

No. IPH-PH-L.A. Paper-SZ/2015-
Himachal Pradesh
Irrigation & P.H. Department

4163-82

To

✓ All the Superintending Engineers,
Under I & PH Department,
Himachal Pradesh.

Dated: Shimla-171001, the

22nd August, 2015.


Subject:-

Acquisition of Private Land.

A copy of letter No. IPH-B(H)1-7/2014-Spiti dated 12-08-2015 received from the Additional Chief Secretary (IPH) to the Govt. of Himachal Pradesh Shimla-2 letter on the subject cited above alongwith its enclosures is sent herewith for information and necessary action.


In this connection, you are requested to follow the principles referred in the above letter for acquisition of land to avoid the litigation and enhancement of award by the Courts.

Encl: - As above.


Engineer-in-Chief,
I&PH Department,
U.S. Club, Shimla-1.

Copy to all the Chief Engineers, I&PH Department, Himachal Pradesh with reference to above referred letter for information and necessary action.

Copy alongwith copy of above referred letter forwarded to the Superintendent (IFC), Head Office, U.S. Club, Shimla-1 for information and necessary action.


Engineer-in-Chief,
I&PH Department,
U.S. Club, Shimla-1.

MOST URGENT

No. IPH-B(H)1-7/2014-Spiti
Government of Himachal Pradesh
Department of Irrigation & Public Health

From

The Addl. Chief Principal Secretary (IPH) to the
Government of Himachal Pradesh

To

1864
13-8-15

1. The Engineer-in-Chief,
Irrigation & Public Health Department,
Himachal Pradesh, US Club, Shimla-1.
2. The Chief Engineer,
Irrigation & Public Health Department,
Shimla/Dharamshala/Mandi/ Hamirpur, H.P.

Dated: Shimla-171002, the 12/8th 2015

Subject:-
Sir,

Acquisition of private land

I am directed to refer to the subject cited above and to say that "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013)" has been enforced in the Country which has been enforced through "H.P. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social impact Assessment and Consent) Rules, 2015" w.e.f. 10-04-2015 in H.P. The process has become cumbersome and the danger/risk of Court cases for enhancement of land rates once finalized under the Act remains the same. Thus, department has to shell out huge sum on compensation affecting the budget of the schemes and this also delays the completion of schemes. To avoid such litigation and enhancement of award by the Courts, it has now been decided to follow the following principles while land is to be acquired by I&PH Department:-

1. 1st preference will be given to surplus Govt. land for transferring to IPH department.
2. 2nd preference shall be given to Forest land.
3. Acquisition of Pvt. Land by negotiation with owners.

For (3) above, I&PH Department may identify three alternative suitable sites land where Water Storage Tanks, Sewerage Treatment Plants, Pump Houses etc. can be set up and invite offers/ expression from all the owners on two bid system

F.R.
Encl.
S.E.(W)
IPC
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12-8-15

Most Urgent
Time Bound

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(Financial and Technical) and decide the Lowest one (L1). Thereafter, the proposal may be referred to the Negotiation Committee constituted vide this Departments' Notification of even number dated 11th August, 2015(copy enclosed)so that Govt. approves the purchase of land. However, in case where there is only one option, the Executive Engineer concerned shall submit his/her observations/justification to the Committee and the Committee shall negotiate with the single owner and record their recommendations.

You are, therefore, requested to direct all Superintending Engineers and Executive Engineers, I&PH for above action expeditiously in association with the Sub Divisional Officer(Civil) concerned .

Yours faithfully,



(Dr. S. K. Kapta)

Special Secretary(IPH)to the
Government of Himachal Pradesh
Ph.0177-2626097

Endst. No. IPH-B(H)1-7/2014, Dated Shimla-171002,

th 2015

Copy to :

1. All Deputy Commissioners in H.P.
2. All Land Acquisition Officers in H.P.



Special Secretary(IPH)to the
Government of Himachal Pradesh

(14)

Government of Himachal Pradesh
Department of Irrigation & Public Health

No.IPH-B(H)1-7 2014. Dated:Shimla-171002. 19th August.2015

NOTIFICATION

In consonance with the provisions of Para 20 to 22 of FC Standing Order No. 28 and to facilitate acquisition of private land by way of negotiated purchases for development of infrastructure of water supply/irrigation/ sewerage schemes in Himachal Pradesh i.e. Water Storage Tanks, Sewerage Treatment Plants, Pump Houses etc. by Irrigation & Public Health Department, the Governor, Himachal Pradesh is pleased to constitute the Committee comprising the following:-

- | | | |
|----|---|------------------|
| 1. | The Sub Divisional Officer concerned | Chairman |
| 2. | The Tehsildar concerned | Member |
| 3. | Land Acquisition Officer concerned | Member |
| 4. | The Executive Engineer, IPH of concerned Division | Member Secretary |


2. The Deputy Commissioner concerned District will approve the final rates and shall furnish the same to the Government for final approval through Engineer-in-Chief, IPH.
3. This has already been uploaded on the eGazette of H.P. Government.

By Order

P.C. Dhiman
Additional Chief Secretary (IPH) to the
Government of Himachal Pradesh

Endst. No. IPH-B(H) 1-7/2014. Dated:Shimla-171002. the 19th August. 2015
Copy to:-

1. Chief Secretary to the Government of Himachal Pradesh.
2. The Additional Chief Secretary (Revenue) to the Govt. of H.P.
3. All Administrative Secretaries in H.P. Govt.
4. All Divisional Commissioners in H.P.
5. All Deputy commissioners in H.P.
6. The Engineer-in-Chief, IPH, H.P. Shimla-I for circulation.
7. The Chief Engineer, IPH, Shimla/Dhaamshala/Mandi/Hamirpur.
8. All Land Acquisition Officers in H.P.


Special Secretary (IPH) to the
Government of Himachal Pradesh