



International Environmental
Law Research Centre

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017

This document is available at ielrc.org/content/e1728.pdf

Note: This document is put online by the International Environmental Law Research Centre (IELRC) for information purposes. This document is not an official version of the text and as such is only provided as a source of information for interested readers. IELRC makes no claim as to the accuracy of the text reproduced which should under no circumstances be deemed to constitute the official version of the document.



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

© Govt. of Haryana

No. 88-2018/Ext.] CHANDIGARH, THURSDAY, MAY 24, 2018 (JYAISTHA 3, 1940 SAKA)

LEGISLATIVE SUPPLEMENT

	CONTENTS	PAGES
PART-I ACTS		
1.	THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT (HARYANA AMENDMENT) ACT, 2017 (HARYANA ACT NO. 21 OF 2018) (Only English)	167-168
2.	हरियाणा राज्य उच्चतर शिक्षा परिषद् अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 4)।	169-173
3.	स्वास्थ्य विज्ञान विश्वविद्यालय, करनाल (संशोधन) अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 7)।	175
4.	हरियाणा निजी विश्वविद्यालय (संशोधन) अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 10)।	177
5.	हरियाणा नैदानिक स्थापन (रजिस्ट्रीकरण और विनियमन) अंगीकरण अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 11)।	179
6.	हरियाणा सिविल सेवाएं (कार्यकारी शाखा) तथा समवर्गी सेवाएं तथा अन्य सेवाएं सामूहिक/संयुक्त परीक्षा (संशोधन) अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 12)।	181
7.	हरियाणा नगरीय क्षेत्र विकास तथा विनियमन (संशोधन) अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 14)।	183-184
8.	हरियाणा नगरपालिका क्षेत्रों में अपूर्ण नागरिक सुखसुविधाओं तथा अवसंरचना का प्रबंधन (विशेष उपबंध) संशोधन अधिनियम, 2018 (2018 का हरियाणा अधिनियम संख्या 15)। (केवल हिन्दी में)	185
PART-II ORDINANCES		
	NIL	
PART-III DELEGATED LEGISLATION		
	NIL	
PART-IV CORRECTION SLIPS, REPUBLICATIONS AND REPLACEMENTS		
	NIL	

PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 24th May, 2018

No. Leg. 24/2018.— The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 9th May, 2018 and is hereby published for general information:-

HARYANA ACT NO. 21 OF 2018

**THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND
ACQUISITION, REHABILITATION AND RESETTLEMENT
(HARYANA AMENDMENT) ACT, 2017**

AN

ACT

further to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in its application to the State of Haryana.

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

1. (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017.

Short title and
commencement.

(2) It shall come into force on such date, as the State Government may, by notification in the Official Gazette, appoint.

(3) Notwithstanding anything contained in sub-section (2), sections 2 and 5 of this Act shall be deemed to have come into force on the 1st day of January, 2014.

2. In section 24 of the principal Act,-

Amendment of
section 24 of
Central Act 30 of
2013.

(i) after sub-section (1), the following Explanation shall be inserted, namely:-

“Explanation.- For the purpose of this sub-section, a land acquisition proceeding shall be deemed to have been initiated under the Land Acquisition Act, 1894 (Central Act 1 of 1894) where notification under section 4 of the said Act has been published in any form under sub-section (1) of the said section.”;

(ii) in sub-section (2),-

- (a) the word “physical” shall be omitted;
- (b) for the word “or” occurring after the words “possession of the land has not been taken”, the word “and” shall be substituted;
- (c) in the proviso, for the sign “.”existing at the end, the sign “:” shall be substituted; and
- (d) after the existing proviso, the following proviso shall be added at the end, namely:-

“Provided further that in computing the period referred to in this sub-section, any period during which the proceedings for acquisition of the land were held up on account of any stay or injunction issued by order of any court, shall be excluded:

Provided further that the entry in rapat roznamcha regarding taking or handing over possession recorded by the Land Acquisition Officer or Revenue Official shall be treated as possession taken for all intents and purposes.”.

Amendment of section 46 of Central Act 30 of 2013.

3. In clause (b) of Explanation to section 46 of the principal Act, the words “any person other than” shall be omitted.

Amendment of section 87 of Central Act 30 of 2013.

4. After section 87 of the principal Act, the following section shall be inserted, namely:-

“87A. Offences by Government officials.- Where an offence under this Act has been committed by any person who is or was employed in the Central Government or State Government, as the case may be, at the time of commission of such alleged offence, no court shall take cognizance of such offence unless the procedure laid down in section 197 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) has been followed.”.

Insertion of section 101A in Central Act 30 of 2013.

5. After section 101 of the principal Act, the following section shall be inserted, namely:-

“101A. Power to denotify land.- When any public purpose, for which the land acquired under the Land Acquisition Act, 1894 (Central Act 1 of 1894) becomes unviable or non-essential, the State Government shall be at liberty to denotify such land, on such terms, as considered expedient by the State Government, including the payment of compensation on account of damages, if any, sustained by the land owner due to such acquisition:

Provided that where a part of the acquired land has been utilized or any encumbrances have been created, the landowner may be compensated by providing alternative land alongwith payment of damages, if any, as determined by the State Government.”.

KULDIP JAIN,
Secretary to Government, Haryana,
Law and Legislative Department.