

SUBJECT: MINUTES OF MEETING HELD UNDER THE CHAIRMANSHIP OF SH ANURAG RASTOGI, DGTCP, HARYANA ON 08.03.2013 AT 03:00 PM AT GYMKHANA CLUB, SECTOR-29, GURGAON REGARDING MECHANISM FOR LAND ACQUISITION/ PURCHASE, CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE NETWORK IN SECTOR 81-95, GURGAON ALONG PLANNED 24M WIDE ROAD NETWORK.

The list of officers/ officials from the Department/ HUDA/ Colonisers who attended the meeting is enclosed at Annexure-A.

BACKGROUND NOTE

2. In the meeting held under the Chairmanship of Hon'ble CM, Haryana on 30.08.2012, following decision was taken regarding the construction of 18/24m internal circulation road:

“Construction of 18/24 m internal circulation roads: It emerged that the problem in this regard was felt primarily since the group housing colonies have preceded plotted developments in a big way in Gurgaon. As the plotted developments start coming up, the problem is likely to gradually disappear. It also emerged that rather than being a general problem, it was a localized issue in certain sectors of Gurgaon and Faridabad, and hence proposing any generalized solution may not serve any purpose. It was accordingly agreed upon that the colonisers who are faced with such issues may submit their specific proposal for acquisition of land under such 18/24 m road to the Government which can be considered on their individual merits under the existing provisions of Part-VII of the Land Acquisition Act 1894.”

3. With reference to the above said decision, a proposal was received by this office from Vatika Ltd for acquisition of un-licenced land parcels falling in the alignment of 24m road in Sector 82, 82A, 83, 84 & 85, Gurgaon. The matter was deliberated in-house in view of the fact that no such exercise has been undertaken by the Department in the past and it emerged that:

3.1 Since a majority of Sector roads stood acquired in the urbanisable areas of Gurgaon, and infrastructure development was moving at a fast pace, the internal development works in licenced colonies have also been moving at a fast pace and in the next few years several of these colonies would stand occupied by general public. Thus provision of infrastructure along 24m roads, on which several group housing colonies stand approved needs to be taken up on priority.

3.2 Since acquisition of 24m road and provision of services along them did not fall within the ambit of EDC Works and no Sectors (in Sec-81 to 95) were under acquisition for development by HUDA the primary responsibility for

undertaking the infrastructure development along 24m roads needs to be shouldered by such developers and the Government can only act as a facilitator as a matter of last resort in such cases.

- 3.3 In order to take an informed decision in the matter, it was important to divide the entire Development Plan area of Gurgaon into manageable 'group of sectors', whose development works need to be reviewed in an integrated manner to identify case-specific issues and work out corresponding solutions.
- 3.4 Thus, instead of restricting to Sector 82, 82A, 83, 84 & 85, Gurgaon; it was decided to consider Sector 81-95 Gurgaon as a group for this purpose and all such colonisers who have a major stake in these sectors in the form of plotted colonies, either licenced or applied, be called to deliberate and develop a suitable mechanism for undertaking the integrated infrastructure development along the 24m wide roads.
- 3.5 The ADUE, Hr informed that as per the guidelines issued by the Government of India for undertaking acquisition of land under Part-VII of the Land Acquisition Act, as a pre-requisite for undertaking any such acquisition, the LAO was required to submit a certificate to the effect that sufficient efforts have already been made by the private companies (colonisers) for aggregating the land required for internal circulation roads and services and their efforts have failed to bear results.

PROCEEDINGS OF THE MEETING

4. The present meeting dated 08.03.2013 was accordingly convened by the DGTCP, Haryana in this context. At the very outset, the context and background for convening the said meeting was explained by the DGTCP. Comments and suggestions of the colonisers were then invited for evolving a practical solution, primarily aimed at making available to the residents/ occupants/ general public of the licenced colonies integrated infrastructure facilities in the form of roads, water supply, sewerage, storm water drainage, electricity, telecom, piped gas etc. along 24m wide internal circulation roads, which shall further get duly integrated with the master services along sector roads, since many of these colonies would be fit for occupation in the next 2-3 years time.

5. Detailed deliberations were held in the matter, wherein suggestions of all stakeholders, i.e., the representatives of Department of Town and Country Planning, Urban Estates, HUDA and the colonisers were considered. On the basis of deliberations held in this regard, the following basic principles and framework was agreed upon:

- 5.1 Since all infrastructure services are provided in the form of a network, it was important to secure the land for the entire network of 24m ROW in any specific sector before initiating the provisioning of services. The provisioning of infrastructure network in phases can also be taken up, provided, not less than 50% of land forming a contiguous 24m ROW network is considered for the first phase.
- 5.2 The colonisers shall make all possible efforts to purchase the land falling under the 24m ROW from the existing land-owners. In order to achieve this it was decided to constitute a three-member Committee of Colonisers (C-O-C) for each sector with one lead member and two other members forming part of the committee.
- 5.3 The Committee of Colonisers (C-O-C) constituted for respective sector shall prepare
- Sector-wise land schedule for the area falling under 24m road (tatima plan)
 - Sector-wise identification of licenced and un-licenced khasra numbers
 - Ownership Determination of Unlicenced Pockets
 - Mark the same on a copy of sectoral plan
- 5.4 The Committee (C-O-C) shall then
- Finalise sector-wise rates to be offered to such land owners for purchase of such unlicenced land parcels forming part of 24m ROW
 - Make an offer in writing to all such land-owners with copies thereof to DTP(Gurgaon) and LAO(Gurgaon)
 - Issue Public Notices in local newspapers and other advertising medium for spreading awareness about their proposal
- 5.5 The COC shall endeavor to purchase all the land parcels falling under the 24m ROW. A Committee chaired by LAO (Gurgaon) with DTP (Gurgaon) as member shall also be constituted to examine the efforts made by the Committee of Colonisers (COC) in this regard. In case, certain unlicenced land-parcels sill remain un-acquired, and the said committee is satisfied that enough efforts have been made by the COC and in the interest of the residents/ occupants of the colonies developed in these sectors it would be expedient for the Government to step in as a matter of last resort to acquire the balance un-acquired pockets to enable Integrated Infrastructure

Development along 24m ROW, then a proposal for initiating acquisition proceedings under Part-VII of Land Acquisition Act 1894 shall be initiated.

5.6 The Committee (C-O-C) shall also be responsible for preparation of Design and Estimates for deployment of Integrated Services and getting the same approved by HUDA and for finalising a cost sharing mechanism among the existing licencees and those obtaining licence in future. In addition, the Committee (C-O-C) shall also be responsible for the deployment, operation and maintenance of services for a period of 20 years unless relieved of the responsibility by the local authority earlier.

6. It was further decided to allow the colonisers a time period of 15 days to finalise the sector-wise committees after which further necessary action as detailed above can be taken. The DGTCP expressed the need to review the progress made in this regard on monthly basis to take the matter to its logical conclusion. It was however, clarified by the DGTCP, Hr that the above framework would also be subject to approval of the Government to enable framing of rules/ policies, as considered necessary for the purpose.

7. The DGTCP, Haryana, further added that in order to synchronise the efforts of colonisers in the provisioning of integrated infrastructure facilities in the form of roads, water supply, sewerage, storm water drainage, electricity, telecom, piped gas etc. along 24m wide internal circulation roads with the EDC works of HUDA, it was important to share the specifications, design, cross-sections, estimates, implementation guidelines etc. of the EDC works with the colonisers. Administrator, HUDA agreed that HUDA would have no objection to such sharing of information, since that would facilitate proper integration of services, and in case there were any suggestions regarding the designing of services, the same can also be looked into. It was accordingly decided that the Chief Engineer HUDA would make the same available to such colonisers who requested for it.

8. The emphasis of the Department on provisioning of integrated infrastructure facilities in the form of roads, water supply, sewerage, storm water drainage, electricity, telecom, piped etc. along 24m wide internal circulation roads was appreciated by the colonisers. It was argued by Sh Rajiv Singh, DLF Ltd, that the same principle needs to be adopted for award of tender for EDC works by HUDA also. It was requested that 'Composite Tender' for integrated infrastructure facilities viz., roads, water supply, sewerage, storm water drainage, electricity, telecom etc. need to be awarded instead of floating separate tender for each infrastructure component. The DGTCP, Haryana and Administrator HUDA agreed that this was a good suggestion, which needs to be followed in future projects.

9. Carrying forward the discussion on the development issues of Sector 81-95, Gurgaon, Sh Rajiv Singh, DLF Ltd raised the issue regarding acquisition of LINK ROAD (also called as CPR by several colonisers) adjoining and including the site reserved for ISBT and Metro depot along with the land for cloverleaf at the 'SPR-NH8-Link Road' junction. It was emphasized that since the take-off point of NPR was embroiled in litigation, the implementation of cloverleaf at this junction would go a long way in resolving the accessibility issues of NPR and the Sectors 81-115, Gurgaon. The ADUE informed that this matter was already under active consideration of the Department, and it shall be ensured that the acquisition process for the Link Road/CPR and adjoining areas gets expedited and completed at the earliest. The DGTCP, Hr directed that the matter be reviewed on a fortnightly basis to take it to its logical conclusion.

10. The ADUE also pointed out that HUDA has failed to erect the boundary pillars along the 84m ROW that already stands acquired by it, and cropping has been noticed at site in a majority part of this ROW, which amounts to encroachment of HUDA land. This may lead to litigations in future and immediate action for demarcation of the 84m ROW by erecting boundary pillars and taking possession of the land by HUDA and not allowing any cropping on the said land by HUDA is an issue which requires immediate attention. Worthy PSTCP, Hr had also issued clear directions in this regard during his visit of NPR on 24.01.2013. The Administrator, HUDA agreed that this was indeed an issue, and directed SE, HUDA to take immediate action and send an action taken report on the matter within a month to him with a copy to the DGTCP, Haryana.

11. With reference to the request of Vatika Ltd for routing the existing 66 KV HT line passing through their plotted colony in Sector 81, 82, 82A, 83 & 85 along Sector roads through a dedicated underground corridor, SE, HUDA contended that any such rerouting can be done only at the cost of the coloniser and that too after taking into account the ROW required for various services, viz., Roads, Trunk Water Supply, Sewerage, Storm Water Drain, Electricity, Telecom, Piped Gas etc. The SE, HVPNL informed that assessment of electrical load of these sectors by both DHBVNL and HVPNL was required, based on which, reservation of dedicated corridors for the planned HT 33KV/ 66KV/ 220KV lines along with LT distribution lines need to be made to meet the Ultimate Power Load Requirement of these sectors. DGTCP, Haryana requested the SE (Transmission Systems), HVPNL to coordinate with his counterparts in DHBVNL to fix the service corridor requirement for electrical infrastructure along the sector roads. The SE, HVPNL, confirmed that the said requirement would be finalized and conveyed to SE, HUDA by 25.03.2013. The SE, HUDA confirmed that the service corridor requirement for all the following

services, i.e., Sector Road & Service road, Water Supply, Sewerage, Storm Water Drains, HT lines, LT Distribution lines, Telecom, Piped Gas shall be finalized and conveyed to DGTCP, Hr by 15.04.2013. It was agreed that after accounting for the corridor requirement of the abovementioned services, if it is possible to accommodate an additional corridor for rerouting of the 66 KV HT line along the acquired alignment of sector road/green belt, then the said re-routing can be allowed along the sector road at the cost of Vatika Ltd.

Continuing the deliberations on this issue, the Administrator, HUDA wanted to know the area requirement for 220KV sub-station in case its construction is taken up based on the latest GIS based technology. It was confirmed by SE (Trans.), HVPNL that for such 220 KV substation based on GIS technology the land requirement would be only 5 acres, however, the cost of erection of such substation is substantially higher to that of a normal 220 KV sub-station.

12. It was also pointed out by some colonisers that whereas the 84m ROW in Sector 81-95 stands acquired, the acquisition proceedings for the area falling under widening of NH-8 to 150m and 60m green belt is yet to be initiated, on account of which the construction of service road along NH-8 to serve the said sectors is yet to begin. It was informed by ADUE that since the widening of NH-8 falls under the jurisdiction of NHAI, the cost of such acquisition needs to be borne by NHAI. However, since there is no initiative from NHAI in this regard till date, a decision needs to be taken on whether the acquisition proceedings can be initiated at the cost of HUDA. It also emerged that several colonisers owned a substantive area in this belt, and a clear report on the same needs to emerge to explore further options in this regard. The DGTCP directed to look into the matter separately to explore further possibilities in this regard. A meeting with officers concerned of NHAI should also be arranged for the same.

13. After a broad agreement on the course of action to be adopted with reference to the integrated infrastructure facilities in the form of roads, water supply, sewerage, storm water drainage, electricity etc. along 24m wide internal circulation roads, the colonisers raised several other developmental issues pertaining to Gurgaon as detailed in the following paragraphs.

14. Several colonisers pointed out that the traffic congestion at the Hero Honda Chowk was arguably the biggest bottleneck of Gurgaon and a provision of fly-over/ underpass/ cloverleaf was already quite delayed. The Administrator HUDA informed that he has been in regular touch with the NHAI officials on the matter, but on account of the lack of initiative on part of NHAI, the issue has remained unresolved. He however assured that immediate steps shall be taken up by HUDA to find immediate solution to this long

pending issue. The DGTCP, Haryana agreed that this issue indeed required immediate resolution and requested Administrator HUDA to resolve the matter on extreme priority. This issue should also figure in the meeting to be held with NHAI representatives.

15. In order to identify the major development bottlenecks in the Sector 1-57 Gurgaon and also make suggestions on infrastructure issues of the Sector 58-115, Gurgaon, the DGTCP, Hr suggested that the Department might like to engage some Town Planning consultancy firm of repute to prepare a report on the matter. The colonisers appreciated the move and volunteered to fund any such proposed study through one of the association of real estate agencies, viz., CREDAI or NAREDCO. It was also confirmed by them that the sole motive in the funding was to get such report prepared and expedited and that there shall be no interference from their side in the way and manner in which the study is awarded and conducted including, framing the Terms-of-Reference, finalising the RFP document, selection of the consultant and the manner in which the monitoring of the study is done by the Department. The DGTCP assured to initiate the award of such consultancy assignment at an early date after obtaining approval of the Government and after following due procedure.

16. The colonisers were of the view that some mechanism to regulate the construction activities within the urban villages needs to be devised, since the constructions in these urban villages were not being governed under any statute. The DGTCP, Haryana agreed that this indeed was a serious issue and that this can also form a part of the TOR for the consultancy assignment to be awarded by the Department. In addition, since most of these urban villages now formed part of the jurisdiction of Municipal Corporation, Gurgaon, it was decided that the Commissioner, Municipal Corporation, Gurgaon, shall also be invited to such meetings in future.

17. It was also pointed out that a 'Pocket Policy' for acquisition of unlicensed pockets falling within the licensed colonies has been in vogue for quite some time. However, no acquisition has taken place in this regard till date. It was agreed that the colonisers may prepare a sector-wise land schedule of such pockets, which can be then examined on merits of the purpose of initiating acquisition proceedings.

18. The ADUE informed that the Section 4 notification for acquisition of all ESS sites marked in the approved Sectoral Plans stands issued. The said initiative was appreciated by all colonisers and it was further requested that since the cost of construction of the sub-station sites was to be borne by HUDA out of EDC funds, it is important to transfer some nominal amount to HVPNL for initiating the preliminary work for

construction of the ESS sites. It was decided to request Chief Administrator HUDA for the same.

19. The colonisers also raised the issue regarding acquisition of the Open Space Zone falling between Sector 81-95 and IMT Manesar. It was suggested that the said land be acquired at the earliest and may be developed as a lake/water reservoir, which would not only prevent any unauthorized encroachments on the said area, but also add to the beauty of the entire area. The ADUE informed that the process for acquisition of the said Open Space Zone is already underway and shall be further expedited.

20. The colonisers emphasized the need to remove the toll plaza at both ends of NH-8, which has been a major cause for hinderance in traffic especially at peak hours. It was pointed out a major relief was felt by all commuters on account of the recent ban on collection of toll by the Hon'ble High Court during the 3 weeks when the flow of traffic had become extremely smooth. It was pointed out by the DGTCP, that though the option was being deliberated by the NHAI, the financial implication of such decision was going to be quite huge. The private colonisers led by Sh Rajeev Singh assured to consider the matter in all seriousness and rope in the colonisers to bear the entire cost of any such initiative, and get back to the Government on the matter soon.

21. The colonisers also raised the issue pertaining to such revenue rastas which being located within licenced colonies have become redundant since alternate Development Plan/ Sectoral Plan roads stand constructed and they no longer serve any purpose. The colonisers desired that a simplified procedure to enable transfer/ exchange of such land with the Panchayat needs to be put in place. The colonisers were informed that the said issue already stands settled in the meeting dated 30.08.2012 held under the chairmanship of Hon'ble CM Haryana, wherein it was decided to constitute a 'High Powered Committee (Revenue Rastas)' under the chairmanship of Principal Secretary, Town and Country Planning Department. The Principal Secretary Revenue and Principal Secretary Panchayat (or their representatives) are the members of the said committee. The committee has the jurisdiction to consider any such proposal for transfer/ exchange of such revenue rastas for an expeditious decision on such exchange proposals or for allotment at fixed rates as the case may be.

22. Apart from above, several other decisions were taken during the meeting which may be summarized as follows:

22.1 The Commissioner, Municipal Corporation Gurgaon may also be invited to all such meetings in future.

- 22.2 HUDA shall initiate steps for transplanting of trees falling in the metalled portion of the road under construction in Sector 81-95, Gurgaon.
- 22.3 HUDA shall coordinate with HVPNL to ensure that the 400KV pylon being erected along NPR adjoining Sector 88 is relocated to an appropriate location, since the existing location would prove be a major hinderance to traffic in future.
- 22.4 The acquisition of area earmarked for University in Sector 68 of FDP 2031 Gurgaon may also be initiated and completed at the earliest.
- 22.5 The acquisition of community sites of higher order community buildings forming part of EDC Services, viz., college, hospitals etc. may also be initiated and completed at the earliest.
- 22.6 The acquisition of area under Public Utilities Zone in Sector-101, Gurgaon, may also be acquired to enable expansion of the adjoining Water Treatment Facility in Sector 100.

The meeting ended with a vote of thanks to the Chair and the participants.

Annexure-A

SUBJECT: MINUTES OF MEETING HELD UNDER THE CHAIRMANSHIP OF SH ANURAG RASTOGI, DGTCP, HARYANA ON 08.03.2013 AT 03:00 PM AT GYMKHANA CLUB, SECTOR-29, GURGAON REGARDING MECHANISM FOR LAND ACQUISITION/ PURCHASE, CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE NETWORK IN SECTOR 81-95, GURGAON ALONG PLANNED 24M WIDE ROAD NETWORK.

The following officers/ officials from the Department/ HUDA/ Colonisers attended the meeting as indicated above:

ON BEHALF OF HUDA

1. Sh. Praveen Kumar Administrator, HUDA, Gurgaon
2. Sh. A.K. Gupta S.E.-I HUDA
3. Sh. R.K. Kakkar S.E.-II HUDA
4. Sh. Hari Dutt Sharma XEN HUDA Div.VI
5. Sh. V.N. Sheokand XEN- Div.V, Gurgaon
6. Sh. Anil Maken XEN-II HUDA, Gurgaon
7. Sh. Naresh Pawar XEN HUDA Div.-I Gurgaon

ON BEHALF OF URBAN ESTATES DEPARTMENT

8. Sh. Jaswant Singh ADUE
9. Sh. Karamveer Singh Kanungo (LAC)
10. Sh. Ashok Kumar Patwari (LAC)
11. Sh. Rajender Singh Patwari (LAO)

ON BEHALF OF HARYANA VIDYUT PRASARAN NIGAM LTD (HVPNL)

12. Sh. Rajesh Gupta S.E./HVPN

ON BEHALF OF TOWN & COUNTRY PLANNING DEPARTMENT

13. Sh. R.K. Singh STP, Gurgaon
14. Sh. P.P. Singh DTP(HQ)
15. Sh. J.P. Sharma ATP, Office of DTP(Gurgaon)

ON BEHALF OF COLONISERS OF SECTOR 81-95, GURGAON

16. Sh. Rajiv Singh VC DLF
17. Sh. D. Bhandari MD, Bestech
18. Sh. Anil Bhalla CMD Vatika
19. Sh. Sunil Satija MD, Bestech
20. Sh. Arvind Walia Director, Ramprastha
21. Sh. Vijay Gupta Chairman, Orris Ltd
22. Sh. SS Jaunapuria CMD, SS Group
23. Sh. Devinder Singh DLF Ltd
24. Sh. Gautam Bhalla Vatika Ltd.
25. Sh. Sunil Bedi M.D., JMD
26. Sh. Manjit Singh President-Legal Orris
27. Sh. Ranbir Singh Vatika Ltd.
28. Sh. Viren Dhar Vatika Ltd.
29. Sh. Amit Yadav Ramprastha Ltd
30. Sh. Munish Sharma Bestech India Ltd