



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 32-2020/Ext.] CHANDIGARH, SATURDAY, FEBRUARY 29, 2020 (PHALGUNA 10, 1941 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 29th February, 2020

No. 17-HLA of 2020/29/3876.— The Haryana Consolidation of Project Land (Special Provisions) Amendment Bill, 2020, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :-

Bill No. 17-HLA of 2020

THE HARYANA CONSOLIDATION OF PROJECT LAND (SPECIAL PROVISIONS) AMENDMENT BILL, 2020

A

BILL

further to amend the Haryana Consolidation of Project Land (Special Provisions) Act, 2017.

Be it enacted by the Legislature of the State of Haryana in the Seventy-first Year of the Republic of India as follows:—

1. This Act may be called the Haryana Consolidation of Project Land (Special Provisions) Amendment Act, 2020. Short title.
2. For section 3 of the Haryana Consolidation of Project Land (Special Provisions) Act, 2017 (hereinafter called the principal Act), the following section shall be substituted, namely:—
“3. Consolidation of project land.— Where the State Government or any agency owns or has purchased or has taken on lease seventy percent or more of the total project land in a particular area falling in one or more revenue estates and the remaining is left out pockets of private land, the State Government may consolidate the total project land to ensure the viability of such project.” Substitution of section 3 of Haryana Act 28 of 2017.
3. Insection 7 of the principal Act,—
(a) in clause (ii), for the words “an equal area”, the words “an area” shall be substituted;
(b) in the proviso, for the sign ‘.’ existing at the end, the sign ‘:’ shall be substituted; and
(c) after the existing proviso, the following provisos shall be added, namely:—
“Provided further that where the person exercises the option under clause (ii), he shall receive an additional compensation equal to ten percent of the Collector rate for such land:” Amendment of section 7 of Haryana Act 28 of 2017.

Provided further that in either case, the person shall be entitled to receive such compensation for any building or structure existing on the project land under his ownership, as may be assessed by an officer not below the rank of Executive Engineer.”.

Insertion of section 9A in Haryana Act 28 of 2017.

4. After section 9 of the principal Act, the following section shall be inserted, namely:-

“9A. Appeal.- (1) Any person aggrieved by the final consolidation scheme for the project land notified by the competent authority under section 9, may file an appeal before the Deputy Commissioner of the district in which the project land is located.

(2) The form, manner and fees for filing the appeal shall be such, as may be prescribed.

(3) The Deputy Commissioner shall, on receiving the appeal, summon the record from the competent authority.

(4) The Deputy Commissioner, after giving an opportunity of being heard, shall issue an order giving effect to the notification issued under section 9 or modifying it, as he may deem fit, subject to the options specified in clauses (i) and (ii) of section 7 of this Act.

(5) The competent authority shall, on receiving the order of the Deputy Commissioner under sub-section (4), publish the modified final consolidation scheme for the project land in such manner, as may be prescribed.”.

Substitution of section 10 of Haryana Act 28 of 2017.

5. For section 10 of the principal Act, the following section shall be substituted, namely:-

“10. Right to take possession.- (1) After notification of the final consolidation scheme under section 9 or modified final consolidation scheme under sub-section (5) of section 9A, as the case may be, the competent authority shall take possession of the left out pockets of private land and shall disburse the compensation or hand over possession of the land in lieu thereof to the person entitled under the final consolidation scheme or modified final consolidation scheme in such manner, as may be prescribed.

(2) The possession of the project land may be taken by the State Government on any date after the publication of the modified final consolidation scheme under sub-section (5) of section 9A.”.

Amendment of section 17 of Haryana Act 28 of 2017.

6. In sub-section (2) of section 17 of the principal Act,-

(a) after clause (f), the following clause shall be inserted, namely:-

“(ff) the form, manner and fees for filing the appeal under sub-section (2) of section 9A;

(b) after clause (g), the following clause shall be inserted, namely:-

“(gg) the manner of publication of the modified final scheme under sub-section (5) of section 9A;”.

STATEMENT OF OBJECTS AND REASONS

In the principal Haryana Consolidation of Project Land (Special Provisions) Act, 2017 (Haryana Act No. 28 of 2017), the objects are to make special provisions to consolidate left out pockets of land for setting up a project and for the matters connected therewith or incidental thereto. However, the State of Haryana has faced some difficulties, while interpreting the provisions and implementing them. Hence, it is necessary to make certain amendments in the Haryana Act No. 28 of 2017. Accordingly to achieve the said purpose, the need to amend the *ibid* Act has become necessary.

The Haryana Consolidation of Project Land (Special Provisions) Amendment Bill, 2020, *inter alia* seeks to:

- (a) To insert Section 3 of the Act No. 28 of 2017, so as to include land taken on leased as well.
- (b) To amend clause (ii) of section 7 of the Act, so as to remove the infirmity.
- (c) To insert second proviso in Section 7 of the said Act by making a provision of additional compensation of 10 per cent of the collector rates, in case a person opts for compensation, in lieu of land, as per clause (i) of said Section. Further, to insert third proviso in said section, so as to make a provision of getting compensation for any building or structure on the project land.
- (d) To insert section 9 A in the principal Act, so as to make a provision of appeal.
- (e) To amend section 10, in view of insertion of section 9 A.
- (f) To insert section 17 regarding form, manner and fees for filing the appeal as well as the manner of publication of modified final scheme respectively.

The Bill seeks to give effect to the aforesaid objects.

DUSHYANT CHAUTALA,
Deputy Chief Minister, Haryana.

Chandigarh:
The 29th February, 2020.

R. K. NANDAL,
Secretary.