

Dated: 17.08.2021

PRESS RELEASE

No inspection of Dwelling Units at the time of Transfer

From the considerable number of queries during the public hearings, it seems that there is need to again clarify the aspects about inspections by CHB officials at the time of transfer of dwelling units:

1. In cases where misuse/building violations are NOT reported as per available record, the information furnished by the applicant in the application form of transfer of dwelling units alongwith affidavit of the Transferor and Transferee are relied upon. **In all such cases, fresh inspection is not carried out by the CHB at the time of transfer of units.** However, the applicant/transferee are liable for concealment of facts in the affidavit with respect to misuse & violations and necessary action are taken as per law/act/rules accordingly. Further the transferee continues to be liable for all the building violations either existing at the time of transfer or made subsequently.
2. In cases where reports of violations(s) are available in the record of CHB, the affidavits about non-violation are not accepted and fresh inspection are carried out by the CHB officials.
3. It has been observed that in some cases transfer of the unit was allowed on the basis of affidavits but subsequently certain misuse/building violations were observed. When actions against such violations were initiated, the transferees felt cheated by the transferors by way of wrong declarations/affidavits while such violations were existed at the time of transfer of the dwelling unit. As per stand of the CHB, the existing owner/occupant (transferee) is liable to remove the violations failing which to bear the consequence like cancellation of allotment etc. However, to overcome such situation and to protect the innocent buyers, Chandigarh Housing Board has provided an optional mechanism where the Transferor and the Transferee may jointly apply for an inspection by the CHB and obtain a certificate about there being no violation on that point of time. For this purpose, the joint application, alongwith a fee of Rs. 5000/-, may be submitted by the Transferor (existing owner) at the reception of CHB.
4. An Order was issued on 27.08.2019 on above lines and the same is available on the website of the Chandigarh Housing Board. In case of any inspection in violation of above instructions, strict action will be taken against the concerned officers/officials of CHB.

(Yashpal Garg, IAS)
Chief Executive Officer, CHB