



CHANDIGARH ADMINISTRATION
FINANCE DEPARTMENT
ESTATE BRANCH
Policy for Land Acquisition through negotiation

Notification No.43/3/325-UTFI(5)-2018/ 1178

Dated 25/1/2018

Whereas, the Right to Fair Compensation Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 came into force w.e.f. 01.1.2014. Under the said Act, for acquiring land different stages have been prescribed i.e. to issue notifications, to carry out Social Impact Study, Rehabilitation and Resettlement Scheme etc. which consume sizeable amount of time. Sometimes these long procedures result in delay and cost escalations for many important projects. Therefore, keeping in view the aforesaid situations, the Administrator, Union Territory, Chandigarh is pleased to frame the policy to acquire the land for the different Departments/ Government undertakings directly from the land owners by way of negotiations with immediate effect.

- 1) Whenever any Government Department has to acquire land for any public purpose by negotiations, the proposal may be submitted to the Land Acquisition Officer, U.T., Chandigarh along with details of the land to be acquired along with copies of Jamabandi, Aksh Sajra etc. The Land Acquisition Officer, U.T, Chandigarh shall examine the proposal on the basis of revenue record and other necessary aspects and issue necessary advice to the Administrative Department. The final decision will be taken at the level of H.E the Administrator through concerned Administrative Department.
- 2) Once the land is identified & selected by the Chandigarh Administration, the value of land shall be determined by the Land Acquisition Officer, U.T., Chandigarh. For this purpose, while fixing the rates multiplier factor shall be kept in view as prescribed by the notification dated 22.11.2016 issued by the Chandigarh Administration under Section 26(2) of the Act ibid as amended from time to time. If there is any building, crop, fruit bearing trees or any other immovable structure on the land, then its value shall be got assessed by the concerned Department. The total amount shall be calculated after adding Solatium @ 100% under Section 30 of the Act ibid, on the amount of compensation, fixed in this manner.
- 3) The consent of the land owners will be obtained by the Land Acquisition Officer, U.T, Chandigarh about the rates and total value of the land regarding the rates so fixed. The rates so fixed (Circle rate/collector rates/market rates) shall be presumed to be accepted. If the consensus is not reached on these rates, then the matter will be placed by the Land Acquisition Officer before the District Price Fixation Committee. The District Price Fixation Committee shall comprise of the following members :-
 - (i) Deputy Commissioner, U.T., Chandigarh.
 - (ii) Member of Parliament or Representative of Member Parliament, U.T., Chandigarh
 - (iii) Chief Architect, U.T., Chandigarh
 - (iv) Land Acquisition Officer, U.T., Chandigarh
 - (v) Local Councillor for Urban Areas or Sarpanch for Rural Areas

The final decision on the recommendations of the said committee shall be taken at the level of Administrator, U.T., Chandigarh. In this respect, the main conditions will be as under :-

- (iii) If the consensus is arrived at, through negotiations about the total compensation, as per para (2) above, under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, then the Administrative Department will be authorized for acquisition after approval of competent authority i.e. HE-the-Administrator, U.T., Chandigarh.
- (iv) On the recommendation of the District Price Fixation Committee, to allow up to 10 % Premium over and above the price fixed in para (2) above, the concerned Administrative Secretary, after seeking the advice of the Finance Department, will take necessary approval from the competent authority i.e. H.E-the-Administrator, U.T., Chandigarh.
- 4) If there is delay of more than six months from the date of consensus about the rates, 6% simple interest will be paid on the compensation amount till the date of actual payment. In this regard, an agreement may be made between the representative of the Administrative Department and the land owners.
- 5) After completion of process to acquire land by negotiation, no other benefit mentioned in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall be payable and the land owners whose land gets acquired under this policy. However, they will be given a benefit of waiver in stamp duty, registration fees on purchase of land/building made in U.T., Chandigarh from this compensation amount, within a period of two years from the date of payment.
- 6) The land which will be acquired under this policy will be registered in the name of concerned Administrative Department and no stamp duty, registration charges, cesses etc. shall be levied.

Ajoy Kumar Sinha,
Finance Secretary,
Chandigarh Administration

No. 43/3/325-UTFI(5)-2018/

Dated

A copy is forwarded to the Controller, Printing and Stationery, U.T. Chandigarh with the request to publish in this notification in the Chandigarh Administration Gazettee (Extraordinary) of today and to supply 30 copies thereof for official record.

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Additional Secretary (Estate)
For Secretary Estate
Chandigarh Administration

No. 43/3/325-UTFI(5)-2018/

Dated

A copy is forwarded to the Director Public Relation, Chandigarh Administration with the request that the notification may please be got published in three vernacular leading newspapers for information of the general public.

- S d -
Additional Secretary (Estate)
For Secretary Estate
Chandigarh Administration