

From

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

To

Financial Commissioner & Principal Secretary to Govt. Haryana  
Revenue & Disaster Management Department

Memo. No. 7/3/09-2TCP; Dated: 25.08.2009

**Subject: REGISTRATION OF INDEPENDENT FLOORS OF RESIDENTIAL PLOTS**

*Reference: In continuation of this office memo no 2733-2737 dated 27.03.2009 on the subject mentioned above vide which the guidelines regarding registration of independent floors in licenced colonies was circulated.*

In partial modification to the detailed guidelines issued vide memo referred above, it is informed that the Haryana Development and Regulation of Urban Areas Act, 1975 stands amended vide Haryana Ordinance no 7 of 2009 dated 25.07.2009, vide which the following Section 3C has been inserted in the Act, *ibid*:

**“3-C. Registration of independent floors. - (1)** *The registration of independent floors for the purpose of transfer, sale, gift, exchange or lease in perpetuity, in a colony, for which a licence has been granted under this Act, shall be permitted as independent dwelling units:*

*Provided that no sub-division of land under the residential dwelling unit shall be permitted and the registration shall be limited to one dwelling unit only on each floor.*

**(2)** *The owner desiring such registration under sub-section (1), shall be liable to pay a duty as notified by the Government from time to time, in addition to the stamp duty payable under the Indian Stamp Act, 1899, as applicable in the State of Haryana.*

**(3)** *The said duty shall be collected by the Registrar or Sub-Registrar at the time of registration of the document in the manner specified under the Indian Stamp Act, 1899, and intimation thereof shall be sent to the Director immediately.*

**(4)** *The amount of the duty so collected under this Act shall be credited to the Fund established under Section 3A of this Act.”*

A copy of the said ordinance is annexed at Annex-A.

**2.** The BILL for amendment in the Act, *ibid*, was also presented and passed in the Vidhan Sabha session held in the first week of August. A copy of the BILL presented in the Vidhan Sabha is enclosed herewith at Annex-B. The said amendment Act is likely to be notified in the gazette shortly after obtaining the assent of the Governor of Haryana.

**3.** Consequent to the above amendment in Act, *ibid*, a notification has been issued, vide notification no CTP(Hr)/8617 dated 21.08.2009 for recovery of one percent duty in addition to the stamp duty payable under the Indian Stamp Act, 1899, for the purpose of registration of independent floors in the licenced residential colonies. A copy of the said notification is also enclosed at Annex-C.

4. As per the provisions of sub-section 4 of Section 3C of the Act, *ibid*, the amount collected against the additional 1% duty at the time of registration of such floor, shall be credited to the 'Fund' established under section 3A of the Haryana Development and Regulation of Urban Areas Act, 1975 is administered by the Director, Town and Country Planning, Haryana. Thus, in accordance with the provisions of the sub-section 3 and 4 of section 3C, all Registrars/ Sub-Registrars of the State are required to:

- i. Collect the said duty at the rate of 1% at the time of registration of the document under the Indian Stamp Act, 1899, and an intimation regarding the same is required to be sent immediately to the Director, Town and Country Planning Haryana on daily basis, and,
- ii. Forward the amount of duty so collected in the form of a Demand Draft drawn in favour of the Director, Town & Country Planning, Haryana and payable at Chandigarh, preferably on daily basis, but in no case later than a week, on monthly basis alongwith summary sheet.

In view of the above, it is requested that instructions may be issued to all the Registrars and Sub-Registrars of the State for taking necessary action as per above.

**Sd/-**  
**(T.C. Gupta),**  
**Special Secretary**

For: Financial Commissioner and Principal Secretary to Govt.  
Haryana, Town and Country Planning Department.

**Endst. No.**

**Dated:**

A copy of the above along with enclosures is also forwarded to ALL DEPUTY COMMISSIONERS-cum-REGISTRARS, \_\_\_\_\_, for information and further necessary action.

District Town Planner (HQ)  
Town & Country Planning Department,  
Haryana, Chandigarh

**Endst. No.9330**

**Dated: 03-09-09**

A copy of the above along with enclosures is also forwarded to following for information and further necessary action:

1. All Senior Town Planners of the state.
2. All District Town Planners of the state.

District Town Planner (HQ)  
Town & Country Planning Department,  
Haryana, Chandigarh