

No. 49

Dated: 2/03/16

ORDER

In compliance to the Chandigarh Administration order issued vide No.31/1/452/UTFI(4)/015/819 dated 22.1.2016 with the approval of H.E. the Administrator, Union Territory, Chandigarh, the properties under the preview of the Chandigarh Housing Board shall be transferred as under:

1. In the case of freehold properties relating to Chandigarh Housing Board, where ownership rights are vested with the allottee/transferee, the properties shall be transferred through execution of a transfer deed/sale deed/gift deed etc. That deed shall be duly registered under the provisions of 'the Registration Act 1908'. Subsequently, the Chandigarh Housing Board shall transfer the property in its records as per the transfer deed/sale deed/gift deed etc.(Mutation).
2. In the case of lease hold properties of CHB, where the CHB has allotted the properties on lease hold basis, the properties shall be transferred through execution of a 'Deed of transfer of lease hold rights' executed between the allottee/present lessee and the proposed transferee. That deed shall be duly registered under the provisions of 'the Registration Act 1908'. The allottee/present lessee and the proposed transferee shall apply jointly under the Consensual Transfer Policy of CHB. In addition to the other documents required under the policy, the proposed transferee shall submit the attested copy of 'Deed of transfer of lease hold rights' and an Indemnity Bond to the effect that :-

- I. He/She will take on the liabilities associated with the property after the property is transferred to his/her name

and dues so levied by the Chandigarh Housing Board/ Administration/Government for settling the past liabilities etc.

II. He/She shall remove the building violations/misuse, if any.

The transferor shall also deposit unearned increase/transfer fee in lieu of it as notified by Chandigarh Administration from time to time in accordance with The Capital Of Punjab (Development and Regulation) Act 1952 and the rules framed thereunder from time to time.

The CHB shall execute a duly registered Sub-lease deed with its allottees/ transferees etc., if it has not executed the lease deed till date.

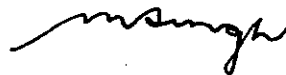
3. The GPA Transfer Policy followed by CHB

The GPA Transaction Policy of CHB shall be followed in order to regularize the GPA Transactions held before the date of Judgement (11/10/2011) as per the Supreme Court of India judgment dated 11th Oct. 2011 in SLP(C)No.13917/2009 titled as Suraj Lamp & Industries Pvt. Ltd. Vs. State of Haryana & Anr. However this policy is modified in view of the above said Order of the Chandigarh Administration. The applicant shall pay an amount equal to the stamp duty and Registration charges applicable/payable on the agreement to sell executed on or after 24.9.2001 to the State Exchequer in order to reimburse the loss *to* of the State Exchequer. The stamp duty shall be charged as per the circle rate/collector rate, notified by the Administration as applicable on the date of agreement or the consideration money mentioned in the Agreement to Sell whichever is higher.

The concerned branch of CHB shall intimate to the applicant, the amount to be paid in the State Exchequer, with a copy endorsed to the Treasury officer UT Chandigarh for necessary action.

The applicant shall also deposit unearned increase/transfer fee in lieu of it (applicable on the date of transfer under the policy) as notified by Chandigarh Administration from time to time in accordance with The Capital Of Punjab (Development and Regulation) Act 1952 and the rules framed thereunder from time to time.

The CHB shall execute a duly registered Sub-lease deed with its allottees/ transferees^s etc., if it has not executed the lease deed till date.



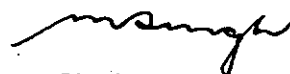
Chairman,
Chandigarh Housing Board,
Chandigarh

Endst. No. HB(S)/EA-III/2016/612

Dated:- 2/03/16

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

1. The Chief Engineer/The Superintending Engineer-I/II, CHB
2. The Executive Engineer-I/II/III/IV/V/VI/VII/VIII/Arch., CHB
3. The Chief Accounts Officer, CHB.
4. The Accounts Officer-I/II/III/IV/PDL/Col./Reception, CHB
5. The Sr. Law Officer/Computer In-charge/Chief Liaison Officer, CHB.
6. PA to Chairman/Chief Executive Officer/Secretary, CHB.
7. Office Order file.



Chairman,
Chandigarh Housing Board,
Chandigarh