

**New Okhla Industrial Development Authority Rural Abadi Site (Identification, Control, management & Regularization for Residential Purpose) Regulation 2006 Proposed Third Amendment**

<b>Sl.no.</b>	<b>Part</b>	<b>Regulation</b>	<b>Existing Provision</b>	<b>Proposed Amendment</b>
1.	Short title commencement purpose and extend	Regulation-1 sub Regulation 3	Regulation-1 sub regulation (3)- The Purpose of these regulation is to identify, control, manage, regularize and take alternative measures regarding such rural land on which Abadi existed on the date of notification issued under section 4 and section 17 of Land Acquisition Act and continues as rural abadi site as The Purpose of these regulation is to identify, control, manage, regularize and take alternative measures regarding such rural land on which Abadi existed on the date of notification issued under section 4 and section 17 of Land Acquisition Act and continues as rural abadi site as on the date of commencement of these regulation. This regulation shall also extend to such Gram Sabha land which has been resumed by the Authority and on which any person has made residential Accommodation. In the matters of Gram Sabha land the cut-off date will be the date of last notification under section 4 and section 17 of Land Acquisition Act, 1894 in that village.	Regulation-1 sub regulation (3)- The Purpose of these regulation is to identify, control, manage, regularize and take alternative measures regarding such rural land on which Abadi existed on 30 June 2011 and continues as rural abadi site as on the date of commencement of these regulation. This regulation shall also extend to such Gram Sabha land which has been resumed by the Authority and on which any person has made residential Accommodation. In the matters of Gram Sabha land the cut-off date will be 30 June 2011.
2.	Short title commencement perpose and extend	Regulation-1 sub Regulation 4	Regulation-1 sub regulation (4) It shall extend to all such rural land which has been used as Abadi on the date of commencement of these regulation and at the same the land has been actually used as	Regulation-1 sub regulation (4) It shall extend to all such rural land which has been used as Abadi on the date of commencement of these regulation and at

			Abadi land as on the date of notification under section 4 and section 17 of Land Acquisition Act, 1894 and has been acquired under provision of the Land Acquisition Act,1894 or land has been resumed from the Gramsabha.	the same the land has been actually used as Abadi land as on 30 June 2011 and has been acquired under provision of the Land Acquisition Act,1894 or land has been resumed from the Gramsabha.
3.	Definitions	Regualtion-2 sub Regulation (f)	Regulation-2 sub regulation (f) “ Rural Abadi Site” means the rural areas used for residential purpose on the date of issue of notification under section 4 of the Land Acquisition Act, 1894 and continues to be so used on the date of commencement of these regulations or such rural areas as are used for residential purpose as on the date of commencement of these Regulations and continues to be used as such on the date of notification issued under section 4 of the Land Acquisition Act, 1894 (Act no. 1 of 1894), These regulations shall also extend to such Gramsabha land which has been resumed by the Authority and on which any person has made residential accommodation.	Regulation-2 sub regulation (f) “ Rural Abadi Site” means the rural areas used for residential purpose on the date 30 June 2011 and continues to be so used on the date of commencement of these regulations or such rural areas as are used for residential purpose as on the date of commencement of these Regulations and continues to be used as such on 30 June 2011 These regulations shall also extend to such Gramsabha land which has been resumed by the Authority and on which any person has made residential accommodation.
4.	Function of the committee	Regulation-6 sub regulation 2(a)	Regulation-6 sub regulation (2-a). The regulation of such site in which notification under section 4/17 of the Land Acquisition Act, 1894, has been issued after April 01,1997 and disposal of such matters has to be done on the basis of construction shown in the satellite imagery taken before the issuance of notification under section 4/17 and these provisions would be applicable on those constructions only, which were found in existence before notification	Regulation-6 sub regulation (2-a). The regulation of such site in which notification under section 4/17 of the Land Acquisition Act, 1894, has been issued after April 01,1997 and disposal of such matters has to be done on the basis of construction shown in the satellite imagery taken before 30 June 2011 and these provisions would be applicable on those constructions only,

			<p>under section 4/17 of land Acquisition Act,1894 of the revenue village.</p> <p>If the land is being used by any farmer and his family for non residential purpose such as commercial use the procedure for its regularization would be as follows:</p> <p>(2) Land area between 226 Square meter and 450 square meter area, would be regularized for commercial use and the charges will be same as that of commercial use in the planned sector of that village. If the land which is being regularized is situated in an area of poor quality than the sector then it will be the sole discretion of Chief Executive Officer to prescribe the rate, on the basis of recommendation of Technical Committee nominated for this purpose.</p> <p style="text-align: center;"><b>Conditions-</b></p> <p>(1) If there is no land planned for Residential/Commercial/Institutional in any village the rates of land use shall be prescribed according to the rates in the nearest sector.</p>	<p>which were found in existence before 30 June 2011.</p> <p>If the land is being used by any farmer and his family for non residential purpose such as commercial use the procedure for its regularization would be as follows:</p> <p>(2) Land area between 226 Square meter and 450 square meter area, would be regularized for commercial use and the charges will be decided by the Board of Authority</p> <p style="text-align: center;"><b>Conditions-</b></p> <p>(1) If there is no land planned for Residential/Commercial/Institutional in any village the rates of land use shall be decided by the Board of Authority.</p>
5.	Function of the committee	Regulation-6 sub regulation 2(b)	Regulation -6 sub Regulation 2 (b) (i) - The farmer and his family whose dwelling house is situated on the abadi site will be regularized upto the maximum area of 5% abadi land against the alnd of the farmer acquired in the same revenue village.	Regulation -6 sub Regulation 2 (b) (i) - The farmer and his family who has been original residential of any notified village of Noida whose dwelling house is situated on the abadi site will be regularized upto the maximum area of 10% abadi land against

		<p>(ii) If the residential possession is on more than 5% abadi area, the additional land shall be regularized on the residential rates of the sector planned in the land of that village and maximum limit of the land will be 450 square metre per family.</p> <p>If the land which is being regularized is situated in a area of poor quality than the sector then it will be sole discretion of Chief Executive Officer to prescribe the rate, on the basis of recommendation of Technical Committee nominated for this purpose.</p> <p>(iii) If the land is being used for Commercial purpose also with residential purpose by the farmer and his family then the maximum area i.e. 50 per cent of 5% abadi land of Commercial use by the farmer and his family will be regularized according to regulation 6(2) A of the Regulation after realising the prescribed commercial rate.</p> <p>If the area of the land to be regularized for commercial purpose is more then 50 per cent of total land then the area in excess of 50 per cent</p>	<p>the land of the farmer acquired in any revenue village. notified under noida Authority .</p> <p>(ii) If the residential possession is on more than 10% abadi area, the additional land shall be regularized on rates decided by Board of Authority .</p> <p>(iii) If the land is being used for Commercial purpose also with residential purpose by the farmer and his family then the maximum area i.e. 50 per cent of 10% abadi land of Commercial use by the farmer and his family will be regularized according to regulation 6(2) A of the Regulation after realising the prescribed commercial rate.</p> <p>If the area of the land to be regularized for commercial purpose is more then 50 per cent of total land then the area in excess of</p>
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		<p>shall be regularized after realizing the commercial rate of the planned sector in the land of that village. If the land which is being regularized is situated in a area of poor quality than the sector then it will be sole discretion of Chief Executive Office to prescribe the rate, on the basis of recommendation of Technical Committee nominated for this purpose.</p> <p>Provided that the commercial area in the land regularized shall not in any case be more than 225 metre per family above 50 per cent 5% abadi plot i.e. the excess area above 50 per cent for commercial use will be only 225 square metre per family which will be regularized on the sector rate of the area. In no case the area of the residential and non-residential land of the farmer and his family (under the provisions of sub-regulations 2&amp;3 the land to be given in excess of 5% abadi land) shall exceed 450 sqm.</p> <p><b>Conditions -</b> It is the pre condition in all the provisions of Clause (2-b) that the farmer and his family applicant must be the original resident of the revenue village. Before regularization the rules regarding 5% abadi allotment must be followed by the farmer and his family, such a depositing 10% amount of compensation received, and withdrawal of all the cases pending in different courts against the Authority and removal of encroachment from the Noida land, other than the land to be</p>	<p>50 per cent shall be regularized after realizing the rate decided by Board of Authority.</p> <p>Provided that the commercial area in the land regularized shall not in any case be more than 225 metre per family above 50 per cent 5% abadi plot i.e. the excess area above 50 per cent for commercial use will be only 225 square metre per family which will be regularized on the rate decided by Board of Authority. In no case the area of the residential and non-residential land of the farmer and his family (under the provisions of sub-regulations 2&amp;3 the land to be given in excess of 10% abadi land) shall exceed 450 sqm.</p> <p><b>Conditions -</b> It is the pre condition in all the provisions of Clause (2-b) that the farmer and his family applicant must be the original resident of the revenue village. Before regularization the rules regarding 5% abadi allotment must be followed by the farmer and his family, such a depositing 10% amount of compensation received, and withdrawal of all the cases pending in different courts against the Authority and</p>
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		<p>regularized. In addition the following conditions shall apply for the regularization:</p> <p>(i) If the land of any farmer and his family is regularized under this regulation then the farmer and his family will not be eligible to get plot/flat under the villager reserve category.</p> <p>(iii) If any farmer and his family has already got plot/flat under the villager reserved category and at that time in the scheme it. Was mandatory that the farmer should not have encroachment over the Authority land then in such case farmer and his family shall not be eligible for regularization because of the violation of the mandatory condition to get a plot/flat under the villager reserve category.</p> <p>(V) If 60 per cent or more area of any construction falls in basic infrastructure planning the entire area of such construction shall be used fore infrastructure planning and related family will be adjusted at a nearby place. If there is no land planned for Residential/Commercial in any village the rates of land use shall be prescribed according to the rates in the nearest sector.</p>	<p>removal of encroachment from the Noida land, other than the land to be regularized. In addition the following conditions shall apply for the regularization:</p> <p>(i) If the land of any farmer and his family is regularized under this regulation even then the farmer and his family will remain eligible to get plot/flat under the villager reserve category.</p> <p>(iii) Deleted</p> <p>(V) If 60 per cent or more area of any construction falls in basic infrastructure planning the entire area of such construction shall be used fore infrastructure planning and related family will be adjusted at a nearby place. If there is no land planned for Residential/Commercial in any village the rates of land use shall be prescribed according to the rates decided by the Board of Authority.</p>
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6.	Exercise of powers	Proposed new regulation 22	----	In the case of public agitation, disturbance of law and order, administrative and public interest the cases of abadi settlement which have not been covered under Abadi Regulation 2006 shall be referred directly to the committee constituted under the Government order No- 121/77-3-10-184-Arjan/09, dated April 24,2010 by prior permission of Chief Executive Officer Noida.
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नोट:- प्रस्तावित संशोधन के सम्बंध में जन समान्य के सुझाव आमंत्रित है । सुझाव नवीन ओखल औद्योगिक विकास प्राधिकरण के मुख्य प्रशासनिक भवन सेक्टर-6, नौएडा में प्रशासनिक अधिकारी, नौएडा के कार्यालय में 15 दिनों के भीतर प्रस्तुत किये जा सकते हैं ।

(दीप चन्द्र)  
प्रशासनिक अधिकारी, नौएडा