

# Transfer of Houses Policy

HARYANA

India

## Transfer of Houses Policy

### Rule TRANSFER-OF-HOUSES-POLICY of 1987

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Transfer of Houses PolicyPublished vide letter No. HBH/CRO-I/RO/R-1/12144-12154 Dated 16.9.1987ToThe Estate Manager I & IIHousing Board Haryana,Panchkula, Karnal, Hisar, Jind,Ambala Cantt, Bhiwani, Panipat,Sectors 18, 23 and 7, Faridabad.{||-| No. HBH/CRO-I/RO/R-1/12144-12154| Dated 16.9.1987|}Subject :- Transfer of houses/addition of name of wife/husband in the allotment of houses.

#### 1.

The matter regarding transfer of house/addition of name of wife/husband in the allotment of houses was under consideration of the Board since long and it has now been decided to allow the transfer of houses/addition of name. The terms and conditions for the transfer of houses are as under :-

**1. The hirer will not be entitled to transfer his/her house within a period of two years from the date of allotment.**

**2. The hirer is only entitled to transfer the tenancy rights during the currency of the HPTA. Once full payment of the house allotted to him is made no transfer will be permissible. For clarity sake it is pointed out that transfer will only be allowed in case where full payment is yet to be made and HPTA is enforceable. Once full payment is made and no-due certificate is issued, no transfer will be allowed, although demand for land enhanced compensation of cost due to finalisation of cost of houses is raised and amount is 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 other person also.**
- 4. During the currency of HPTA, transfer can be allowed more than once.**
- 5. Power of ATTORNEY holder is also competent to get the house transferred on behalf of hirer provided the Power of Attorney contained the clause to this effect and the attorney is legal, valid and enforceable.**

**6. The transfer fee will be as under :-**

(a) One room house	5% of the cost at the time of transfer or Rs. 1200/- whichever is higher.
(b) Two rooms house	5% of the cost at the time of transfer or Rs. 2500/- whichever is higher.
(c) Three rooms house	5% of the cost at the time of transfer or Rs. 4,000/- whichever is higher.
(d) Four or more rooms houses	5% of the cost at the time of transfer or Rs. 5,000/- whichever is higher.

Note :- For the revised rates see letter dated 18.12.1991 hereinafter appended.

**7. The original allottee will not be eligible for the allotment of a house by the Board for five years from the date of transfer. The condition will not, however, be applicable in case of registration under without eligibility conditions, scheme.**

**8. No transfer will be allowed until and unless all the arrears due are cleared on the date of submission of application for transfer.**

**9. 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.**

**10. No transfer will be allowed in case of any litigation by the hirer.**

Procedure for Transfer

**1. The hirer, who will fulfil all the above noted terms and conditions, will submit an application seeking permission to transfer the house as per proforma of application (T-1) and submit the same in the office of the concerned Estate Manager of the colony. The hirer will be required to furnish the following documents along with application :-**

(i) Process fee of Rs. 100/- in the shape of bank draft in favour of Housing Board Haryana payable at Chandigarh. (ii) Photostat copy of the allotment letter. (iii) Affidavit on non-judicial paper of Rs. 3/- only attested from Magistrate Ist Class in the proforma No. T-II (Affidavit is to be executed by the original allottee/transferer). (iv) In case application is given by the Attorney Holder then following documents should also be furnished :- (a) Photostat copy of Power of Attorney. (b) Search Certificate. (c) Affidavit from Attorney Holder on a non-judicial stamp paper of Rs. 3/- duly attested by Ist Class Magistrate, 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.**

**2. The Estate Manager concerned will verify the contents of the application and the affidavit and forward the same along with personal file of the allottee to this office as per proforma T-III.**

**3. After the receipt of personal file and documents from the Estate Manager, the papers will be scrutinised in the Head Office. In case of any clarification/doubts, the hirer/transferor and transferee can also be called in Head Office to ascertain the factual position. Hearing will be given by the Secretary, Housing Board, Haryana.**

**4. After completing the above formalities, the decision for transfer will be taken and conveyed to the hirer. The documents required i.e. Deed of Indemnity as per proforma T-V and affidavit as per proforma T-VI will also be obtained by the Head Office and after the receipt of documents, permission for transfer will be conveyed to the Estate Manager concerned with a copy of all other concerned by Head Office.**

Terms and 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 and following charges will be paid by the hirer :-**

- |                               |   |
|-------------------------------|---|
| (i) One room house            | 2½% of the cost at the time of addition or Rs. 600/- whichever is higher.   |
| (ii) Two rooms house          | 2½% of the cost at the time of addition or Rs. 1250/- whichever is higher.  |
| (iii) Three rooms house       | 2½% of the cost at the time of addition or Rs. 2,000/- whichever is higher. |
| (iv) Four or more rooms house | 2½% of the cost at the time of addition or Rs. 2,500/- whichever is higher. |

**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 currency 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. 50/- (non-refundable) will be charged.**

#### Procedure for Addition of Name

**1. The hirer will submit an application addressed to Chief Administrator, Housing Board, Haryana to the concerned Estate Manager in the proforma A-1 along with following documents :-**

- i. Affidavit on a non-judicial paper of Rs. 3/- duly attested by the Magistrate Ist Class in proforma A-II.
- ii. Affidavit of husband/wife whose name is to be added on a non-judicial paper of Rs. 3/- duly attested by the Magistrate Ist Class as per proforma A-III.
- iii. Photostat copy of the allotment letter.
- iv. Process fee of Rs. 50/- in the shape of bank draft in favour of Housing Board, Haryana payable at Chandigarh.

**2. The Estate Manager concerned will scrutinize all the documents submitted by the hirer and forward the same to this office along with personal file of the allottee as per proforma A-IV.**

**3. The documents so received from the Estate Manager will be scrutinized in Head Office and decision for adding the name will be taken from the Chief Administrator, Housing Board, Haryana, Chandigarh.**

**4. After the decision is taken, the hirer will be asked to deposit the requisite fee as provided in condition No. 1.**

**5. After the receipt of requisite fee, permission will be conveyed to the Estate Manager under intimation to all concerned.**

DA/As above.Sd/- C.R.O. 1for Chief AdministratorNote :- Transfer of house means transfer of Tenancy right in the house.

Endst. No. HBH/CRO-I/R.O. II/87/12155-64 Dated :  
16.9.1987

A copy is forwarded to the following for information :

**1. C.E. TP & A/CAO/CRO-II/O.S., HBH, Chandigarh.**

**2. Xen. HBH, Ambala/Panipat/Faridabad/Gurgaon/Rohtak.**

Sd/- C.R.O. 1for Chief AdministratorRevised Rate of Transfer FeeThe Estate Manager,Housing Board, Haryana,Kalka/Panchkula - I, IIAmbala City, Ambala Cantt,Yamunanagar, Karnal, Kurukshetra, Kaithal, Cheeka, Jind,Rohtak, Bhiwani, Panipat, Sonapat, Hissar, Adampur,Sirsa, Gurgaon, Rewari, Dharuhera, Faridabad Sectors 23, 7, 10, 3, 18, 29,Palwal.

No. HBH/CRO-1/91/18128-18147 Dated 18.12.1991

Subject :- Revised rate of transfer fee for the transfer of allotment of houses and transfer of EWS houses.The above issues were considered by the Board in its 119 meeting held on 30.10.1991 vide agenda item No. 119.4 and it was decided as under :(1)Transfer fee has been revised as under :

Sr. No.	Particulars	Existing transfer fee	Revised transfer fee approved by the Board
1.	One room house	5%of the cost or Rs. 1200/- whichever is higher.	10%of the cost or Rs. 2400/- whichever is higher.
2.	Two rooms house	5%of the cost or Rs. 2500/- whichever is higher.	10%of the cost or Rs. 5,000/- which ever is higher.
3.	Three rooms house	5%of the cost or Rs. 4,000/- whichever is higher.	7½%ofthe cost or Rs. 6,000/- which ever is higher.
4.	Four or more rooms house	5%of the cost or Rs. 5,000/- whichever is higher.	7½%ofthe cost or 7,500/- whichever is higher.

(2) Board has also decided to allow the transfer of EWS houses on the above noted revised fee. The above decisions will be applicable on the cases received in your office on or after 23.12.1991.