

To



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To

1. All the Administrators in HSVP
2. All the Estate Officers in HSVP

Memo No. A-7-2021/UB/ 194927 Dated: 15-11-2021

Subject: Policy relating to exchange of plots-modifications.

Reference: In modification of instructions issued vide memo no. U.B.- A-6-2013/7934-51 dated 18.02.2013 on the subject cited above.

It is observed that policy dated 18.02.2013 has come under abuse and its intended purpose being defeated which was meant to help the genuine original allottees. This is also affecting the finances of HSVP, as plots are disposed of through public auction and any such allotment of alternative plot takes away the benefit of disposal through auction which fetches better price, as allotment of alternative plot is made on old rates.

Hence, it has been decided to issue following modification in the policy dated 18.02.2013:

(i) Where the allotment letter includes the condition that no alternative plot will be allotted, such an allottee would be debarred from claiming allotment of alternative plot.

(ii) An original allottee will only be considered for allotment of alternative plot in lieu of original plot. Original allottee for this purpose shall mean an allottee who has participated in the draw of lots conducted by HSVP and after being successful in draw of lots for a plot, accepted the allotment by depositing the 15 % amount and said allotted plot is still in his name. Any such plot allotted in draw of lots will be considered as 'original plot'.

Provided that where the original allottee has transferred the original plot in name of his family members, then said family member will be eligible to apply for allotment of alternative plot in lieu of original plot. 'Family' for this purpose shall mean the family as defined in the HSVP policy for transfer of plots

Provided further that where a plot has been inherited and transferred on account of death of the original allottee, then a person inheriting or transferring the plot in his name on account of said transfer will also be eligible to apply for allotment of alternative plot.

(iii) A General Power of Attorney or Special Power of Attorney holder/subsequent purchaser/re-allottee will not be eligible to apply for allotment of alternative plot. He will however, be entitled to the following:

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- (a) He can wait for decision of the litigation or removal of the dispute.
- (b) He can apply for refund of the entire deposited amount, in which case, such amount will be refunded with interest @ 5.5 % per annum. In the eventuality of acceptance by him of entire deposited amount with interest, plot shall become the property of HSVP liable to be disposed of as per policy.
- (iv) In cases where the original allottee or as the case may be, his family member in case the original plot has been transferred in name of such family member, has been allotted an alternative plot but the said allotted alternative plot is found to be under litigation or dispute due to which reason possession could not be offered to him, then such an original allottee or as the case may be, his family member in case the original plot has been transferred in name of such family member, will be entitled to the following:
- (a) To seek restoration of the original plot.
- (b) The restoration of the original plot will be allowed only where the allotted alternative plot is still under litigation or dispute and possession of allotted alternative plot cannot be offered.
- (c) The restoration of the original plot will be further subject to the condition that original plot has become clear, is un-allotted and developed.
- (d) The restoration of the original plot will be further subject to the condition that original plot and alternative plot are situated within the jurisdiction of the concerned Estate Officer.
- (e) If option at point (a) of this clause is not accepted, then the original allottee or as the case may be, his family member in case the original plot has been transferred in name of such family member, will be eligible to be considered for alternative plot through draw of lots.
- (f) Once the original plot is restored to the original allottee or as the case may be, his family member in case the original plot has been transferred in name of such family member, then such an original allottee shall have no right remaining in respect of the earlier allotted alternative plot.



(v) The Hon'ble High Court in CWP No. 21830 of 2020 titled as Ajit Singh Vs. HSVP and others, has held that HSVP policy dated 18.02.2013 is applicable only an original allottee and therefore a subsequent purchaser/re-allottee will not be entitled to apply for restoration of original plot under any circumstance.

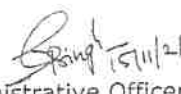
(vi) No person will be eligible to apply for allotment of alternative plot where the plot i.e. original or alternative plot allotted to him is free from any litigation or dispute of any nature whatsoever.

(vii) No manual application or request for said allotment will be accepted. A request for allotment of alternative plot shall have to be submitted online on the portal.

(viii) The draw of lots for allotment of alternative plot will be conducted online through randomization software at HQ. Level.

This is issued with the approval of Hon'ble Chief Minister Cum-Chairman, HSVP.

You are requested to take further action accordingly.

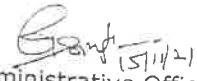

Administrative Officer,
For: Chief Administrator
HSVP, Panchkula

Endst. No. A-7-2021/UB/ 194928

Dated: 15.11.2021

A copy of the above is forwarded to the following for information and necessary action:

1. Chief Vigilance Officer, HSVP, Panchkula.
2. Legal Remembrancer, HSVP, Panchkula
3. The Chief Controller of Finance, HSVP, Panchkula.
4. The Chief Town Planner, HSVP, Panchkula.
5. The Chief Engineer-I, HSVP, Panchkula
6. The Chief Engineer-II, HSVP, Panchkula
7. The Secretary, HSVP, Panchkula.
8. The Chief Information Technology Officer, HSVP, Panchkula. It is requested to host the policy on website.
9. The Enforcement Officer, HSVP, Panchkula.
10. The Deputy ESA, HSVP, Panchkula.
11. All the Assistants in Urban Branch I & II, HQ's.


Administrative Officer,
For: Chief Administrator
HSVP, Panchkula