

From

The Financial Commissioner and Principal Secretary to Govt. Haryana  
Town & Country Planning Department.

To

Director,  
Town & Country Planning,  
Haryana Chandigarh.

Memo No.7/16/2006-2TCP

Dated:15.9.2008

Subject:- Policy decision regarding grant of licence to Cooperative Housing Societies.

Reference in continuation of memo no. 6/16/2006-2TCP dated 19.12.2006.

Whereas the Government did not approve of the issuance of licences under the Haryana Development and Regulation of Urban Areas Act, 1975 to Cooperative Housing Societies due to unhappy experiences in such cases; the matter has now been re-considered by the Government. The Governor of Haryana is pleased to convey the policy parameters for grant of licence to the Registered Cooperative House Building Societies of following Categories:-

1. The licence application of only those Registered Cooperative House Building Society will be considered for grant of licence who have a collaboration agreement with the builders/developers having the financial capacity to undertake the development and technical expertise in development of residential colonies.
2. The Welfare Organizations registered as societies and sponsored by the Central/State Government Departments and Government organizations for creating housing infrastructure for their employees like AWHO, CGEWHO, IRWO, HEWO etc have already been considered for grant of licence for group housing colonies vide memo No. 5/23/2006-2TCP dated 2.7.2007.

The parameters/terms and conditions of grant of licence will be as follows:-

- i) In case of the societies mentioned at Sr. No. 1 above, they will have a irrevocable collaboration agreements with builders/developers having the financial capacity to undertake the development and technical expertise in development of residential colonies.
- ii) The Society/developer shall indemnify the Director against the internal dispute and consequent damages if any between the society and the developer.

- iii) The licence application shall be accompanied by total number of members along with their names and addresses duly verified by Registrar of Cooperative Societies/competent authority and at no stage number of members shall increase.
- iv) The collaboration agreement shall specify the area to be developed by the collaborator-company for the society, which shall be in terms of FAR/plots to be allotted to the society members and to be sold by the collaborator company.
- v) EWS Flats to be allotted to general public through draw of lots.
- vi) No EDC will be charged from the allottees of the EWS plots/flats.
- vii) Financial aspects to be taken care by the developer collaborator- company and the collaborator company to submit undertaking and in this regard bank guarantees on account of EDC and IDW to be submitted by the collaborator-company.
- viii) The society to execute irrevocable SPA/GPA in favour of the developing agency/collaborator company to do acts and deeds for grant of licence and to develop the land without affecting the rights of the society with regard to the area to be developed for the society members for their developing units/plots.
- ix) The clause relating to 15% profit shall be applicable on the project; however this will not include the area where the plots/flats have been allotted/earmarked for the original members of the society.
- x) The owners of the plots/flats sold by the developer shall be deemed to be society members and all the common properties shall vest with the Association formed as per the provision of Apartment Ownership Act 1984 in case of group housing society; otherwise for plotted colonies will be governed through the provisions of the Haryana Development and Regulation of Urban Areas Rules, 1976 and the terms and conditions of grant of licence.

Sd/-

Superintendent

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