

ORDER

SUBJECT: TRANSFER OF LICENCE IN CASES WHERE LICENCE HAS BEEN GRANTED AFTER RELEASE OF LAND FROM ACQUISITION PROCEEDINGS.

Reference: Office orders dated 26.8.2010 circulated vide endst No. 11043-50 dated 6.09.2010 & revised instruction circulated vide U.O No. LC-2995/13130-35 dated 01.10.2010 (copy enclosed)

The matter under subject mentioned above has been reconsidered in view of the orders of the Hon'ble Supreme Court dated 10.12.2013 in the bunch matters connected with SLP No. 3644/2009 as the lead case.

In view of the said orders, it has been decided to withdraw the instructions dated 01.10.2010 and the earlier orders dated 06.09.2010 shall be made applicable with immediate effect.

Chandigarh
Dated: 9th April, 2014.

Sd/-
(Anurag Rastogi)
Director General Town and Country Planning,
Haryana, Chandigarh.

Endst No. PF-2-JE(BR)/2014/ 8190

Dated: 28/04/2014

A copy is forwarded to the following for information and necessary action please:-

1. Senior Town Planner (E&V), Haryana.
2. Senior Town Planner (Monitoring).
3. All District Town Planners at Head Quarter.
4. PS to DGTCP.
5. PA to CTP, Haryana.

Sd/-
(P.P. Singh)
District Town Planner (HQ),
for Director General, Town and Country Planning,
Haryana, Chandigarh.

ORDER

The matter regarding transfer of license in cases where such license has been granted after release of land in favour of individual land owners has been deliberated.

It has been now decided that, the permission for transfer of license may be allowed in cases, where the ownership of the applicant(s) is before the notification of land under section 4 of the Land Acquisition Act, 1894 and land is released for the purposes of grant of license before the issuance of the award. In such cases, whenever, license is granted in favour of original land owners, the transfer of license shall be allowed from the land owners and in favour of only such developers, who had entered into collaboration with the original land owners before the grant of license. No third party transfer of license shall be allowed.

Chandigarh
26th August, 2010

Sd/-
(T.C. Gupta, IAS)
Director,
Town and Country Planning
Haryana, Chandigarh

Endst No 11043-50

Dated: 6-9-2010

A copy is forwarded to the following for information and necessary action:

1. Chief Town Planner, Haryana
2. Senior Town Planner (E&V), Haryana Chandigarh
3. Senior Town Planner (Monitoring)
4. All District Town Planners of Head Quarter.

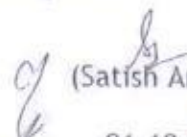
(P.P. Singh)
District Town Planner
For Director Town and Country Planning
Haryana Chandigarh

U.No. LC-2295 13130-35

Dated 1-10-10

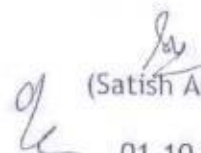
Subject: - Approval/order of DTCP -regarding Transfer of Licence.

The matter under subject has been discussed with W/DTCP by CTP (Hr.). I have been directed to circulate the orders DTCP on the matter under subject, the same is enclosed for further necessary action please


(Satish Arora)
ATP
01.10.2010

DTP (HQ) DN
DTP (HQ) SA
DTP (HQ) PP
DTP (HQ) SS
DTP (HQ) HS

A copy is forwarded to PA to CTP Haryana for information of Chief Town Planner, Haryana.


(Satish Arora)
ATP
01.10.2010

LG-2295

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The matter was discussed with DTCP. Keeping in view that this matter is under consideration of Hon'ble Apex Court, it is not advisable to permit the transfer of licence from the individual owners to Collaborator Company, where the ownership of land and licence application are not prior to notification Section-4 of Land Acquisition Act 1894.

JS
27/19
(J.S.Redhu)
CTP(Hr)

DTP(DN)

Pl. circulate orders to
all DTP(HQ)

ATP(SKA)

JS
30/9