

PUBLIC NOTICE

It has come to notice of this Department that the apartment owners of the Co-operative Group Housing Societies where land was allotted by HUDA have felt resentment over the applicability of the instructions dated 07.01.13 issued by the Principal Secretary to Govt. Haryana, Town and Country Planning Department, wherein rates of composition fee for compounding the offence committed u/s 2 of the Haryana Apartment Ownership Act, 1983 have been prescribed pertaining to delay in filing of deed of declaration beyond the prescribed period of 90 days after obtaining part completion/completion certificate. An apprehension has also been raised by the apartment owners of these GH Societies that now it would be compulsory for them to get the sale deeds executed for their apartments.

It is clarified that the instructions dated 07.01.13 are applicable only in cases where part completion/ completion certificate are issued by the Department of Town and Country Planning, Haryana under the Rules of 1976 framed under the Haryana Development and Regulation of Urban Areas Act, 1975 or occupation certificate under the Rules, 1965 framed under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 and not on the property/building falling in the area developed by the Haryana Urban Development Authority. These changes are applicable only on the licensees/developers under the Act of 1975 as well as under the Act of 1963. Further, it is to inform that as provided in section 2 of the Haryana Apartment Ownership Act that in case of property/building falling in the area developed by HUDA, the owner of such property/building shall duly execute and get registered declaration within a period of 90 days after obtaining occupation certificate of the building under the regulations framed under the Haryana Urban Development Authority Act, 1977 and for the property/building developed by HUDA, the necessary instructions for registration of the deed of declaration of the apartment and composition charges in case of any delay in compliance of the section -2 of the Act of 1983 are to be issued separately by HUDA.

This clarification is being issued in public interest to avoid panic/misgivings among the apartment owners of the GH Schemes, where land has been allotted by HUDA.

Director General
Town & Country Planning, Department
Haryana, Chandigarh