

PART-II
HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 16th August, 2024

No. Leg. 18/2024.— The following Ordinance of the Governor of Haryana promulgated under clause (1) of article 213 of the Constitution of India, on the 14th August, 2024, is hereby published for general information:-

HARYANA ORDINANCE NO. 5 OF 2024
THE HARYANA VILLAGE COMMON LANDS (REGULATION) AMENDMENT
ORDINANCE, 2024

AN

ORDINANCE

further to amend the Haryana Village Common Lands (Regulation) Act, 1961.

Promulgated by the Governor of Haryana in the Seventy-fifth Year of the Republic of India.

Whereas the Legislature of the State of Haryana is not in session and the Governor is satisfied that the circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Haryana hereby promulgates the following Ordinance:-

1. This Ordinance may be called the Haryana Village Common Lands (Regulation) Amendment Ordinance, 2024. Short title.
2. After sub-clause (ii-a) of clause (g) of section 2 of the Haryana Village Common Lands (Regulation) Act, 1961 (hereinafter called the principal Act), the following sub-clause shall be inserted, namely:- Amendment of section 2 of Punjab Act 18 of 1961.

“(ii-b) was shamilat deh and had been leased out, prior to the commencement of the Punjab Village Common Lands (Regulation) Rules, 1964 by the Collector under the Haryana Utilization of Lands Act, 1949 (East Punjab Act 38 of 1949) for a period of twenty years and the said land has been in continuous cultivating possession of the original lessee, transferee or his legal heir as per the revenue record on the date of commencement of this amendment Ordinance;”.
3. In sub-section (2) of section 3 of the principal Act,- Amendment of section 3 of Punjab Act 18 of 1961.
 - (i) in clause (i), for the words, signs and brackets “under sub-clause (ii-a)”, the words, signs and brackets “under sub-clauses (ii-a) and (ii-b)” shall be substituted;
 - (ii) in clause (ii),-
 - (a) for the sign “.” existing at the end, the sign “;” shall be substituted; and
 - (b) the following clause shall be added, namely:-

“(iii) where any land has vested in Panchayat under this Act, but such land has been excluded from shamilat deh under sub-clause (ii-b) of clause (g) of section 2, all rights, title and interest of the Panchayat in such land, from the date of commencement of this amendment Ordinance shall cease and all such rights, title and interest in such land shall vest in the original lessee, transferee or his legal heir who is in cultivating possession as per the entries in the revenue records as on the date of commencement of this amendment Ordinance subject to the payment of an amount to the Panchayat, as may be determined in accordance with such principles and in such manner, as may be prescribed by the Collector on an application by the said lessee, transferee or his legal heir.”.

Amendment of
section 5 of
Punjab Act 18
of 1961.

4. After sub-section (1) of section 5A of the principal Act, the following sub-section shall be inserted, namely:-

“(1A) Notwithstanding anything contained in sub-section (1), a Panchayat may, with the prior approval of the State Government, transfer its non-cultivable land in shamilat deh by sale to the inhabitant of the village who has constructed on or before the 31st March, 2004, a house or part thereof along with open space up to twenty-five percent of the constructed area, both put together not exceeding five hundred square yards and not causing any obstruction to traffic and other public utilities and also not a land reserved for pond or any other water body or revenue rasta entered as such in revenue record, at the rate not less than the market rate, to be determined in such manner, as may be prescribed.”.

CHANDIGARH:
THE 14TH AUGUST, 2024

BANDARU DATTATRAYA,
GOVERNOR OF HARYANA.

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RITU GARG,
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.