

PART I
LEGISLATIVE DEPARTMENT

Notification

The 13th December, 1996

No. Leg. 25/96.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th December, 1996, and is hereby published for general information:—

HARYANA ACT NO. 16 OF 1996

THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS RESTRICTION OF UNREGULATED DEVELOPMENT (HARYANA SECOND AMENDMENT AND VALIDATION) ACT, 1996

An

ACT

to amend the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963, in its application to the State of Haryana.

BE it enacted by the Legislature of the State of Haryana in the Forty-seventh year of the Republic of India as follows:—

Short title.

1. This Act may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment and Validation) Act, 1996.

Amendment of section 3 of Punjab Act of 1963.

2. In the proviso to section 3 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter referred to as the principle Act), -

(i) in clause (d), for the sign “.”, the sign and word “;” or” shall be substituted ; and

(ii) after clause (d), the following clause shall be added, namely:-

“(e) ‘the public utility buildings’ and ‘community assets’ which were in existence immediately before the Commencement of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment and Validation) Act, 1996.

Explanation.-(1) “Public utility buildings” means buildings belonging to Government, Government Controlled Organisations, Local bodies, Voluntary Organisations and individuals which are being used for the benefit of public at large without profit motive; and

(2) ‘Community assets’ means assets belonging to Government, Government Controlled Organisations Local Bodies, Voluntary Organisations and individuals which are created for the beneficial use of public at large without profit motive.”.

Amendment of sections 7 of Punjab Act 41 of 1963.

3. In section 7 of the principal Act.-

(a) in sub-section (I)-

(I) after the words “except with the permissions of the Director”, the words “and on payment of such conversion charges as may be prescribed by Government from time to time” shall be inserted;

(b) after sub-section (I), the following sub-section shall be inserted, namely:-

“(IA) Local authorities, firms and undertakings of Government, colonisers and persons exempted from obtaining a licence under the Haryana Development and Regulation of Urban Areas Act, 1975, and authorities involved in land development will also be liable to pay conversion charges but they shall be exempt from making an application under section 8 of this Act.”.

Insertion of section 7A in Punjab Act 41 of 1963.

4. After section 7 of the principal Act, the following section shall be inserted, namely:--

“7A. Power of relaxation.-The Government may, in public interest, relax any restrictions or conditions in so far as they relate to land use prescribed in the controlled area in exceptional circumstances.”.

Amendment of section 10 of Punjab Act 41 of 1963.

5. In section 10 of the principal Act, for the words and signs. “Commissioner of the Division in which the scheduled road or controlled area, as the case may be, is situated and the order of the Commissioner” the words and signs “Commissioner and Secretary to Government, Haryana, Town and Country Planning Department whose orders,” shall be substituted.

Validation.

6. Notwithstanding anything contained in any judgement, decree or order of any court or other authority to the contrary, any action taken or thing done or purporting to have been taken or done in pursuance of the commencement of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Second Amendment and Validation) Act, 1996, by the State Government or any officer or authority of the government, shall be deemed to be valid and effective and accordingly-

(a) all acts proceedings or things done or action taken by the Government or by any officer or authority of the Government in pursuance of the provisions of the said Act, for all purposes, be deemed to be, and to have always been, done or taken in accordance with law;

(b) no suit or other proceedings shall be maintained or continued in any court or before any authority in pursuance of the provisions of the said Act ;
no court or authority shall enforce any decree or order in pursuance of the provisions of the said Act.

B.L. GULATI,
Secretary to Government, Haryana,
Legislative Department.