

PART I  
LEGISLATIVE DEPARTMENT

**Notification**

The 12th March, 1999

**Leg. 11/99.**—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on 8th March, 1999, and is hereby published for general information:—

**Haryana Act No. 11 of 1999**

**THE PUNJAB SCHEDULED ROADS AND CONTROLLED AREAS RESTRICTION OF UNREGULATED DEVELOPMENT (HARYANA AMENDMENT) ACT, 1999**

AN  
ACT

*further 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 Fiftieth 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 Amendment) Act, 1999.

Amendment of  
section 3 of Punjab  
Act of 1963.

**2.** In Section 12 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter referred to as the principle Act),—

(i) in sub-section (1)—

(a) for the words “ten thousand rupees”, the words “fifty thousand rupees but not less than ten thousand rupees” shall be substituted ; and

(b) for the words “five hundred rupees”, the words “one thousand rupees” shall be substituted ;

(ii) for sub-section (2) and (3), the following sub-sections shall be substituted, namely :—

“(2) Without prejudice to the provisions of sub-section (1), the Director may, by notice, served by post and if a person avoids service, or is not available for service of notice, or refuses to accept service, then by affixing a copy of it on the outer door or some other conspicuous part of such premises, or in such other manner as may be prescribed, call upon any person who has committed a breach of the provisions referred to in the said sub-section to stop further construction and to appear and show cause why he should not be ordered to restore to its original state or to bring it in conformity with the provision of the Act or the rules, as the case may be, any building or land in respect of which a contravention such as described in the said sub-section has been committed, and if such person fails to show cause to the satisfaction of the Director within a period of seven days, the Director may pass an order requiring him to restore such land or building to its original state or to bring it in conformity with the provisions of the Act or the rules, as the case may be, within a further period of seven days.

(3) If the order made under sub-section (2) is not carried out, within the specified period, the Director may him-self at the expiry of the period of this order, take such measures as may

appear necessary to give effect to the order and the cost of the such measures shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue :

Provided that even before the expiry of seven days period mentioned in the order under sub-section (2), if the Director is satisfied that instead of stopping the erection or re-erection of the building or making or extending of the excavation or laying out of the means of access to a road, as the case may be, the person continues with the contravention, the Director may himself take such measures as may appear necessary to give effect to the order and the cost of such measures, shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue.”.

Insertion of section  
12C in Punjab Act  
41 of 1963.

3. After section 12B of the principal Act, the following section shall be inserted, namely :—

“12C. **Constitution of Tribunal.**—(1) With effect from such date as the Government may, by notification, constitute a Tribunal consisting of a Chairman in the rank of not less than Financial Commissioner (serving or retired) and a member of the rank of Chief Engineer having special knowledge about roads and highways. If the Members of the Tribunal are divided over some matter, the decision of the Chairman of the Tribunal shall prevail”.

(2) The Tribunal shall have its sitting at Chandigarh or at any other place as per its convenience.

(3) A person aggrieved by the orders of Director passed under sub-section (2) or sub-section (3), as the case may be, of section 12 of the Act, may file an appeal to the Tribunal within a period of sixty days and the decision of the Tribunal on such appeal shall be final. The Tribunal shall also hear the cases involving constructions made up to 28th April, 1995 in violation of the Act along scheduled roads and otherwise as if these were appeals against the order of Director. Any case against the orders of Director passed under sub-section (2) or sub-section (3) of section 12 of the Act pending in any court of law except High Court or Supreme Court shall be transferred to the Tribunal.”.

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