

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 14<sup>th</sup> September, 2009

No. Leg. 26/2009. — The following Act of the Legislature of the state of Haryana received the assent of the governor of Haryana on the 26<sup>th</sup> august, 2009, and is hereby published for general information:--

HARYANA ACT No. 18 OF 2009

THE HARYANA DEVELOPMENT AND REGULATION OF URBAN AREAS (SECOND AMENDMENT) ACT, 2009

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 Sixtieth Year of the Republic of India as follows:--

1. This Act may be called the Haryana Development and Regulation of Urban Areas (Second Amendment) Act, 2009. SHORT TITLE.
2. After Section 3-B of the Haryana Development and Regulation of Urban Areas Act, 1975 the following section shall be inserted, namely:-- INSERTION OF SECTION 3-C IN HARYANA ACT 8 OF 1975.
  - "3-C. **Registration of independent residential floors.** — (1) The registration of independent residential floors for the purpose of transfer, sale, gift, exchange or lease in perpetuity in a colony, for which a licence has been granted under this Act, shall be permitted as independent dwelling units:  
Provided that no sub-division of land under the residential dwelling unit shall be permitted and the registration shall be limited to one dwelling unit only on each floor.
  - (2) The purchaser desiring registration under sub-section (1), shall be liable to pay a duty as notified by the Government from time to time, in addition to the stamp duty payable under the Indian Stamp Act, 1899, as applicable in the State of Haryana.
  - (3) The said duty shall be collected by the Registrar or Sub-Registrar at the time of registration of the document in the manner specified under the Indian Stamp Act, 1899, and intimation thereof shall be sent to the Director immediately.
  - (4) The amount of the duty collected under this Act shall be credited to the Fund, established under Section 3-A of this Act."
3. (1) The Haryana Development and Regulation of Urban Areas (amendment) Ordinance, 2009 (Haryana Ordinance No. 7 of 2009) is hereby repealed. REPEAL AND SAVING  
(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

P.L.AHUJA

Secretary to Government, Haryana,  
Law and Legislative Department

**STATEMENT OF OBJECTS AND REASONS**

It has been decided by the Government to allow registration of independent floors in the plotted residential colonies that are granted licence under the Haryana Development and Regulation of Urban Areas Act 1975, and recovery of an additional stamp duty against such registration. Since such registration of floors was banned in the state of Haryana since last several years, the public at large has not been able to execute such transfer, and there is a huge backlog waiting to be cleared. A huge amount of revenue against stamp duty that could have accrued to the Government against such transfers also remains blocked for the time being.

Thus in order to allow the registration of floors in such licenced residential plotted colonies, and enable the recovery of stamp duty along with additional duty by the Government on account of registration of independent floors, an enabling provision needs to be made in the said Act. Accordingly a new Section 3-C is proposed to be inserted in the said Act.