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HARYANA GOVERNMENT
REVENUE & DISASTER MANAGEMENT DEPARTMENT

Notification

The 6th July, 2021

No. 391-ARIC-I-2021/6273-.-

Policy for Fixation of Market Rate of Immovable Properties in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

1. Introduction

Different Departments of the Government have constituted different committees for fixation of reserve/ market rate of immovable properties for various purposes. In this regard, the Urban Local Bodies Department have constituted a committee comprising of Divisional Commissioner; Deputy Commissioner; Commissioner, Municipal Corporation concerned; Special Secretary; Joint Commissioner and District Town Planner concerned in respect of Municipal Corporations other than Faridabad and Gurugram. Similarly, the said Department has constituted a committee for Municipal Corporation Faridabad comprising of Divisional Commissioner, Faridabad; Deputy Commissioner Faridabad; Commissioner Municipal Corporation Faridabad and Chief Town Planner Faridabad. In addition, the said Department, has constituted a committee for Municipal Corporation Gurugram, comprising of Divisional Commissioner, Gurugram; Deputy Commissioner Gurugram; Commissioner Municipal Corporation Gurugram, Joint Secretary of the Department and Chief Town Planner. Other Departments might have constituted similar committees for the valuation of market rate of immovable properties and there is every likelihood that different yardsticks by different committees might have been adopted in the matter. Consequently, this gives rise to multiplicity of legal complications.

2. Short Title

This Policy may be called the Policy for Fixation of Market Rate of Immovable Properties in The State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

3. Objectives

One of the objectives of constituting the committee is that in the absence of crystal clear guidelines, many Departments of the Government including their entities have been experiencing difficulties in transferring their unutilized lands of minor nature including its abandoned paths etc to the private bodies, being situated in between their lands and is thus, a stumbling block in the fast development of their projects, besides, affecting the revenue of the State to a considerable extent. More to it, there is encroachment or authorized/unauthorized possession over such lands/immovable properties resulting in unfruitful litigation under the different relevant statutes viz. the Punjab Village Common Lands (Regulations) Act, 1961 (Punjab Act No.18 of 1961); the Haryana Public Premises and Land (Eviction And Rent Recovery) Act, 1972 (Act No. 24 Of 1972) and other relevant statutes including Rules framed

thereunder, besides, involvement of human resources without any tangible results. Thus, there is need to constitute a uniform committee for the entire State under the Revenue Department, being Nodal Department under the said policy.

4. Definitions

In this Policy unless the context otherwise requires means:

- (i) **Market Value (Collector rate):-** means the rates specified in the Indian Stamp Act, 1899 (Central Act 2 of 1899) for the registration of sale deeds in the area, where the land is situated.
- (ii) **Registered Valuers:-** means the valuers notified/registered by the Income Tax Department, State Bank of India and Insurance Companies.
- (iii) **Uniform Standing Committee:-** means the committee of officers and registered valuers for fixation of market value of immovable properties in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.(Composition of Committee at Annexure-A)
- (iv) **Panchayati Raj Institutions:-** means the institutions constituted under the Haryana Panchayati Raj Act, 1994 (Haryana Act No. of 1994)
- (v) **Urban Local Bodies:-** means the Municipal Committees and Municipal Councils constituted under the Haryana Municipal Act, 1973 (Haryana Act No. of 1973); Municipal Corporations constituted under Haryana Municipal Corporation Act, 1994 (Haryana Act No. of 1994) and Improvement Trust constituted under the

5. Procedure

- (i) **Documents & their verification by the revenue team of the Divisional Commissioner:**
 - (a) Land records i.e., copies of jamabandi, mutation, khasra girdawari, aksh shijra, field book shall be made available by the O/o Deputy Commissioner concerned.
 - (b) The title of the property including ownership, khasra numbers shall be verified online from the Web-HALRIS portal by the revenue team of the Divisional Commissioner. It is to be ensured that the land is in complete khasra number(s) with specific karukan (length & breadth i.e. field book) and not in share in any manner, as per ownership column of the jamabandi.
- (ii) **Selection of valuers and valuation of the property:**
 - (a) The Revenue and Disaster Management Department shall notify/empanel the valuers being drawn from the registered valuers of the Income Tax Department, State Bank of India and Insurance Companies relevant to the State of Haryana. The said Department shall also notify Code of Ethics for Empanelled Valuers for ensuring that the valuers follow the Code and can be dis-empanelled, in case the Code is violated.
 - (b) Out of the three valuers proposed on the Committee, one shall be notified by the Administrative Department, the second valuers can be chosen from the panel by the second/opposite party and the third can be drawn, if there is a substantial disagreement on the valuation between the two valuers, so as to ensure providing a mechanism lending credibility to the valuation process.
 - (c) The valuers shall make valuation of the property in question, as per the relevant statute, rules, policy, instructions of the Department/ Institution/ Entity, to which they belong.
 - (d) The valuers shall submit their report in 10 days from the date they are so requested.
 - (e) The Uniform Standing Committee shall meet within 7 days of the receipt of report by the two valuers.
 - (f) The Uniform Standing Committee shall include the three official members, as mentioned in Annexure A and the Committee shall be free to invite the valuers concerned to participate in its deliberations.
 - (g) The Uniform Standing Committee shall, thereafter, workout the average of the valuation made by the said valuers.
- (iii) **Seeking details of market value**

The chairperson shall seek details of the market value as specified in the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated.
- (iv) **Determination of final market value:**
 - (a) A comparative Statement of the prices determined in accordance with above procedure, enunciated above, shall be prepared.

- (b) The committee shall take a very rational, homogenous and holistic view to determine the final market value in a transparent, well-reasoned and juristic manner.
- (c) In case, if the concerned builder/private entity is ready to pay double the amount of the latest Collector rates fixed under the Indian Stamp Act, 1899 for the registration of sale deeds of the land under reference or average of two deeds of highest amount during the preceding year in the revenue estate pertaining to the same kind of land/immovable property, whichever is higher, the appropriate decision can be taken by the concerned Department with the approval of Hon'ble Chief Minister and the other procedure prescribed in the policy shall not be applicable.
- (d) In case, final amount of the land is finalised as per clause (c) above, the conveyance deed executed by the concerned Government Department/Board etc shall be got registered under the Registration Act, 1908 (Central Act 16 of 1908).

6. Making available the market value to the concerned stakeholders

- (i) In the different Departments of the Government, wherein, there is provision in the relevant statute/rules of market value/collector rates, the final market value determined under this policy shall be deemed to be the market value and the instruction(s)/ notification(s) issued by constituting separate committees shall not be proceeded with in any manner, being deemed to have been lapsed automatically.
- (ii) In case, there is provision of committee for determination of immovable property in the relevant rules of any statute, the Department shall amend the said rules so as to bring the same in conformity with this Policy.

7. Repeal and Saving

All the orders issued by the Urban Local Bodies Department Haryana regarding constitution of various committees from time to time for the purpose of fixation of reserve price / market rate / lease rate are hereby repealed. Provided that any order made or action taken under the said orders so repealed shall be deemed to have been made or taken under corresponding provision of this Policy.

SANJEEV KAUSHAL,
Financial Commissioner, Revenue &
Additional Chief Secretary to Government Haryana,
Revenue and Disaster Management Department.

Uniform Standing Committee

Annexure-A

1.	Divisional Commissioner concerned	Chairperson
2.	District Revenue Officer concerned	Member Secretary
3.	One Departmental Officer in the Head Quarter/ District, in whose charge the land or building to be disposed of Lies, as nominated by the Head of Department	Member
4.	One valuer notified/registered by Income Tax Department	Member
5.	One valuer notified/registered by State Bank of India	Member
6.	One valuer notified/registered by Insurance Company	Member

Note:- The Chairperson may co-opt/invite any other officer/expert to be a member of the committee to participate in its meeting.