

From The Principal Secretary,
to Government Haryana, Town & Country Planning,
Haryana, Chandigarh.

To

1. The Director General,
Town & Country Planning,
Haryana, Chandigarh.
2. Chief Administrator,
Housing Board Haryana,
Sector-6, Panchkula.

Memo no. LC-147-7/16/2006-2TCP/14950 Dated:17.05.2018

Subject: Policy for Allotment of Plots/ Flats earmarked for Economical Weaker Section in the Licensed Colony.

Reference: - In supersession of policy issued vide memo no LC-147-7/16/2006-2TCP dated 08.07.2013.

In the interest of the general public, the policies issued vide memo no. LC-147-7/16/2006-2TCP dated Chandigarh the 08.07.2013 has been reviewed and in supersession of this policy, the following comprehensive policy is framed:-

1. EWS PLOTS

- 1.1 Quota of EWS plots:** The licensee shall reserve 20% of the total number of residential plots in residential plotted colony for allotment to such eligible applicants as prescribed under this policy.
- 1.2 Size of EWS plots:** EWS plot size shall vary within 50 sq. mts to 125 sq. mts. or as otherwise approved specifically in the Layout plan by the Director.
- 1.3 Transfer of EWS plots; Eligibility and Allotment criteria:**
 - 1.3.1 The licensee shall transfer all the EWS category plots to Housing Board Haryana within six months after approval of zoning plan at the rate fixed by the Government from time to time which presently is Rs. 600/- per Sq. Mtr.
 - 1.3.2 (i) The licensee shall complete the development works of atleast road, water supply, sewerage and electricity in the area earmarked for EWS plots within one year from approval of zoning plan/Environmental clearance whichever is later.
 - (ii) Housing Board Haryana may construct units on the transferred plots and allot to BPL applicants and/or EWS applicants in accordance with the provisions of layout plan/ zoning plan after following a transparent procedure for calling applications and selection of eligible beneficiaries.
 - (iii) For the purpose of this policy, the definition of EWS stands adopted as provided under PMAY guidelines i.e. with household income less than 3 lakhs or as amended under PMAY guidelines from time to time.
 - 1.3.3 In case of earlier granted licenses, licensee shall transfer the EWS units to Housing Board Haryana before getting the license renewed.

- 1.3.4 Housing Board Haryana after carrying out construction as per specifications and shall allot the EWS units to the eligible beneficiaries, with first preference being granted to the BPL applicants.
- 1.3.5 Housing Board Haryana may also earmark these units for Rental Housing Scheme for eligible beneficiaries.
- 1.3.6 The allottees of such plots shall not be allowed to further transfer the plots to any other person within a period of five years after getting the possession. Housing Board Haryana shall impose this condition in the allotment letter. The breach of this condition will attract penalty equivalent to 100% of selling price of the allotted unit to be paid by the purchaser. Execution of irrevocable power of attorney in favour of any person other than blood relation alongwith irrevocable will and for consideration passed on to the executor of irrevocable power of attorney or to anybody on his behalf, shall be construed as sale of property for this purpose. This penalty is to prevent misuse of such plot and allotment of plot shall also be liable for cancellation.
- 1.3.7 For avoiding duplicacy, Housing Board Haryana shall fix a rubber stamp of the Board on the BPL card of the allottee, till the time Aadhar cards are not made compulsory and thereafter the entry of the number of Aadhar card of BPL candidates will be compulsory in the application form. The list of successful BPL as well as EWS beneficiaries shall be forwarded to the Department of Urban Local Bodies Haryana for maintaining an integrated database of allottees so as to avoid duplicate allotment to same beneficiaries.
- 1.3.8 BPL as well as EWS verification shall be carried out in case of successful allottees only.

2. EWS Flats:

- 2.1 **Quota of EWS flats:** The licensee shall reserve 15% of total number of residential flats in Group Housing colony for allotment to such eligible applicants as prescribed under this policy.
- 2.2 **Size of EWS flats:** The minimum size of EWS flat shall be 200 sq. ft.
- 2.3 **Cost/price of EWS flats:** Maximum Price for allotment of EWS flats in group housing colonies shall be as fixed by the Government from time to time which presently is Rs. 1,50,000/- per flat i.e. Rs 750/- per sqft.

2.4 Floating of EWS category flats through Housing Board Haryana (HBH):

- 2.4.1 Complete scheme shall be floated within six months from issuance of occupation/part-occupation certificate of EWS flats. The colonizer upon obtaining such occupation/part-occupation certificate, shall immediately and not later than 60 days convey the detail of such flats to Housing Board Haryana for the purpose of inviting application and for identification of the eligible beneficiaries.

- 2.4.2 Housing Board Haryana shall act as an intermediary for the purpose of identification of eligible beneficiaries only on behalf of the colonizers and DGTCP, Haryana. By no means, the involvement of Housing Board Haryana shall amount to it being designated as a developer for the project, as far as compliance under RERA Act is concerned.
- 2.4.3 All compliances pertaining to Haryana Development and Regulation of Urban Areas Act, 1975 as well as Apartment Ownership Act 1983 shall continue to be the sole responsibilities of the licensee.
- 2.4.4 (i) While identifying the beneficiaries for allotment, Housing Board Haryana shall grant first preference to the BPL families and thereafter to the EWS applicants of the State.
- (ii) For the purpose of this policy, the definition of EWS stands adopted as provided under PMAY guidelines i.e. with household income less than 3 lakhs or as amended under PMAY guidelines from time to time.
- 2.4.5 In cases where EWS flats have already been advertised, the licensee shall conduct draw of lots within three months from issuance of this policy.

2.5 Guideline for conducting draws of lot by Housing Board Haryana:

- 2.5.1 The Housing Board Haryana shall give advertisement in three newspaper (1 leading English National Daily and 2 in Hindi language) having circulation of more than 10000 copies in the State.
- 2.5.2 The list of successful allottees alongwith waiting list of 25% of total number of flats shall be published in newspaper as specified above.
- 2.5.3 After completion of the process of identification of successful allottees, Housing Board Haryana shall convey the list of successful applicants' alongwith waiting list to the concerned colonizer under intimation to DTCP, Haryana.
- 2.5.4 All further formalities pertaining to issuance of allotment letter and recovery of installment for the successful allottees continue to remain with the colonizer. If successful allottee fails to deposit the installments, he may be given 15 days time period from date of Show Cause Notice and further 15 days from the issuance of publication of such list in one leading Hindi newspaper, failing which allotment shall stands cancelled.
- 2.5.5 For avoiding duplicacy, the colonizer shall fix a rubber stamp of his Company on the BPL card of the allottee, till the time Aadhar cards are not made compulsory and thereafter the entry of the number of Aadhar card of BPL candidates will be compulsory in the application Form. The list of successful BPL as well as EWS beneficiaries shall be forwarded to the Department of Urban Local Bodies Haryana for maintaining and integrating database of allottees so as to avoid duplicate allotment to same beneficiaries.
- 2.5.6 BPL as well as EWS verification shall be carried out in case of successful allottees only.

2.6 Procedure for refund of earnest money:

- 2.6.1** Housing Board Haryana shall charge Rs.10,000/- as registration/earnest money alongwith each application. Housing Board Haryana shall retain such registration charges from each successful allottee after conducting the draw of lots. The balance amount of Rs.1.4 lakhs shall be recovered directly by the colonizer from the beneficiaries as identified by Housing Board Haryana.
- 2.6.2** For unsuccessful candidates, refund of registration/earnest money (without interest/compensation) shall be made by Housing Board Haryana within two months from date of draw.
- 2.6.3** The earnest money of the applicants in the waiting list may be retained by the Housing Board Haryana till the process of allotment of successful applicants is completed. Thereafter, the earnest money shall be refunded within one month period. However in case any applicant in waiting list requests for refund of earnest money even during the process of allotment, the Housing Board Haryana shall refund the same within a period of one month from receipt of the request without making any deductions.
- 2.6.4** In case a successful candidate surrenders his flat, entire amount will be refunded by the colonizer without any deduction. However, the registration amount of Rs.10,000/- recovered by Housing Board Haryana shall remain non-refundable.

2.7 Procedure for refund in case of delay in conducting the draw: Housing Board Haryana shall refund the earnest money to unsuccessful candidate's alongwith normal interest of saving bank account in State bank of India as applicable from time to time. However, no interest shall be paid for a period of six months from the date of submission of application alongwith earnest money.

2.8 Sale/transfer of EWS flat: The allottees of such flats shall not be allowed to further transfer the flats to any other person within a period of five years after getting the possession. The breach of this condition will attract penalty equivalent to 100% of selling price of the allotted unit to be paid by the purchaser. Execution of irrevocable power of attorney in favour of any person other than blood relation alongwith irrevocable will and for consideration passed on to the executor of irrevocable power of attorney or to anybody on his behalf, shall be construed as sale of property for this purpose. This penalty is meant for misuse of such plot and allotment of plot shall also be liable for cancellation.

Sd/-

Principal Secretary to Govt.
Town & Country Planning Department,
Haryana, Chandigarh.