
					Total	3,23,540
					Balance	3,23,540
Add:	9% additional interest (one year)	28-06-84	28-06-85	365	(Section 28 of LA Act, 1894)	29,119
Add:	15% Interest	28-06-85	19-09-01	5927	(Section 28 of LA Act, 1894)	7,88,064
Add:	15% Interest	19-09-01	31-3-17	5672	(Section 28 of LA Act, 1894)	7,54,158
					Grand Total	18,94,881
					Net Enhancement Per Acre	18,94,881
	Total Liability 193.23x1894881					36,61,47,856
					Total (B)	36,61,47,856

CALCULATION OF TOTAL LIABILITY on the differential amount of enhanced compensation ₹ 3,38,800.00 (₹ 871200.00-₹ 5,32,400.00) as per Hon'ble Supreme Court orders 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-9, Ambala City-[C]

		Days				Amount in ₹
		From	To	Total Days		
	Rate Awarded by Hon'ble Supreme Court @ ₹ 871200/- PER ACRE (₹ 180/- per sq yard Additional Price (₹ 871200-₹ 5,32,400)					3,38,800
Add:	30% Solatium				(Section 23(2) of LA Act, 1894)	1,01,640
Add:	12% additional interest	26-05-1981	28-06-1984	1129	(Section 23 (IA) of LA Act, 1894)	
						1,25,755
					Total	5,66,195
					Balance	5,66,195
Add:	9% additional interest (one year)	28-06-1984	28-06-1985	365	(Section 28 of LA Act, 1894)	30,492
Add:	15% Interest	28-06-1985	19-09-2001	5927	(Section 28 of LA Act, 1894)	8,25,233
Add:	15% Interest	19-09-2001	31-3-2017	5672	(Section 28 of LA Act, 1894)	13,19,777
					Grand Total	27,41,697
					Net Enhancement Per Acre	27,41,697
	Total Liability 193.23x 2741697					52,97,78,111
					Total (C)	52,97,78,111

				Add	A	448466541
				Add	B	366147856
					Total Liability (A+B+C) [X]	1,34,43,92,508

Calculations of 4th EC of Sector-9, Ambala City					(Amount in ₹)
1	Total liability	1,34,43,92,508			
2	Total Land as per layout plan	193.23			
3	EC per Acre	69,57,473			
4	Rate of General Category	155.00	Per Sq.yd		
5	Rate of EWS Category	100.00	Per Sq.yd		
6	Proportionate Ratio				
i)	General Category	(A)	(110.57x155x 4840)	8,29,49,614	
ii)	EWS Category	(B)	(10.89x100x 4840)	52,70,760	
		(C)	Total	8,82,20,374	
7	Amount for EC (General Cat.)	(A/Cx1344392508)		1,26,40,71,263	
8	Amount for EC (EWS Category)	(B/Cx1344392508)		8,03,21,245	
9	E.C. for Gen. Category	(1264071263/110.57/4840)	(A)	2362 (per sq. yards)	
	-do-			2825 (per sq. meter)	
10	E.C. for EWS Category	(80321245/10.89/4840)	(X)	1524 (per sq. yards)	
	-do-			1823 (per sq. meter)	

LESS: AMOUNT OF ADDITIONAL PRICE WHICH HAS ALREADY BEEN RECOVERED AS 1st, 2nd and 3rd ENHANCEMENT FROM ALLOTTEES					
Updated amount of 1 st Recovery alongwith 15% Interest on Rs.157.8/- w.e.f. 05.09.1994 (General Category)	05-09-1994	31-03-2017	8243		692.35
Updated amount of 2 nd Recovery alongwith 15% Interest o Rs.98.03/- w.e.f. 22.09.2005 (General Category)	22-09-2005	31-03-2017	4208		267.55
Updated amount of 3 rd Recovery alongwith 15% Interest on Rs.535.29/- w.e.f. 24.12.2007 (General Category)	24-12-2007	31-03-2017	3385		1279.93
			Total (B)		2239.83 say 2240
Updated amount of 1 st Recovery alongwith 15% Interest on Rs.157.8/- w.e.f. 05.09.1994 (EWS Category)	05-09-1994	31-03-217	8243		692.35
Updated amount of 2 nd Recovery alongwith 15% Interest o Rs.63.25/- w.e.f. 22.09.2005 (EWS Category)	22-09-2005	31-03-17	4208		172.63
Updated amount of 3 rd Recovery (now revised) alongwith 15% Interest on Rs.275.35/- per sq yards w.e.f. 24.12.2007 (EWS Category)	24-12-2007	31-03-17	3385		658.39
			Total (Y)		1523.37 say 1524.00

NET Amount of 4th recovery of enhancement:-

General Category (A-B) ₹2362-₹2240=₹122/- per sq yards (₹146/-per sq. meter)

EWS Category (X-Y) ₹1524-₹1524= ₹ 0.00 per sq yards (₹ 0.00 per sq. meter)