

Financial Commissioner and Principal Secretary to Govt., Haryana  
Revenue and Disaster Management Department.

To

1. All the Financial Commissioners and Principal Secretaries/  
Commissioners and Secretaries to Government of Haryana.
- ✓ 2. All Heads of Departments. *NIC - Computer centre*
3. Divisional Commissioners, Ambala, Hisar, Rohtak and Gurgaon.
4. All the Deputy Commissioners and Sub Divisional Officers (Civil) in  
Haryana State.
5. All the Managing Director of Boards/Corporations/Public Undertaking of  
the State.

Memo. No. 275-R-2-2010/666

Dated, Chandigarh, the 22-1-2010

Subject:- Policy for removal/relocation/regularisation of unauthorized constructions by  
religious institutions on public land in the State.

In view of the orders of Hon'ble Supreme Court passed on 29.9.2009 and  
7.12.2009 in S.L.P. No. 8519 of 2006 regarding unauthorized constructions by religious  
institutions on public land, the State Government has considered the matter and has made the  
following policy for taking further necessary action :

1. Under the normal circumstances all the religious buildings existing  
unauthorisedly on public places shall be removed/demolished in due course of  
law.
2. Fresh and upcoming encroachment by way of unauthorized religious construction  
shall not be allowed under any circumstances and be removed immediately.
3. The religious buildings/structures being used by any individual for their own  
personal interest/gains shall be removed.
4. No unauthorized construction shall be carried out or permitted by religious  
institutions on public street, public parks or other public places etc. on or after  
29.9.2009.
5. In respect of the unauthorized constructions/structures raised in the name of  
Temple, Church, Mosque or Gurudwara etc. on Government land prior to  
29.9.2009, the State Government has decided to consider each such unauthorized  
construction on case to case basis. However, it is also laid that: -
  - a) No religious structure shall be regularized in the restricted belt of  
scheduled road which has come up after commencement of the Punjab

Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 that was carried out on 3<sup>rd</sup> January, 2009.

- b) In no case the unauthorized constructions which are obstructing the public utilities like road, water supply, electrification etc. shall be regularized in the name of Temple, Church, Mosque or Gurudwara etc. even if these have come up before 29.9.2009.
- c) No unauthorized construction shall be regularized other than in the name of a Society/Trust which is registered with the Registrar of Firms and Societies, Haryana.

6. The State Government has decided to constitute a committee at district Headquarters to scrutinize the encroachments on case to case basis. The Committee shall make its recommendations to the respective departments for removal/relocation/regularization of the unauthorized construction. The Committee shall comprise the following: -

Deputy Commissioner	Chairman
S.D.O(C) concerned	Member
District Town Planner	Member
District Head of the Department concerned.	Member Secretary.

The Deputy Commissioner may include any other he may deem fit.

7. If the Institution is found eligible for relocation/regularization the Committee headed by the Deputy Commissioner shall refer the matter to the High Powered Committee for fixation of price of the land in question which may be charged from the said institution. The High Powered Committee shall consist of the following:-

Divisional Commissioner	Chairman
Deputy Commissioner concerned	Member
S.D.O.(Civil) concerned.	Member
District Head of the Department concerned.	Member Secretary

Before making recommendations about the price to be charged from the Institution concerned, the High Powered Committee shall take into consideration the market value of the land, Collector rates, paying capacity of the institution or any other relevant factor which the committee may consider relevant.

The High Powered Committee shall make its recommendation to the Govt. department concerned for removal/transfer of ownership of the land on which the structure is standing and the price to be charged. The Head of the Department concerned shall examine the matter and submit the same to the appropriate authority of the Government for removal/transfer of the area to the institution under the relevant provisions of law. The Government shall finally decide to either remove the structure or transfer the land and decide the terms and conditions. In case there is no such provision in the existing law/rules then such matter shall be processed and decided under the provisions of the Haryana Rules of Business, 1977.

*Hile Singh* 22-1-2010  
Under Secretary Revenue

for Financial Commissioner and Principal Secretary to Govt.,  
Haryana, Revenue and Disaster Management Deptt.