

Policy for permission to sell Independent Floors in IT / ITEs buildings (excluding Campus Development), falling in the Industrial Areas / Industrial Model Townships and other areas governed by HSIIDC.

This policy is being formulated to facilitate and fastrack the economic growth in the State, with a view to enable the smaller entrepreneurs to flourish and help the objective of Ease of Doing Business.

1. Eligibility Criteria & Other Conditions:-

- i. This policy shall be applicable on all existing IT / ITEs buildings (excluding Campus Development), falling in the Industrial Areas / Industrial Model Townships / areas transferred to HSIIDC from Industries Department and HSVP, which have an area of 3600 sqm and above and have access from a 15 mtr wide road.
- ii. Only such owners shall be eligible to transfer the floor-wise ownership of his / her building.
 - a) Who have completed construction of building as per approved Zoning plan/ Building Plans and have obtained Occupation Certificate thereof from the Competent Authority and there are no violations of the building bye-laws and meets the eligibility criteria as defined for IT plots in Haryana Building Code-2017 as on the date of issuance of this policy.
 - b) Who have paid full cost of the plot to HSIIDC including enhanced cost, if any, and have got the conveyance deed / sale deed, as the case may be, executed and registered, in his / her favour.
 - c) Who are not in default of any other dues of the Corporation in respect of the plot / premises.
 - d) Who have not violated any conditions of the agreement executed with HSIIDC.
- iii. Every building constructed as per applicable building bye-laws for IT/ITEs norms can have a separate and independent unit on each floor. Each such establishment shall be designated as an "Independent Floor". Each "Independent Floor" shall be recognized as a distinct, identifiable property with a separate identification number, to which the owner shall have titled alongwith the proportionate rights in the declared common areas and common facilities, rights of access, easements and other ownership rights as well as the right to use, transfer or dispose-off the property in accordance with the applicable law and rules.
- iv. Owner of each "Independent Floor" shall be entitled to separate utility connections such as water supply and electricity subject to building regulations / rules of Power utilities.
- v. Only IT / ITEs related uses will be allowed on each "Independent floor".
- vi. Only a building having separate and independent units on each floor, with

independent entry/ exit, shall be eligible under this policy.

- vii. Any one or more 'Independent IT/ITES Floor' can be transferred, provided the ownership of these floors is being transferred to a single person/company/ entity.
- viii. Parking norms have to be clearly fulfilled as per the Haryana Building code-2017.
- ix. The maximum FAR shall remain as permitted.
- x. The basement, if any, allowed shall not constitute a separate floor. The basement shall form a part of common areas. Similarly, roof top shall also remain a part of Common areas.
- xi. Proper light and ventilation of each 'Independent IT/ITES Floor' shall be ensured.
- xii. The Fire fighting scheme approval shall be required for each floor separately.

2. Other Parameters

- i. A single floor cannot be further sub divided.
- ii. The allottee desirous to sell his one or more or any floor, shall make an application to the concerned Estate Manager for issuance of Transfer Letter. While issuing the Transfer Letter a Committee comprising of Divisional Town Planner, Estate Manager and In-charge of IA Division of that area shall ensure that the Occupation Certificate for the complete site has been duly obtained and there are no outstanding dues in respect of extension fees, FAR purchase etc. Non-Compoundable violations, if any, must be removed at this stage only.
- iii. The recommendations of the Local Management Committee (LMC), shall be sent to HSIIDC, Headquarter, where a committee comprising of CTP, HOD(E) and HOD (IA) shall examine & submit its recommendations to MD/HSIIDC, for final decision.
- iv. At the time of issuance of Transfer Letter the original owner shall be liable to pay to HSIIDC, a transfer fee equivalent to 3% of the prevailing collector rate of that Estate, in respect of the floor that he is selling including the common areas thereof. This fee shall be applicable on subsequent sale of the same floor later also.
- v. Section 3 (e) of The Haryana Apartment Ownership Act, 1983 and rules shall be applicable on such sites, wherever necessary.
- vi. Disputes between the buyer and seller, if any, shall be limited to them and HSIIDC shall not be a party. No claim shall lie against HSIIDC by any of the parties.
- vii. All the provisions of Haryana Building Code-2017 shall be applicable including permissible Ground coverage, FAR, parking requirement etc.
- viii. The First Owner shall be responsible for completing the building and obtaining the project Implementation from HSIIDC and then sell the floors to other owners.

ix. The Zoning Plan shall be the Governing Document for all purposes.

3. Procedure For Transfer Of Ownership Of Floors:

The first/ original allottee shall make an application to the sub-registrar for transfer of the ownership of the 'Independent IT/ITEs Floor' under the transfer of property Act. The request shall be accompanied by the following information/ documents:-

- i. A Transfer Letter issued by MD/HSIIDC.
- ii. A copy of the latest approved Building Plan and Occupation Certificate.
- iii. Original Regular Letter of Allotment.
- iv. The area / floor proposed to be transferred, alongwith details of Common areas and common facilities duly defined on the prescribed format(s) and further shown and marked on the approved building plan.
- v. Photographs of existing building showing front, back and side elevations.
- vi. Any other document prescribed by the Registrar/ Sub-Registrar for registration of such floors.

4. Common Areas and Facilities: -

“Common Area, Common Facilities and parking area” in relation to such building shall include the land covered by the building and all easements, rights of access and other similar rights belonging to the land and the building. The common structures such as foundations, columns, beams, supports, main valves, common roofs, corridors, staircase, fire escapes, entrances and exist of the building. Such parking areas, passages, driveways, gardens, storage space, spaces for security, as per required or specified for common use. Installations of common services such as power, light, gas, water, heating, refrigeration, air conditioning, sewerage, elevators, tanks, pumps, ducts and such other common facilities as may be prescribed from time to time. All other parts of the building and land necessary for maintenance, safety and common use.”

The common areas and common facilities shall remain un-divided and no owner or occupier of any 'Independent Floor' or any person shall be entitled to seek a partition or division of any part thereof.”

Sd/-
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