

No. 219

Dated: 11.08.2016

ORDER

The Chandigarh Housing Board constructs and allots dwelling units to various categories of allottees on the land allotted to CHB for the purpose of construction and allotments of dwelling units.

The Chandigarh Housing Board floated One Bedroom Flats-Self Financing Housing Scheme-2005 in Sector-49, Chandigarh on 28/10/2005 and Two Bedroom Flats-Self Financing Housing Scheme-2006, Sector-49, Chandigarh on 31/01/2006. The land was allotted to Chandigarh Housing Board for development in Sector-49 vide allotment letter no. G-6/M-1089/2004/26805 dated 09.09.2004. The allotment letters of these schemes were issued to allottees on September, 2015 and September, 2009 respectively. The possession of the flats was handed over to the allottees on September, 2015 and September, 2009 respectively. The execution of the Conveyance Deed with respect to this land is under process.

The Chandigarh Housing Board floated the General Self Financing Housing Scheme-2008, Sector-63, Chandigarh on 31/03/2008. The allotment letters were issued to the allottees from September, 2015 onwards. The possession of the flats was handed over from the month of September, 2015, onwards.

The land for construction and allotment of dwelling units to general public of Sector-63 project was formally allotted vide allotment letter no. M-1080/G-VI/2016/11478 dated 21.7.2016. The execution of the Conveyance Deed with respect to this land is also under process.

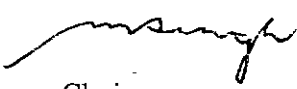
The Chandigarh Administration has issued order no. 31/01/452/UTFI(4)/015/819 dated 22/01/2016, and in compliance of that order, CHB has issued order no. 49 dated 02/03/2016 and order no. 113 dated 22/04/2016. As per these orders, the properties of CHB should be transferred through execution of a registered transfer deed. As per section 17(1)(b) of the Registration Act, 1908, the registration of non-testamentary instruments which purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immovable property, is compulsory. So the allottee(s) must have right/title/interest in the property which can be

created/transferred in his/her favour only through a registered deed. It may be a conveyance deed or lease deed. For the purpose of further execution of transfer deed, the transferor should have right/title/interest in his/her favour, which he/she purports to transfer.

The allottees of Sector 49 & Sector 63 Schemes are ready and willing to transfer their properties and requesting to CHB to process the transfer cases of their properties. However, in the absence of Conveyance Deed in favour of CHB and further lease deed/conveyance deed in favour of the allottee, CHB is not in position to process the transfer cases of these schemes.

The delay/non-executing of conveyance deed of Sector 63 & Sector 49 projects has stopped the transfer process of the properties which consequently causes financial loss of transfer fee and processing charges to CHB and revenue loss (Stamp Duty) to the Chandigarh Administration.

Keeping in view these circumstances and on the persistent demand of the general public and in the interest of public service, in the financial interests of CHB as well as of State Exchequer and to facilitate the delivery of services to the general public, it is hereby ordered that, until further orders/ until the execution of the aforesaid Conveyance Deeds, the transfer cases of these properties shall be processed under the Consensual and the GPA transfer policies of CHB.

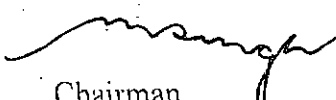

Chairman,
Chandigarh Housing Board,
Chandigarh

Endst. No. HB(S)/EA-III/2016/2156

Dated:- 11.08.2016

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/Enf./Arch., CHB
3. The Chief Accounts Officer, CHB.
4. The Senior Law Officer, CHB.
5. The Chief Finance & Accounts Officer, CHB.
6. The Accounts Officer-I/II/III/IV/ADMN/Col./Reception, CHB.
7. **Accounts Officer- V (Land & Costing) – to follow up the process of execution of Conveyance Deeds on top priority.**
8. ✓ The Computer In-charge CHB.
9. The Chief Liaison Officer, CHB.
10. PA to Chairman/Chief Executive Officer/Secretary, CHB.
11. Office Order file.


Chairman,

