

From

Additional Chief Secretary to Govt. Haryana,
Town and Country Planning Department,
Chandigarh

To

The Director General,
Town and Country Planning Department,
Haryana, Chandigarh.

Memo No. C-120/8/5/2016-2TCP

Dated : 09-03-2016

Subject:- Policy for curtailing the unauthorized retention of money by the colonizers on account of registration charges.

Whereas, it has come to the notice of the Department that there are several instances of dispute between allottees, colonizers and the Revenue Department Pertaining to delay in registration of sale deed/conveyance deed, at times even after recovery of stamp duty.

2. And whereas, this issue has been considered at the level of the State Government and a very serious view has been taken in the matter and it has been decided to take all necessary corrective measures as required.

3. Therefore, in order to ensure that such instances do not occur in future and for taking corrective measures in this regard, the following course of action has been decided:

- (a) No colonizer shall withhold the registration charges in future after its collection from the allottees and shall ensure execution of conveyance deed within a period of 15 days positively.
- (b) In the cases wherein the colonizers have already collected registration charges and are still withholding the same without getting the conveyance deed executed the following courses of action shall be adopted:
 - (i) The colonizer shall get the conveyance deed executed

Or

In case, it is not possible to get the conveyance deed executed then the said amount shall be refunded to the allottees

Or

The colonizer shall adjust the said amount against the other dues (except maintenance charges) to be recovered from the allottees.

- (ii) In case none of the actions proposed at Sr. No. (i) above are executed, then an escrow account be opened and all such disputed amount be deposited in such account, wherein the concerned District Town Planner of the District would be nominated as the authorized signatory on behalf of the Department for the purpose of withdrawal of said amount only for registration charges. The colonizer cannot be allowed to use this money for his business purpose.

4. Apart from above, it would be mandatory for all the licencees to submit a certificate from the competent chartered Accountant that the licencee is not retaining any stamp duty/ registration charges from the allottees and if that certificate is found to be incorrect at any stage, the action as deemed fit by the State Government/ Revenue Department may be initiated against them. If any licencee fails to give requisite certificate/ undertaking from the Chartered Accountant, no approval of building plans, renewal of licence part occupation certificate/ completion certificate etc. would be granted by the Department of Town and Country Planning.

5. The above instructions are issued for compliance in letter and spirit by all the concerned.

Sd/-

Dy. Superintendent
for Additional Chief Secretary to Govt. Haryana,
Town & Country Planning Department

CC:-

Additional Chief Secretary cum Financial Commissioner, Revenue & Disaster Management Department Government of Haryana for information please.