

HARYANA VIDHAN SABHA

Bill No. 1— HLA of 2025

THE HARYANA VILLAGE COMMON LANDS (REGULATION) AMENDMENT BILL, 2025

A

BILL

further to amend the Haryana Village Common Lands (Regulation) Act, 1961.

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

1. This Act may be called the Haryana Village Common Lands (Regulation) Amendment Act, 2025. Short title.
2. In clause (iii) of sub-section (2) of section 3 of the Haryana Village Common Lands (Regulation) Act, 1961 (hereinafter called the principal Act), for the words and signs "in accordance with such principles and in such manner, as may be prescribed by the Collector on an application by the said lessee, transferee or his legal heir", the words and signs "by the Collector on an application by the said lessee, transferee or his legal heir, in accordance with such principles and in such manner, as may be prescribed" shall be substituted. Amendment of section 3 of Punjab Act 18 of 1961.
3. In section 5A of the principal Act, - Amendment of section 5A of Punjab Act 18 of 1961.
 - (i) in sub-section (1), the first and second proviso alongwith explanation shall be omitted;
 - (ii) in sub-section (1A), -
 - (a) for the words "State Government", the words and sign "Director, Development and Panchayats Department" shall be substituted;
 - (b) for the words and signs "at the rate not less than the market rate, to be determined in such manner, as may be prescribed", the words and sign "at such rate, as may be prescribed" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The lands in shamilat deh which were leased out prior to the commencement of the Punjab Village Common Lands (Regulation) Rules, 1964 by the Collector under the Haryana Utilization of Lands Act, 1949 for a period of 20 years has been excluded from the ambit of shamilat deh. Therefore, the first and second proviso clauses of section 5A(1) providing lease of such lands by Gram Panchayat is proposed to be omitted.

It would be very difficult to place individual matters of granting approval to Gram Panchayats for regularization of houses unauthorisedly constructed on lands in shamilat deh on or before 31st March, 2004 before the Council of Ministers, therefore, it is proposed to empower the Director Panchayats to grant approval to Gram Panchayats in such cases.

Section 5A(1A) of the Act provides to sell its land of unauthorisedly construction at the rate not less than market rate as may be prescribed. Keeping in view the difficulty of determining market rate in each individual case as per policy dated 25.11.2021 issued by the Revenue and Disaster Management Department; it is proposed that the a provision may be made that Gram Panchayat may sell such lands at the rate as may be prescribed.

Hence this Bill.

KRISHAN LAL PANWAR,
Development and Panchayats Minister,
Haryana

Chandigarh :
The 4th March, 2025.

DR. SATISH KUMAR,
Secretary.

N.B.— The above Bill was published in the Haryana Government Gazette (Extraordinary), dated the 4th March, 2025, under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

ANNEXURE

EXTRACT FROM THE HARYANA VILLAGE COMMON
LANDS (REGULATION) ACT, 1961

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3(1) XXXXX

(2) (i) XXXXX

(ii) XXXXX

(iii) where any land has vested in Panchayat under this Act, but such land has been excluded from shamilat deh under sub-clause (ii-b) of clause (g) of section 2, all rights, title and interest of the Panchayat in such land, from the date of commencement of this amendment Act shall cease and all such rights, title and interest in such land shall vest in the original lessee, transferee or his legal heir who is in cultivating possession as per the entries in the revenue records as on the date of commencement of this amendment Act subject to the payment of an amount to the Panchayat, as may be determined in accordance with such principles and in such manner, as may be prescribed by the Collector on an application by the said lessee, transferee or his legal heir."

5A. (1) A panchayat may gift, sell, exchange or lease the land in shamilat deh vested in it under this Act to such persons including members of Scheduled Castes and Backward Classes on such terms and conditions as may be prescribed:

Provided that the lease of land by way of allotment for cultivation purposes may be given for a period upto 99 years only to a person who does not own any land for agriculture on the date of the commencement of this Act and has been the original lessee either under the provisions of the East Punjab Utilisation of Lands Act, 1949 (Punjab Act 38 of 1949) or under the provisions of the Punjab Village Common Land (Regulation) Act, 1953 for a period not less than seven years and has remained in continuous cultivating possession of the leased land upto the 24th September, 1986, with corresponding entries in the revenue record:

Provided further that the lessee shall make one time payment, as may be prescribed, for the period he remained in cultivating possession without making payment of lease money.

Explanation.- "Person" for the purpose of this sub-section shall include legal heirs of the original allottee.

“(1A) Notwithstanding anything contained in sub-section (1), a Panchayat may, with the prior approval of the State Government, transfer its non-cultivable land in shamilat deh by sale to the inhabitant of the village who has constructed on or before the 31st March, 2004, a house or part thereof alongwith open space upto twenty-five percent of the constructed area, both put together not exceeding five hundred square yards and not causing any obstruction to traffic and other public utilities and also not a land reserved for pond or any other water body or revenue rasta entered as such in revenue record, at the rate not less than the market rate, to be determined in such manner, as may be prescribed.”.

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