



HOUSING BOARD HARYANA
PLOTNO.C-15,AWAS BHAWAN, SECTOR-6,PANCHKULA
E-mail: cahbhpk1@gmail.com Website: www.hbh.nic.in

No. HBH/CRO(PM) /2018/ 2306-15 Dated 22/03/2018

To

The Estate Manager,
Housing Board Haryana,
Panchkula/Kurukshetra/Karnal/Panipat/Sonipat/
Rohtak/Hisar/Faridabad/Gurgaon/Rewari.

Sub: Amendment in the policy dated 29.05.2006 relating to transfer and execution of Conveyance deed.


It is brought to the notice to the all concerned that the policy relating to transfer and Execution of conveyance deed which was framed on 16.09.1987 and amended on 29.05.2006 with the approval of Board of Directors. Since then this policy is being followed in all the offices.

The matter regarding transfer of house /addition of name of wife/husband in the allotment of houses and execution of conveyance deed has been considered and it has been observed that the existing policies (policy dated 29.05.2006) are restrictive in nature and not in consonance with the aims and objectives of the **"Housing For All"** objective of the Government and they hamper in the main objective of Housing Board Haryana, i.e to provide affordable housing to the needy persons. Besides this these policies have become redundant due to various decisions taken by BOD in recent past viz HPTA would no longer be operational as the same has been replaced by a tripartite agreement between the allottee, Housing Board Haryana and the Lender Bank/Financial Institution. Hence a new comprehensive policy was framed covering the aspects of transfer of houses, Addition of name of wife/husband and execution of conveyance deed etc. This proposed policy was approved by the BOD in its 210th meeting held on 06.11.2017 and it has also been approved by the Govt. on Dated 16.03.2018. **Hence the existing policy dated 29.05.2006 is withdrawn and all the cases relating to transfer, addition of name and execution of conveyance deed would be dealt as per the New Transfer Policy attached herewith.**

You are therefore, advised to act in the wake of the new policy in the matter relating to **transfer, addition of names and execution of conveyance deed.**

Note: This policy shall come into force w. e. f. 16.03.2018 and this policy would not govern the transfer of BPL Flats.

For
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Secretary,
Chief Administrator,
Housing Board Haryana,
Panchkula.

Endst.No. 2316-30

Dated: 22/03/2018

A copy the above is forwarded to the following for information and necessary action.

- 1 PS to Principal Secretary (Housing), Govt. of Haryana, Chandigarh.
- 2 PA/Chairman, PA/CA, HBH Panchkula for information of Chairman/Chief Administrator, HBH.
- 3 The Chief Engineer, HBH, Panchkula.
- 4 CAO/ CRO (E&A)/TP/ Architect /O.S./ADA HBH, Panchkula.
- 5 The Executive Engineer, Housing Board Haryana, Panchkula, Karnal, Rohtak, Faridabad and Gurugram.

For
Secretary,
Chief Administrator,
Housing Board Haryana,
Panchkula

NEW TRANSFER POLICY

Transfer of houses / addition of name of wife/ husband in the allotment of houses/execution of conveyance deed.

The matter regarding transfer of house /addition of name of wife /husband in the allotment of houses and execution of conveyance deed has been considered and it has been observed that the existing policies (policy dated 29.05.2006) are restrictive in nature and not in consonance with the aims and objectives of the **"Housing For All"** objective of the Government and they hamper in the main objective of Housing Board Haryana, i.e to provide affordable housing to the needy persons. Besides this these policies have become redundant due to various decisions taken by BOD in recent past viz HPTA would no longer be operational as the same has been replaced by a tripartite agreement between the allottee, Housing Board Haryana and the Lender Bank/Financial Institution. Moreover keeping in view the financial position of Housing Board Haryana, there is immediate need to adopt/frame liberal policies so that the allottees feel free to seek allotment/transfer of Houses. The earlier existing policies are thus withdrawn and one single unified policy is framed as under:-

1 TRANSFER OF HOUSES/COMMERCIAL PROPERTY:-

The terms & conditions for the transfer of houses are as under:

- 1 The hirer is only entitled to transfer the tenancy rights during the concurrency of the HPTA. Once full payment of the house allotted to him is made transfer can be made only by way of Sale Deed, after execution of Conveyance Deed by Housing Board Haryana.
- 2 Once full payment is made and no due certificate is issued, Conveyance Deed would have to be executed. Although demand for land enhanced compensation of cost due to finalization of cost houses can be raised as amount due from the allottee.
- 3 The transfer of tenancy rights will not be restricted in the blood relations and the same can be transferred to any Person also.
- 4 Power of Attorney holder is also competent to get the house transferred on behalf of hirer provided the Power of Attorney contains a clause to this effect and the attorney is legal , valid and enforceable and the hirer is alive.
- 5 No transfer will be allowed until & unless all the arrears due are cleared on the of submission of application for transfer.
- 6 No eligibility condition has been prescribed for the transferee except that the transferee shall be major i.e. completed 18 years of age at the time of transfer for all categories.
- 7 No transfer will be allowed in case of any pending litigation or stay order by any court.
- 8 In case where full payment is yet to be made and HPTA is enforceable, transfer can be allowed more than once subject to payment of requisite fees and submission of documents and completion of formalities as prescribed below:-

PROCEDURE FOR TRANSFER

- i) The hirer/allottee will submit an application to the concerned Estate Manager seeking permission to transfer the house.

- ii) The hirer/allottee will be required to furnish the following documents alongwith application:-
- i. Process fee of Rs.500/- in the shape of bank draft in favour of Housing Board Haryana payable at station of E.M. concerned.
 - ii. Photostat copy of the allotment letter.
 - iii. Duly attested Affidavit. (Affidavit is to be executed by the transferor, accepting the transfer of allotment in his/her favour). Notary Public/Executive Magistrate Ist Class.
 - iv. Duly attested Indemnity Bond to be executed by the transferor. Notary Public/Executive Magistrate Ist Class.
- iii) In case application is given by the Attorney Holder then following documents should also be furnished:-
- a) Duly attested copy of Power of Attorney.
 - b) Affidavit from Attorney Holder to the effect that:-
 - 1 The allottee is alive.
 - 2 Present correspondence address of the allottee.
 - 3 Power of Attorney has not been cancelled and is still in force in favour of the Attorney Holder.
 - iv) The Estate Manager concerned will verify the contents of the application and the affidavit as per record available in the personal file of the allottee.
 - v) In case of any clarification/doubts, the hirer/transferor and transferee can also be called in person to ascertain the factual position.
 - vi) After completing the above formalities, the decision for transfer will be taken and conveyed to the hirer.
 - vii) The rates of transfer fee for **residential houses** would be as under:-
- | | | |
|-----|--|-------------|
| (a) | Upto Covered area 300sq ft | Rs.2000/-. |
| (b) | For 300 sq ft to 700 sq ft covered area. | Rs.3500/-. |
| (c) | For 700 to 1200 sq ft covered area | Rs.5500/-. |
| (d) | For covered area more than 1200 sq ft. | Rs.10000/-. |

These rates are applicable to all categories of houses.

- viii) The rates of process fee and transfer fee for **commercial/institutional/non residential property** would be as under:-

Processing fee:- Rs 10,000

Transfer fee:- @ 6% of the sale price of the property.

PROCEDURE FOR TRANSFER IN DEATH CASES:-

The provisions of HUDA Policy dated 3.6.2013 would have to be complied as the said policy has already been adopted by BOD in its 208TH meeting held on 12.01.2017.

TRANSFER IN CASE OF DEATH OF THE ALLOTTEE

In case of death of an allottee, transfer in favour of the legal heirs will be carried out on payment of process fee only. No transfer fee shall be leviable.

1 TERMS & CONDITIONS FOR ADDITION OF NAME AFTER ALLOTMENT

1. In case of addition of name, the name of the wife/husband as the case may be, will be added in the allotment of house & following charges will be paid by the hirer:-

(a)	Upto Covered area 300sq ft	Rs.1000/-.
(b)	For 300 sq ft to 700 sq ft covered area.	Rs.2000/-.
(c)	For 700 to 1200 sq ft covered area	Rs.3000/-.
(d)	For covered area more than 1200 sq ft.	Rs.5000/-.

2. Addition of name will only be allowed in the case where arrears/ due are cleared on the date of submission of application for addition.
3. No addition will be allowed in case of any litigation.
4. Addition will/only be allowed during the concurrency of the HPTA and once full payment is made no due certificate is issued no addition will be allowed.
5. The name can be added at any time after allotment.
6. Process fee of Rs. 100/- (non-refundable) will be charged.

PROCEDURE FOR ADDITION OF NAME

1. The hirer will submit an application addressed to concerned Estate Manager, Housing Board Haryana alongwith following documents:-
 - i) Affidavit duly attested.
 - ii) Affidavit duly attested of husband/wife whose name is to be added.
 - iii) Photostat copy of the allotment letter.
 - iv) Process fee of Rs. 100/- in the shape of Bank draft in favour of Housing Board Haryana, payable at station of E.M. concerned.
2. The Estate Manager concerned will scrutinize all the documents submitted by the hirer.
3. After the checking, the hirer will be asked the deposit the requisite fee as applicable.
4. After the receipt of requisite fee, permission will be conveyed to the hirer by the Estate Manager concerned.

3. EXECUTION OF CONVEYANCE DEED:-

1. Conveyance Deed would be executed only after full payment of house has been received from the allottee OR after completion of HPTA period.

- 2 The allottee is entitled to seek execution of Conveyance Deed during the concurrency of the HPTA provided full payment of the house allotted to him is made.
- 3 Once full payment is made and no due certificate is issued, Conveyance Deed would have to be executed. Although demand for land enhanced compensation of cost due to finalization of cost houses can be raised as amount due from the allottee.
- 4 Power of Attorney holder is also competent to get the house transferred on behalf of hirer provided the Power of Attorney contains a clause to this effect and the attorney is legal , valid and enforceable and the hirer is alive. The attorney would have to submit affidavit in this regard.

The Board considered the matter and approved the same subject to the following provisions.

Approved subject to the transfer fee should not be less than as decided vide agenda item No. 178.14 of 19 March 2006. After deliberation in length the BOD has decided as under:

- 1 Process fee for all category of houses i.e. Rs. 500/-

Transfer Fees

- a) EWS/300 Sft Rs. 3000/-
- b) LIG/301 Sft to 700 Sft Rs. 5000/-
- c) MIG/701 Sft to 1200 Sft Rs. 10000/-

All Other Categories

Process fees 5000/-

Sale price less than 10 lacs transfer fee Rs. 25000/-

Sale price more than 10 lacs transfer fee Rs. 25000/- + 6% of the amount exceeding Rs. 10 lacs.

Commercial

Process fee 10000/-

Transfer fees @ 7% of sale price of the property.

It is also decided before transferring any property Estate Manager concerned will take the copy of ADHAAR NUMBER from the seller.

This policy will supersede all the policies notified before 06.11.2017 and shall come into force w. e. f. 16.03.2018.