

Dated

No. CHB/AO-C/2023/

To

Sh. Ruda Ram/ Occupant  
Smt. Indro Devi (Co-allottee)  
Small Flat no.4855-1, Sector-38-West,  
Chandigarh

Subject: - **Cancellation order of allotment of Flat No. 4855-1, Small Flats, Sector-38-W, Chandigarh under the Chandigarh Small Flat Scheme-2006.**

1. The Chandigarh Administration had floated 'The Chandigarh Small Flat Scheme-2006' vide notification No. 11/06/106-UTFI(2)-2006/6813 dated 06.11.2006 for providing living space which is hygienic, safe carrying basic amenities for the rehabilitation of Slum Dwellers.
2. On the recommendations of Screening Committee, the Estate Office, U.T., Chandigarh, Small Flat No.4855-1, Sector-38-West, Chandigarh was allotted to Sh. Ruda Ram S/o Sh. Khal Chand and Smt.Indro Devi D/o Sh. Lubhaya Ram vide this office allotment No.CHB/CHFS/2006/2346 dated 22.09.2012 on license basis for a period of 20 years.
3. As per Clause 10 of Deed of License wherein licensees shall abide by the provision of the Capital of Punjab (Development & Regulation) Act, 1952. A general survey was conducted for verifying the original allottees whether they were residing in their allotted small flats of various sectors/colonies under the Chandigarh Small Flats Scheme 2006 and it was found that other persons were occupying/residing in the flat unauthorizedly.
4. The allottee/occupant was given show cause notice vide letter no. CHB/AO-C/2022/33795 dated 13.12.2022 and provided an opportunity of being heard on 23.12.2022 to show cause in writing as to why the license of allotment of Flat no.4855-1, Sector-38-W, Chandigarh should not be cancelled for violating the clause no. 4 & 5 deed of license states reproduced as under:-  
*"The flat shall be used exclusively for residential purpose and for no other purpose".*  
*"The Licensee shall not sublet, assign by way of General Power of Attorney or otherwise part with possession of the flat".*
5. Smt. Anita Devi (Grand daughter-in-law of allottee) and Sh. Sucha Ram (Son of allottee) appeared on hearing dated 23.12.2022. Smt. Anita Devi stated that Sh. Ruda Ram is her Grand Parent in law and he has died on 30.11.2022. She also stated that she has applied for death certificate but still not received. The allottee Sh. Ruda Ram had filed a case in the office of Deputy Commissioner, UT, Chandigarh for throwing him and his wife Indro Devi (Co-allottee) out of the house, against his grandson namely Jaimel Ram and his wife Anita Devi to vacant his house No.4855-1 Sector 38 (W), Chandigarh. Further, the case was fixed on 12.01.2023 to obtain the status report of the case pending in the office of the ADC-cum-Maintenance Tribunal office, Chandigarh.
6. The co-allottee Smt. Indro Devi was absent on 12.01.2023. The case was further fixed for 01.02.2023. On said date, Smt. Indro Devi (co-allottee), Sh. Kashmira Ram (son of allottee) and Smt. Anita Devi (Granddaughter in law) appeared and Sh. Kashmira Ram stated that his mother Smt. Indro

Devi is living with him for last 22 years at Jhujhar Nagar, SAS Nagar, Mohali, Punjab. As per record. Rs.74,834/- is outstanding dues till, 31.01.2023 regarding license fee in respect Flat No.4855-1, Sector 38W, Chandigarh. Further, the case filed in ADC-cum-Maintenance Tribunal by the allottee was disposed off vide order dated 29.04.2019.

7. As per Chandigarh Small Flat Scheme, 2006 that definition of family has been given on Rule 3(c) which states that:

*"(c) "Family means a family consisting of a person, his or her spouse, children and parents residing with him and it includes earning sons and daughters. Married and earning son above the age of eighteen, shall be considered as a separate family unit provided that such a person was living in a separate habitation as identified during the Bio Metric Survey"*

This definition does not include grand children.

The Late allottee parted with the possession of the flat by allowing grand children to stay permanently. Even, Smt. Indro Devi, Co- allottee has not been living in the DU no. 4855-1, Sec 38W. Chd for last 22 years. Rule 15 of the CSFS, 2006 states that:

*"15. The allotment of the flat shall stand automatically revoked in the event of contravention of any of the terms and conditions of the scheme."*

8. In view of above facts and rules position, the allottee has violated the terms and conditions of Deed of License under point no.5 prescribed under the Chandigarh Small Flats Scheme-2006. Hence, the allotment of small flat No.4855-1, Sector 38W, Chandigarh is hereby cancelled. You are advised to hand over the physical possession to the Chief Engineer, CHB within 30 days from the issue of this order failing which you shall be evicted from the flat as per law.

*AKM*  
*16/03/23*  
Secretary-cum-Competent Authority  
Under the Chandigarh Small flats Scheme-2006  
Chandigarh Housing Board  
Chandigarh  
Dated *22/03/2023*

Endst. No. *5023*

A Copy is forwarded to the followings for information and necessary action:-

1. The Chief Engineer, CHB, Chandigarh
2. The Enforcement Officer, CHB with a request to initiate the eviction proceedings w.r.t. Flat no.4855-1, Sector-38-W, Chandigarh within a week from the date of issue of this letter.
3. PA to Secretary, CHB.
4. The Chief Account Officer, CHB.
5. The Computer Incharge, CHB, Chandigarh.

*AKM*  
*16/03/23*  
Secretary-cum-Competent Authority  
Under the Chandigarh Small flats Scheme-2006  
Chandigarh Housing Board  
Chandigarh

*CI/CHB/051*  
*Dated 24/3/23*