

**Government of Haryana**  
**Revenue & Disaster Management Department**

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No. 1917-R-5-2014/15193

To

1. All the Divisional Commissioners in the State.
2. All the Deputy Commissioners in the State.
3. All the Sub-Divisional Officers (C) in the State.
4. All the District Revenue Officers/ Land Acquisition Officers in the State.

Chandigarh dated the 12.11.2014

**Subject:-** **Determination of price of the land to be acquired under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.**

The Government has issued following instructions regarding formation of Divisional Level Committee for determination of market price to be paid to the land owners for the land acquired under Land Acquisition Act, 1894:

- (i) No. 850-R-V-95/2189, dated 09.02.1995.
- (ii) No. 3670-R-V-95/8943, dated 20.06.1995.

2. The relevant para of the instruction dated 09.02.1995 read as under:-

"In order to streamline the procedure a State level Committee has been constituted by Government to monitor the price fixed for awarding the compensation for acquiring land. The State Level Committee will consist of the following officers:-

1. Chief Secretary to Government Haryana.
2. Financial Commissioner & Secretary to Government Haryana, Revenue Department.
3. Financial Commissioner & Secretary to Government Haryana, Finance Department.
4. Secretary of the concerned department.
5. Concerned Deputy Commissioner (Convenor)

This Committee will decide the market price to be paid for the land acquired. While deciding the market price this Committee may take into consideration the average of one year sale price and not of five years. The market rates arrived at by this Committee will be offered to the land owners whose land is being acquired as negotiated rates.

3. The instruction of 09.02.1995 was further amended vide instruction dated 20.06.1995 to constitute a Committee at Divisional level instead of Committee already constituted vide above said letter (dated 09.02.1995) with following officers:-

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| 1. Divisional Commissioner:                    | Chairman         |
| 2. Concerned Deputy Commissioner:              | Member Secretary |
| 3. Representative of the concerned Department. | Member           |
| 4. Concerned District Revenue officer:         | Member           |

4. Since a new land acquisition Act has come into existence, a change has been necessitated and the above mentioned Committee mechanism needs to be withdrawn.

5. The Government of India has notified the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which is applicable w.e.f. 01.01.2014. The State of Haryana has framed its Rules under the said Act of 2013 vide Gazette Notification dated 28.10.2014 issued vide No. S.O.111/CA 30/2013/S.109/2014 to determine compensation under Section 24 and market value of land under Section 26 of the said Act of 2013 which are reproduced as under:-

Determination of compensation (section 24)

The cases covered under clause (a) of sub-section (1) of section 24 where the notification was issued on or before the 31<sup>st</sup> December, 2013 under section 4 of the Land Acquisition Act, 1894 (1 of 1894), the date for determination of the market value shall be the date on which such notification was issued.

Determination of market value (section 26)

- (1) The market value under clause (a) of sub-section (1) of section 26 shall be based on the rates specified by the Collector in each district and used as guidelines for registration of 'sale deeds' or 'agreements to sell' with the Sub-Registrar/Registrar.
- (2) For working out the average sale price of similar type of land as mentioned in clause (b) of sub-section (1) of section 26, the 'similar type of land' shall be categorized on the basis of its existing land use (e.g. commercial/residential/institutional/ agricultural etc.), agricultural land classification (e.g. nahari, chahi, barani etc.) and location of such land with specific reference to its distance from the roads using a belting system as under:-

Sr. No.	Particulars of the road	Distance from the Roads	
		Category I	Category II
(i)	along a National Highway	Up to a depth of 200 metres	Beyond 200 metres
(ii)	along a State Highway and a Major District Road	Up to a depth of 150 metres	Beyond 150 metres
(iii)	any other metalled road/rural road	Up to a depth of 100 metres	Beyond 100 metres

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(3) Following shall be the order of merit for determining the market value of land:-

(a) sale deeds/agreements to sell registered in the office of sub-registrar in respect of similar type of land and then working out the weighted average of top fifty percent of such sale deeds/agreements to sell:

Provided that wherever land is acquired in acres, the sale deeds/agreements to sell in respect of land measuring only one acre and above shall be considered for working out the weighted average price of land for determination of market value of land and the sale deeds for areas less than one acre shall be ignored.

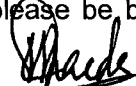
(b) rates notified by the District Collector in the nature of guidelines for registration of conveyance deeds for the similar type of land for the relevant year i.e. the year in which notification under section 4 of the Land Acquisition Act, 1894 (1 of 1894) or the notification under section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) is issued, as the case may be.

(4) The higher of the two above shall be taken as the market value, subject to Explanation 4 given under sub-section (1) of section 26.

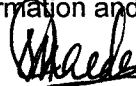
6. In view of all the above, the said instructions dated 09.02.1995 and 20.06.1995 are hereby withdrawn.

7. Now the price of the land to be acquired may be determined according to the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and said Rules of the State of Haryana.

The above instruction may please be brought to the notice of all concerned for compliance.

  
Under Secretary Revenue,  
for Additional Chief Secretary and Financial Commissioner to  
Govt., Haryana, Revenue and Disaster Management Department.

A copy is forwarded to all the Additional Chief Secretaries/Principal Secretaries to Government Haryana for information and necessary action.

  
Under Secretary Revenue,  
for Additional Chief Secretary and Financial Commissioner to  
Govt., Haryana, Revenue and Disaster Management Department.

To

All the Additional Chief Secretaries/Principal Secretaries to  
Government Haryana.

U.O. No. 1917-R-5-2014/2078

Chandigarh dated the 12.11.2014

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*13-11-14*