

CHANDIGARH CONVERSION OF RESIDENTIAL LEASE-HOLD LAND TENURE INTO FREE-HOLD LAND TENURE RULES, 1996

The Chandigarh Conversion of Residential Lease-Hold Land Tenure into free-hold Land Tenure Rules, 1996 Published in the Chandigarh Administration Gazette (Extra) Dated July 19, 1996 / Asadha 28, 1918 at page 1049 No. 222-UTFI (3)-9S/9345. - In exercise of the powers conferred by Sections 3 and 22 of the Capital of Punjab (Development and Regulation) Act, 1952, as adopted by the Punjab Re-organisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968 and other powers enabling him in this behalf, the Administrator, Union Territory, Chandigarh is pleased to make the following Rules, namely : - 1. Short title. - These rules may be called "The Chandigarh Conversion of Residential Lease-Hold Land Tenure into free-hold Land Tenure Rules, 1996." 2. These rules shall come into force from the date of publication in the Official Gazette

3. Unless the context otherwise requires, the words and expression used in these rules shall have the meaning as assigned to them in the Capital of Punjab (Development and Regulation) Act, 1952 and the rules made thereunder from time to time

4. These rules shall apply only to the Sites, mentioned in the Master Plan/ Zoning Plan as "residential".

(a) The proposed conversion can be given effect in respect of the following sites : - (i) All the residential built up sites where the lease has been granted for residential purposes (ii) LIG, MIG, HIG and Self Financing Scheme Flats, Industrial Labour Houses, Cheap HOUSES and Tenements allotted on lease hold basis. All the built-up sites where the lease has been granted to the Co-operative House Building Societies, Army Welfare Housing Organizations, Central/State Governments, Semi-Government bodies, Chandigarh Housing Board for residential purposes in respect of all sizes of plots.] 2[The sites demised by the Chandigarh Administration at Sub-Urban Sector 2, near village Dhanas.] (b) In case of Flats, Tenements and built-up sites measuring not more than 50 square metres, the conversion into Freehold shall be free. (c) In case of flats, tenements and built up sites of all sizes, the Conversion into free-hold shall be optional. However, at the time of sale of any such flat/tenements and built-up site, the Conversion into free-hold shall also be optional.] (d) As a result of conversion, the lessees who have been allotted sites under the Chandigarh Lease Hold of Sites and Building Rules, 1973, I. Substituted vide Chandigarh Administration Gaz (Extra) dated 18-4-2001 at page 713 2. Added vide Chandigarh Administration Gaz. (Extra) dated 23-1-2006 at page 52 [225] • Chandigarh Residential Land Tenure into free—hold Land Rules, 1996 227 ever applicable. in cases lease deed has not been executed, the price/ Premium of the site as reflected in the letter of allotment or last for the predetermined rate as prescribed by the Competent Authority - On the date of Sale* 1 also be added the purpose of [Provided that in cases the conveyance deed is to be registered in the name of GPA as per rule 8, in that case the stamp duty is to be charged as per the provisions under the Indian Stamp Act, 1899: 2 [Provided further that in case the Lease Deed or the property not been executed. the GPA Holder also be responsible for payment Of such appropriate stamp duty that have been payable if the Lease Deed is to be executed.] 10. (i) The applicant/ lessee shall make an application to the Estate Officer, Territory, Chandigarh, in the prescribed form in Annexure such period as be notified by the Estate Officer, Union Territory, Chandigarh - (i) After the conversion the basis to Free hold basis, the Chandigarh Of Sites and Buildings) Rules, 1960, as amended in time to shall ipso facto be applied to such sites : Provided other conditions of a tenement as imposed in the tenement letter shall remain operative as before- (ii) All the sites converted into freehold basis be governed by the provisions of 1952, as amended from time to time- (iv) The applicant is required to file an affidavit in Form Annexure "C" to the effect that there is no unauthorised in the filing of this affidavit does not bar the Estate Officer, Territory, Chandigarh to take action under the Capital of Punjab (Development and Regulation) Act, 1952, and the rules thereunder, for unauthorised under the building regulation - arrears Of ground rent along with interest shall be paid by the applicant, before the Conversion is permitted - (v) The sites which have been mortgaged before conversion the lessees/ allottees submit Object Certificate* from the mortgagee- (vii) Conversion shall not be allowed in cases Title - of the Property is disputed and until and unless the dispute is duly settled- (viii) cases lease of the site has been conversion shall not be until the Cancellation Order is set aside and the site is restored to the lessee (ix) dispute between the Original lessee/sub-lessee/ allottee and Power of Attorney Holder. for grant of

Free—hold rights shall be entertained, only after the dispute is duly settled- (x) In cases applications for mutation/substitution is pending "it-h the lessor on of dispute, Conversion shall be only after the necessary has been carried out, if so permissible. Other— simultaneous actions for substitution/mutation and then conversion Shall be taken

1. Substituted vide Chandigarh Administration Gaz- (Extra) dated 26—1 page 2105 2. Added vide Chandigarh Administration Gaz- (Extra) dated 1 at page 71 3 Chandigarh of Residential Lease—Hold Land Tenure into Land Ru 996 500 and upto 1 000 Above 1000 version charges applicable to 500 plus 22- of the notified rate per sq- metre- For the area above 500- sq _ metres. Conversion charges app to 1 000 sq- plus Of the notified land rate per sq. metre for the area above 1 000 229 62-5 x R plus .225 R X (S- 500) 75 x plus .25 x (S- 1000) Site area in Square Land rate in rupees per Square Metres as notified by the Chandigarh Administration till the time the rate has been fixed at Rs. 1 10/— per Square and the Share will be applied for a period year from the date as notified by Estate Officer. Territory, Chandigarh- The land rate applicable for calculating the Conversion Charges shall be notified *in time by the Administrator, Union Territory. **PART INDUSTRIAL HOUSES, 1--IC)USES BY THE ESTATE ON LEASE --** IOLD BASIS Category flat/tenements/ industrial Houses One time Conversion charges - Houses/ 1 industrial Houses LIG BIG (UPPER) NOTE : Rs - 4,300/- Rs - 6, 1 000/- Rs. 9,000/- 1 700/— (i) For houses having bigger plinth area. the concerned Allotting Authority increase one time Conversion Charges subject to the that one time conversion charges for LIG/Non-FKG and HIG Flats, ing Units referred to above, shall be determined on the basis of the formula for built up sites referred to in Part—I of this Annexure. The lessee shall be liable to pay the conversion charges whichever are higher. The site area for this purpose will deemed to be 1 -2 x plinth area of the (i i) The rates in part above be applicable for a period of one year from the date as notified by the Estate Officer, Union Territory, Chandigarh. Revised Conversion Charges & will be notified from time to time by the administrator, Union Territory. Chandigarh - (i i i) Conversion charges be determined per area the site of individual of a Cooperative Housing Building Society and as per formula referred in Part—I of the Annexure I . Under Chandigarh Administration Gaz— (Extra) dated 11 page 713 230 Chandigarh Conversion of Residential Lease—401d Land Tenure into free—hold Land and Tenure Rules. 1 996 A_NEXUR-E — B ESTATE FOR OF SITES FREE—HOLD 1 - Site/Plot No- Section of Site 5- of the lessee applicant • Father • s/ Husband (i i i) Address Status of the applicant . Less A -) and address OF the Purchaser, in name is sought (i) the *applicant is General Attorney holder (if so, attested copy be attached) (i i) Agreement to see or other to evidence the transaction in favour of person at 5 (i) he enclosed the lease is for site/tenement Whether the lease deed has been executed and registered, if so, volume -No- Page 8. the lease has been cancelled and site has been if details 9 - Whether there is any dispute pending in the court of regarding Title or Other- "ise, if give details On any for substitution is pending. 6) Whether the site stands mortgaged 11- (i i) yes, whether "NOC the is enclosed If the is constructed, proof of the completion 3 - affidavit Un—authorised construction/illegal use in the building is Assessment of Conversion Charges payable — (i) Amount of Conversion Charges as per formula Rs - (i i) Surcharge, if the applicant IS G.P.A. Rs- (iii) Arrears of ground rent. if any, along interest Rs- (iv) Total (i + ii -F iii) Rs. date Chandigarh Conversion Of Residential Lease—Hold Land Tenure into free—hold Land Tenure Rules. 1 996 5. the applicant & Mants to pay the share above at 14 in or in 5 -equated instalment_s

16. Amount paid along -with the a—plication Rs - 231 Bank Draft No. Drawn on Dated : dated Signature Of the applicant and address- DEC LAR_ ATION : I undertake that the Title may be passed on to after paying the Conversion Charges is liable to be Cancelled at any stage, if it is found that the information in this application is either or partly false and material fact has been - Signature of the Applicant Address for Correspondence ANNEXURE "C That I am trustee/General of Attorney of lessee of site No- Chandigarh (That there no unauthorised construction, in the site which is not compoundable/sanctioned by the Chandigarh Administration as per plan approved by the Chandigarh That there is unauthorised construction is not covered by the Building sanctioned by the Chandigarh Administration and the extent authorised construction is Square metres. 3 - That the site is not being misused- That the contents of the above affidavit are true and no portion of it is false and the said affidavit conceals is relevant to the above DEPOSITION Verification : I, the above named deponent, do hereby solemnly affirm and declare that the above Statement of mine is true to the best of and no part of it is false and nothing has been concealed DEPOSITION I, 14- years s/o d/o solemnly declare as under : — resident of