

No.F.2(Misc.)GH/2014/ME/85

Dated: 13/5/15

CIRCULAR

To deal with the cases of Mutual Exchange of the flats in Cooperative Group Housing Societies, a policy decision was taken and circulated vide Circular No. F1(40)95/GH/DDA dated 4.10.1995 and further modification were made vide circulars bearing No. F.4(120)76/GH/DDA/3937 dated 12.11.02, Circular No. Coordination(LD)/206 dated 8.8.2003 and Circular No. F.5(1648)05/GH/DDA/5527 dated 26.05.08. While considering the cases of conversion of flats from leasehold into freehold, it came to the notice that in some societies many flats have been mutually exchanged by the members long back but neither any intimation to this effect has been sent to the DDA nor any permission for mutual exchange has been sought by the members. Further the flats has been sold by way of GPA and Agreement to Sell. Under the circumstances, it has been felt necessary to make a policy to facilitate such cases where the members have exchanged their flats and further sold on the basis of GPA/Agreement to Sell. Their cases can be considered for regularization of Mutual Exchange subject to the following conditions:-

1. If the mutual exchange took place within same category within a period of one year from the date of confirmation of the draw, Rs. 30,000/- per flat as mutual exchange charges may be charged from the flat holder.
2. If the mutual exchange is in the same or lower category and beyond one year from the date of confirmation of the draw, a sum of Rs. 50,000/- per flat as mutual exchange charges may be charged from the flat holders.
3. In the cases of mutual exchange, if it is in higher categories within prescribed period of one year from the date of draw of lots, a sum of Rs. 70,000/- and Rs. 90,000/- after expiry of one year may be charged per flat from both the flat holders as mutual exchange charges.
4. Both the members (who exchange their flats) belong to the same society.
5. Both the members (who exchange their flats) must be original allottee.
6. Applicant shall submit No Objection Certificate from the mortgagee, if the flat is mortgaged.
7. Second Mutual Exchange will not be allowed.
8. The applicant has to furnish a separate indemnity bond indemnifying the DDA to keep the lesser harmless on account of mutual exchange of flats.
9. No Objection Certificate from the society about mutual exchange of flat and certifying that no monetary consideration was taken at the time of mutual exchange of flats.

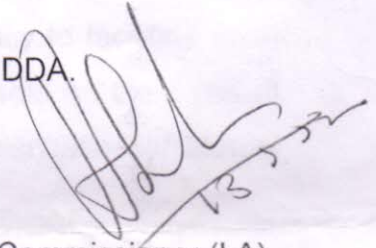
10. Copy of No Objection Certificate of the society together with the resolution of the Managing Committee of the Society for allowing the mutual exchange of flats.
11. The cases already regularized on the basis of earlier circulars, need not to be reopened.

This issues with the approval of Vice Chairman, DDA.

(Asma Manzar)
Commissioner (LA)

Copy to:-

1. OSD to VC, DDA.
2. Finance Member, DDA.
3. Engineer Member, DDA.
4. Pr. Commissioner (LD), DDA.
5. Commissioner (LD), DDA.
6. All Directors of LD Department.
7. Director (LC), DDA.
8. Director (System) with the request to upload on the website of DDA.


Commissioner (LA)

Sh. Superg for ~~DDA~~ m/s p.

14/5/15

Sh. Superg (DD1)