

TRANSFER OF DWELLING UNIT IN COOPERATIVE HOUSE BUILDING SOCIETY IN CHANDIGARH

CHANDIGARH FINANCE DEPARTMENT Order u. Apex Court in SLP No. 13917 of 2009 titled Sure] Lamp and Industries Pvt. Ltd. gäte of Haryana and Ant.' only any transfer of property is to be governed by the Transfer of Property Act, 1882 read in conjunction with Indian Stamp Act, 1899 and the Registration Act, 1908, simply put it means that the transfer of property is valid only if it happens through a duly Conveyance Deed. This was again emphasized by Hon'ble J. N. Lakshmi in COLI of Punjab and Haryana in CWP No. 1227 of 2009 titled Amritpal Singh Vs. Chandigarh Administration. Now, therefore, in supersession of previous notifications that are in contravention of provisions of the above said notification, the transfers of dwelling units in the Cooperative House Building Societies Chandigarh OR Apartments constructed by Chandigarh Housing Board shall also be as below:

- The Society shall get a chunk of land allotted to it transferred in its name on freehold or leasehold 25 per cent of the terms of 2110 years by paying the prescribed stamp duty on actual amount paid to Administration, 6.9 consideration

2. Thereafter, the transfers of individual dwelling unit shall happen only through Deed of Conveyance or Lease Deed. as the case may be, to be executed on stamp paper of prescribed value based upon price dwelling unit as notified by Collector from time to time

3. No Dues Certificate for Outgoing Member (Seller) and Certificate of Eligibility to become member of the Concerned Cooperative Society: 2. Entry for incoming Member (Purchaser) Issued by Managing Committee of concerned Cooperative House Building Society shall be a prerequisite before execution of Conveyance or lease deed, as the case may be, as in para 2 above.

4. Outgoing Member (Seller) shall also deposit the earned Increase/ Transfer Fee in lieu of it as notified by time to time, in Govt Treasury in prescribed Head in accordance with the Punjab Capital Finance (Development & Rejuvenation) Act, 1952 and the Rules framed thereunder, under which the land was allotted to the Society originally, in this issues with the approval of H.E. the Administrator, Union Territory. Chandigarh dated the January, 2016

Finance Secretary, Chandigarh-Administration the (+/-) 8. 4. 5. 6 7 A copy is forwarded to the following:-

Controller, Printing & Stationery Department, L.J.T. Chandigarh for publishing this order in Chandigarh Administration Gazette (extraordinary) and to supply 20 printed copies thereof for official use and record,

2 • Chairman Chandigarh Housing, 8 at Chandigarh; Secretary Cooperatives, Chandigarh h AdminisZratf011, • Registrar, Cooperative Societies, Chandigarh. Deputy Commissioner-cum-collector. U.T.Chandigarh; Estate Officer. U.T.Chandigarh; Secretary. Chandigarh Housing Board. Chief, Sdgrh. upurintencnt Finance l. For Finance Secretary, Chandigarh Administration.