

PART-I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 3rd April, 2017

No. Leg.11/2017.- The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th March, 2017, and is hereby published for general information:-

HARYANA ACT NO. 11 OF 2017

**THE HARYANA DEVELOPMENT AND REGULATION OF URBAN AREAS
(AMENDMENT) ACT, 2017**

An

ACT

*further to amend the Haryana Development and Regulation of
Urban Areas Act, 1975.*

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

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| <p>1. This Act may be called the Haryana Development and Regulation of Urban Areas (Amendment) Act, 2017.</p> | Short title. |
| <p>2. After clause (b) of section 2 of the Haryana Development and Regulation of Urban Areas Act, 1975 (hereinafter called the principal Act), the following clause shall be inserted and shall be deemed to have been inserted with effect from the 18th February, 2015, namely:-</p> <p style="padding-left: 40px;">“(bb) “change in beneficial interest” means change in existing developer, assignment of joint development rights, marketing rights or cumulative change in shareholding pattern beyond twenty-five percent of shareholding existing at the time of grant of licence;”.</p> | Amendment of section 2 of Haryana Act 8 of 1975. |
| <p>3. After section 3C of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 18th February, 2015, namely:-</p> <p style="padding-left: 40px;">“3D. Change in beneficial interest.- After a licence has been granted under sub-section (3) of section 3, the Director may, if satisfied, after making such enquiry, as he may deem necessary, on an application from the colonizer, allow the change in beneficial interest to a third party, after the fulfillment of such terms and conditions, as specified by the Director and after recovery of such administrative charges, as may be prescribed.”.</p> | Insertion of section 3D in Haryana Act 8 of 1975. |
| <p>4. For section 7A of the principal Act, the following section shall be substituted, namely:-</p> <p style="padding-left: 40px;">‘7A. Registration of certain documents.- Notwithstanding anything contained in any other State law for the time being in force, where any document is required to be registered under the provisions of section 17 of the Registration Act, 1908 (Central Act 16 of 1908), purporting to transfer by way of sale or lease any agricultural land having an area of less than two kanals in an urban area, as may be notified specifically by the Government, from time</p> | Substitution of section 7A of Haryana Act 8 of 1975. |

to time for the purposes of this section, no Registration Officer appointed under the above said Act shall register any such document unless the transferor produces before such Registration Officer a no objection certificate issued by the Director or an officer authorized by him in writing in this behalf to the effect that the said transfer does not contravene any of the provisions of this Act and the rules made thereunder and such no objection certificate shall be issued to the concerned Registering Authority within thirty days from the date of receipt of the application for the same:

Provided that—

- (a) there shall be no requirement to obtain a no objection certificate from the Director, where-
 - (i) the land is situated in a colony for which a license has been issued under section 3 of this Act and the copy of the layout plan of colony is submitted with the application for registration of land; or
 - (ii) the proposed transfer is as a result of family partition, inheritance, succession or partition of joint holdings not with the motive of earning profit; or
 - (iii) the proposed transfer is in furtherance of any scheme sanctioned under any law; or
 - (iv) the land is being consolidated by way of sale or transfer of complete share of the different land owners and such land is contiguous to the land of the purchaser;
- (b) if the above said application for grant of no objection certificate submitted to the Director or an officer authorized by him in writing in this behalf is not disposed of through an order in writing within a period of thirty days, the no-objection certificate shall be deemed to have been granted;
- (c) all applications for grant of no-objection certificate shall be accompanied by the following documents, namely:-
 - (i) title of land;
 - (ii) draft copy of registration deed; and
 - (iii) copy of Aadhaar Card.

Explanation:- “agricultural land” includes the land recorded as Nehri, Chahi, Barani or by any other term in the revenue record.’.

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