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HARYANA GOVERNMENT

INDUSTRIES AND COMMERCE DEPARTMENT

Notification

The 14th August, 2012

No. 49/49/2012-4IB-I.—The Industries & Commerce Department acquires land for development of industrial infrastructure in a planned manner by the Haryana State Industrial & Infrastructure Development Corporation as the State's Nodal Agency for the purpose. The land for the purpose is acquired under the provisions of the Land Acquisition Act, 1894. The Government has also formulated its 'Land Acquisition and R & R Policy' dated 09th November, 2010 in this behalf whereby the interests of landowners are duly protected with provisions for (i) minimum floor rates so as to ensure payment of market linked compensation, and (ii) a number of benefits under the Rehabilitation and Resettlement (R&R) Policy, including payment of Annuity for a period of 33 years, which has been hailed as a model throughout the Country.

2. The Governor of Haryana is pleased to notify a 'Land Pooling Scheme' in furtherance of the above whereby the landowners are also given an option to become partners in the development process. The details of the 'Land Pooling Scheme' are given in 'Annexure-A' to this Notification.

Y. S. MALIK,

Principal Secretary to Government of Haryana,
Industries & Commerce Department.

Enclosure: Annexure 'A'

‘Land Pooling Scheme’ for development of industrial infrastructure

The Industries & Commerce Department acquires land for development of industrial infrastructure in a planned manner by the Haryana State Industrial & Infrastructure Development Corporation as the State’s Nodal Agency for the purpose. The land for the purpose is acquired under the provisions of the Land Acquisition Act, 1894. The Government has also formulated its ‘Land Acquisition and R & R Policy’ dated 09th November, 2010 in this behalf whereby the interests of landowners are duly protected with provisions for (i) minimum floor rates so as to ensure payment of market linked compensation, and (ii) a number of benefits under the Rehabilitation and Resettlement (R&R) Policy, including payment of Annuity for a period of 33 years, which has been hailed as a model throughout the Country.

2. The Government has now decided to introduce a ‘Land Pooling Scheme’ whereby the landowners are given an option to become partners in the development process. The salient features of this Land Pooling Scheme are as follows:

- (i) After the Government has notified any land for acquisition for development of industrial and supporting infrastructure under Section 4 of the Land Acquisition Act, the landowner(s) would have the choice to opt for developed land measuring 1200 sq. yards for each one acre of land proposed to be acquired in lieu of the ‘compensation package and all other benefits admissible under the R & R Policy’ of the Government or accept the amount in lieu thereof for the entitled developed land at the allotment rates applicable at time of first floatation of the estate;
- (ii) The landowner(s) would be eligible to participate in the Land Pooling Scheme only if a minimum of ½ acre or more of his/ their land is acquired;
- (iii) The entitlement of developed land shall be in proportion to the land acquired/ pooled by the landowner(s) @ 1200 sq. yards per acre;
- (iv) The option for the Land Pooling Scheme will have to be exercised by the landowner(s) in writing in the prescribed form within a period of 4 months of the publication of Section 4 Notification;
- (v) Where a landowner opts for the ‘developed land’ under the Land Pooling Scheme, he would have the freedom to sell his developed land in the open market. The land use in respect of such land shall remain ‘industrial’ and shall not change under any circumstances. However, any subsequent purchaser of land shall be governed by the Estate Management Procedures of the HSIIDC as applicable from time to time;
- (vi) The landowner(s), who opt(s) for the Land Pooling Scheme, will also have the option to request for payment of part amount upfront at the time of Award and adjust the balance amount at the time of floatation of plots after accounting for interest applied @ 9% per annum on the advance amount paid. The part advance shall be no more than the amount determined as the minimum floor rate for the area. The different sub-set of options under this option will be as under:
 - (a) The landowner may request for allotment of developed land as per his entitlement at the time of first floatation on refund of the amount availed earlier at the time of Award, along with interest calculated @ 9% per annum, to the acquiring agency of the Government
 - or
 - (b) The landowner may opt for allotment of residual land as per his entitlement after adjustment of the advance amount paid to him along with interest thereon computed @ 9% per annum. In this case, his entitlement for the residual land shall

be worked out on the basis of allotment price determined at the time of first floatation;

or

- (c) The landowner may opt for payment of the residual amount after adjustment of the amount paid in advance along with interest thereon computed @ 9% per annum. His entitlement for the residual amount shall be worked out on the basis of allotment price determined at the time of first floatation.

3. The Landowner shall also have the option to opt for the 'Land Pooling Scheme' in respect of part of his land being acquired and accept 'compensation along with the R & R Benefits' in respect of the balance land provided:

- (i) The minimum land being acquired is one acre; and
- (ii) The option for the 'Land Pooling Scheme' and the 'Compensation along with R & R Benefits' is split in the ratio of 50:50 of his land being acquired.

4. The Award in respect of the land pooled under this Scheme shall be announced by the Land Acquisition Collector under Section 11 (2) read with sub-sections (3) and (4) of Section 31 of the Land Acquisition Act, 1894.

5. Wherever the entitlement of developed land is in fraction of the standard sizes of industrial plots, the landowner will be compensated in monetary terms for such fraction. For instance, if the entitlement is for 600 sq. yards of land, and the standard size of industrial plot carved out is 450 sq. mtrs, the landowner will be allotted a standard size of 450 sq. mtrs developed plot and receive the payment for the balance land calculated at the allotment price determined at the time of first floatation.

6. The developed land will be allotted to the eligible landowners as per their entitlement through draw of lots from among the applications received from the landowners opting for the scheme.

7. The HSIIDC shall execute Conveyance Deeds in favour of the landowners opting for the Land Pooling Scheme as per their entitlement/ allotment of developed land for which no Stamp Duty and Registration Fee shall be payable.

8. Applicability:

- (i) The Land Pooling Scheme shall be applicable in respect of acquisition proceedings initiated for the purposes of development and expansion of Industrial Model Townships, Industrial Estates/ Parks pursuant to this Notification and shall take effect from the date of its Notification in the Official Gazette.
- (ii) A one-time opportunity of exercise of option under this Scheme shall also be available to the landowners in respect of the current acquisition proceedings for aforesaid purposes where Notifications under Section 4 or Section 6 of the Act have been issued and the period available for announcement of the Award is four months or more. The landowners will be required to exercise their options in writing within a period of 60 days of the issue of this Notification.

9. Explanations and Illustrations as given in Annexure-1 may be referred for the implementation of the Scheme. For the purposes of any clarification or interpretation of the provisions of the Scheme during its implementation, the matter shall be referred to the Industries & Commerce Department, whose decision shall be final and binding on the parties.

10. The Scheme is notified with the concurrence of the Finance Department vide its U.O. No. 11/117/2012-1FDIII dated 19-07-2012 and the Revenue Department vide its Memo. No. 1761-R-5-2012/Spl. Dated 19-07-2012.

Explanations and Illustrations

Sr. No.	Para No. of the Scheme	Explanation/ Illustration
1.	Para 2(iii)	If the acquired land of a landowner is ½ acre, he would be entitled to 600 sq. yards of 'Developed Land'. If the acquired land of a landowner is 4 acres, he would be entitled to get 4800 sq. yards of developed land.
2.	Para 2(iv)	The option for Land Pooling Scheme shall be exercised by the Landowner in writing in the Application Form prescribed in Annexure 2, along with the Undertaking.
3.	Para 2 (vi)	If the land being acquired is situated in an area for which the prescribed Floor Rate is Rs. 20.00 lakh/ acre, the Landowner can opt for upfront payment of part amount up to Rs. 20.00 lakh as an Advance. This amount shall carry a simple interest @ 9% per annum from the date of payment till the date of final settlement under the following sub-options:
4.	Para 2(vi) (a)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the land owner can repay an amount of Rs. 20.00 lakh + Rs. 5.40 lakh (interest) = Rs. 25.40 Lakh to the HSIIDC and take developed land of 1200 sq. yards at the time of first floatation.
5.	Para 2(vi) (b)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the updated amount along with interest at the prescribed rate would be Rs. 25.40 Lakh. In case the rate of developed land is determined @ Rs. 5000/- per sq. mtr. (or Rs. 4180.50/- per sq. yard) at the time of first floatation, his entitlement for the balance developed land, after adjustment of the advance amount along with interest, would be 592 sq. yards or 495 sq. meters. In this case, he can seek allotment of a developed plot of 450 sq. mtrs. and receive payment for the balance 45 sq. mtrs (i.e. Rs. 2,25,000/-) calculated @ Rs. 5000/- per sq. mtr.
6.	Para 2(vi) (c)	In case the land being acquired is one acre and the amount taken in advance is Rs. 20.00 lakh by the landowner, and plots of developed land are floated, say, after three years, the updated amount along with interest works out to Rs. 25.40 Lakh. In case the rate of developed land is determined @ Rs. 5000/- per sq. mtr. (or Rs. 4180.50/- per sq. yard) at the time of first floatation, the equivalent developed land for this amount of Rs. 25.40 Lakh works out to 608 sq. yards (508 sq mtrs). Thus his entitlement for the balance developed land would be equal to 592 sq. yards (495 sq. mtrs.) of which the equivalent amount works out to Rs. 24,75,000/-. The landowner can ask for payment of this balance amount at the time of first floatation of plots.
7.	Para 3	If the land being acquired of a landowner is 3 acres, and he wants to exercise his option under this provision, he can opt for the 'Land Pooling Scheme' in respect of 1.5 acres of land and the 'Compensation amount along with R & R Benefits' in respect of the balance 50% of his land being acquired. This ratio cannot be changed to 2 acres and 01 acre respectively.
8.	Para 5	The HSIIDC follows the Metric System while carving out its industrial plots. Following are the conversion rates from sq. yards to sq. mtrs. and vice versa:

Sq. Yards	Sq. Mtrs.	Sq. Mtrs.	Sq. Yards
01 Sq. Yard	= 0.8361 sqm	01 sqm	1.1959 sq yard
30 sqy	= 25.083 sqm	450 sqm	538.1955 sqy
100 sqy	=83.612 sqm	800 sqm	956.7920 sqy
600 sqy	= 501.676 sqm	1000 sqm	1195.9900 sqy
1200 sqy	= 1003.35 sqm	1012.50 sqm	1210.9339 sqy
2420 sqy (1/2 acre)	= 2023.42 sqm	1800 sqm	2152.7820 sqy
4840 sqy (One Acre)	= 4046.85 sqm	4050 sqm	4843.7596 sqy

The standard sizes of Industrial Plots carved out by the HSIIDC are as under:

- (i) 450 sq. mtrs. (15 mtrs. x 30 mtrs.)
- (ii) 800 sq. mtrs. (20 mtrs. x 40 mtrs.)
- (iii) 1012.50 sq. mtrs. (22.5 mtrs. x 45 mtrs.)
- (iv) 1800 sq. mtrs. (30 mtr. x 60 mtrs.)
- (v) 4050 sq mtrs. (45 mtrs. x 90 mtrs.)

The landowner's entitlements under the adjustment of excess/ shortfall of land qua the entitlement would be as under:

- (i) Where the land acquired is $\frac{1}{2}$ acre, the landowner is entitled to a developed industrial plot of 600 sq. yards (502 sq. mtrs). Since the standard size plot is of 450 sq. mtrs, he can be allotted a developed industrial plot of 450 sq. mtrs. and claim payment in respect of the balance land measuring 52 sq. mtrs from HSIIDC @ determined at the time of first floatation.
- (ii) Where one acre of land is acquired, the landowner is entitled to a developed industrial plot of 1200 sq yards (or 1003 sq. mtrs) Since the standard size plot is of 1012.50 sq. mtrs, he can be allotted a developed industrial plot of 1012.50 sq. mtrs, for which he will have to make payment for the differential developed land i.e. for about 9.5 sq. mtrs. @ determined at the time of first floatation. Alternatively, he can also opt for two plots of 450 sq. mtrs. each and claim payment in respect of the balance land measuring 103 sq. mtrs from HSIIDC @ determined at the time of first floatation.
- (iii) Where 1.5 acre of land is acquired, the landowner is entitled to developed industrial land measuring 1800 sq. yards (1505 sq. mtrs.). Here, he can opt for one developed industrial plot of 1012.50 sq. mtrs. + one plot measuring 450 sq. mtrs. i.e. a total of 1462.50 sq. mtrs and will be entitled to receive payment for the balance developed land measuring 42.5 sq. mtrs. from HSIIDC calculated @ determined at the time of first floatation.
- (iv) Where 2 acres of land is acquired, the landowner is entitled to developed industrial land measuring 2400 sq. yards (2007 sq. mtrs.) Since the standard size plots are of 1012.50 sq. mtrs. and 1800 sq. mtrs., he has the following options:

		<p>a) Opt for one developed plot of 1800 sq. mtrs. or four plots measuring 450 sq. mtrs. each and receive payment for the balance land i.e. 207 sq. mtrs. from HSIIDC calculated @ determined at the time of first floatation; or</p> <p>b) Opt for two industrial plots measuring 1012.50 sq. mtrs. each and make payment for an area measuring 18 sq. mtrs calculated @ determined at the time of first floatation; or</p> <p>c) Opt for one plot of 1012.50 sq. mtrs. and two plots of 450 sq. mtrs each, thus aggregating to 1912.50 sq. mtrs. and receive payment for the balance land i.e. 94 sq. mtrs. from HSIIDC calculated @ determined at the time of first floatation;</p> <p>(v) The upper and lower threshold limits of allotment of developed land or payment by the HSIIDC in respect of the excess/ shortfall of entitled land shall be determined on the basis of mid way cut-off as illustrated below:</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Land Acquired/ Pooled</th> <th>Entitlement in sq. yards</th> <th>Entitlement in Sq. Mtrs.</th> <th>Nearest Standard Sizes in Sqm</th> <th>Options available</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>4 kanal</td> <td>600</td> <td>502</td> <td>450</td> <td>Take a Plot of 450 sqm and receive price of balance 52 sqm.</td> </tr> <tr> <td>2</td> <td>5 kanal</td> <td>750</td> <td>627</td> <td>450, 800</td> <td>Take a Plot of 450 sqm and receive price of 177 sqm, or Take a Plot of 800 sqm and pay the price of 173 sqm.</td> </tr> </tbody> </table> <p>Note: For ease of calculations, the decimal points up to 0.49 would be rounded to the lower full number, the decimal point of 0.50 shall be taken as it is and decimal points above 0.50 will be rounded to the next whole number, in cases of land measurement/ conversion and the amount.</p>	Sr. No.	Land Acquired/ Pooled	Entitlement in sq. yards	Entitlement in Sq. Mtrs.	Nearest Standard Sizes in Sqm	Options available	1	4 kanal	600	502	450	Take a Plot of 450 sqm and receive price of balance 52 sqm.	2	5 kanal	750	627	450, 800	Take a Plot of 450 sqm and receive price of 177 sqm, or Take a Plot of 800 sqm and pay the price of 173 sqm.
Sr. No.	Land Acquired/ Pooled	Entitlement in sq. yards	Entitlement in Sq. Mtrs.	Nearest Standard Sizes in Sqm	Options available															
1	4 kanal	600	502	450	Take a Plot of 450 sqm and receive price of balance 52 sqm.															
2	5 kanal	750	627	450, 800	Take a Plot of 450 sqm and receive price of 177 sqm, or Take a Plot of 800 sqm and pay the price of 173 sqm.															
9.	Para 6	The developed plots shall be allotted through a draw of lots in each category as per entitlement and option of the landowner.																		

Application Form

From:

(The Landowner)

Applicant's Photograph	Photo
Photo	Photo

To

1. The Land Acquisition Collector

2. The Estate Manager/ HSIIDC

Dated: _____

Subject: Application for becoming partner(s) under the 'Land Pooling Scheme' and allotment of developed land in lieu of the 'Compensation amount and the R & R Benefits'

Sir,

My/ our land (as per description given below), situated in village _____, tehsil _____, district _____ has been notified by the Government vide notification dated _____ issued under Section 4 of the Land Acquisition Act, 1894:—

Sr. No.	Name of Landowner/ Applicant	Rectangle No.	Khasra No.	Share of the Applicant	Area being acquired in the ownership of the applicant(s)	
					Kanal	Marla

A copy of the latest *Jamabandi*/ mutation confirming that the notified land is under my/our ownership, is enclosed for reference/ record.

2. I / we understand that the Award in respect of the land pooled under this Scheme shall be announced by the Land Acquisition Collector under Section 11 (2) read with sub-sections (3) and (4) of Section 31 of the Land Acquisition Act, 1894.

3. This is to submit that I/we have read and understood the provisions of the Land Pooling Scheme. I/We wish to become partner(s) in the development process under the said Land Pooling Scheme and exercise the following option:-

3.1 I/we are owners of ____ Acre ____ Kanal ____ Marla land which is being acquired by the Government. I/ We would like to opt for the Land Pooling Scheme in respect of our entire land being acquired;

or

I/we are owners of ____ Acre ____ Kanal ____ Marla land which is being acquired by the Government. I/ We would like to opt for the Land Pooling Scheme in respect of only ____ Acre ____ Kanal ____ Marla of my/ our land, which is 50% of the total land being acquired, being a minimum of one acre or above, and opt to accept the 'compensation package along with the R & R benefits' in respect of the balance land measuring ____ Acre ____ Kanal ____ Marla as per the Award announced by the Land Acquisition Collector.

3.2 Further, I/ we opt for allotment of developed land as per my/ our entitlement at the time of first floatation of the Estate/ Township and I/ we agree to accept the cash or deposit the cash amount calculated @ the first floatation rate in respect of the land in excess of my/our entitlement as per the Scheme *vis-à-vis* the standard size of plot of land allotted to me/us;

or

I/we opt for acceptance of the cash amount in lieu of my/ our entitlement of developed land calculated @ first floatation at the time of floatation of the estate/ township;

3.3 Further, I/we opt for the Land Pooling Scheme and allotment of developed land as per my/ our entitlement at the time of first floatation of the Estate/ Township along with part advance amount in cash which shall be _____. Having exercised this option, I/we further confirm the following option under this category:

(i) I/ we would like to take the developed land as per our entitlement at the time of floatation of the estate and refund the advance amount availed earlier at the time of Award, along with interest calculated @ 9% per annum to the acquiring/ development agency of the Government;

or

(ii) I/we opt for allotment of residual land as per my/our entitlement after adjustment of the advance amount paid to me/us along with interest thereon computed @ 9% per annum. I/ we understand that my/our entitlement for the residual land shall be worked out on the basis of allotment price determined at the time of first floatation;

or

(iii) I /we opt for payment of the residual amount after adjustment of the amount paid in advance along with interest thereon computed @ 9% per annum. It is

understood that my/our entitlement for the residual amount shall be worked out on the basis of allotment price determined at the time of first floatation.

(Please tick (✓) one of the three options given above and strike off the remaining ones.)

4. I/ we are fully conscious that, having opted to become partners under the Land Pooling Scheme and having exercised my/our option as herein before, I/we would have no right, whatsoever, to claim any cash compensation awarded under Section 11(1) and, further, file a reference under Section 18 of the Act in respect of my/our notified land.

Yours faithfully,

(Landowner/ Name/ Signature)

Undertaking

Verified that I/we have exercised the option to become partners under the 'Land Pooling Scheme' and further options exercised there under after complete understanding of the Scheme and its provisions, without any pressure or persuasion by any other person or authority and these options are irrevocable. The contents of paragraphs 1 to 4 of my above application are true and correct to the best of my/our knowledge and belief and which I/ we believe to be correct. No part of it is false and nothing material has been concealed therein. I/ we undertake to abide by our options exercised in this application in accordance with the provision of the Land Pooling Scheme of the Government.

(Landowner/ Name/ Signature)

Witness: _____

Verification:

The details of land of the applicants herein, as mentioned in para 1 and para 3.1 of this application, which is being acquired by the Industries & Commerce Department, are certified to be correct as per the latest revenue records/ mutations/ sale deeds available in this office.

(Revenue Tehsildar / Naib Tehsildar concerned)

Acknowledgement

This is to acknowledge that S/Sh. _____ have submitted their application for becoming partners under the Land Pooling Scheme in respect of their land measuring _____ Kanal _____ Marla, situated in village _____, forming part of Section 4 Notification dated _____ issued for a public purpose i.e. development/ expansion of IMT/ Industrial Estate/ Park at _____. This receipt is issued in acknowledgment of the said application.

(Land Acquisition Collector _____)

Dated:

Estate Manager/ HSIIDC

Dated: