

**REGULATIONS FOR ALLOTMENT ON LEASE CUM SALE OF
TENEMENTS AND PREMISES CONSTRUCTED BY THE
ERSTWHILE CITY IMPROVEMENT BOARD**

CONTENTS

1. .
2. .
3. .
4. .
5. .
6. .
7. .
8. .
9. .
10. .
11. .
12. .
13. .
14. .
15. The sale price shall comprise of
16. .
- 16A. .

SCHEDULE 1 :- SCHEDULE

**REGULATIONS FOR ALLOTMENT ON LEASE CUM SALE OF
TENEMENTS AND PREMISES CONSTRUCTED BY THE
ERSTWHILE CITY IMPROVEMENT BOARD**

In exercise of the powers conferred under Section 71 of the Andhra Pradesh Housing Board Act, 1956 and with the previous sanction of the Government the Andhra Pradesh Housing Board hereby makes the following regulations for the allotment of lease cum sale on tenements and premises constructed by the City Improvement Board, Hyderabad for allotment on rental basis for residential purposes.

1. . :-

These regulations shall be called the

2. . :-

The regulations shall take effect from the 23rd June, 1964.

Provided that these regulations take effect from the date of allotment made under the old hire purchase rules in respect of the optee allottee.

3. . :-

In these Regulations, unless there is anything repugnant in the subject or the context:

(a) "Act" means the Andhra Pradesh Housing Board Act, 1956.

(b) "Allottee" means the person to whom a tenement and premises is allotted under these regulations or optee allottee and includes his legal heirs established by an affidavit executed by the legal heir on non judicial stamp paper of value of Rs.3 duly verified by the executive First Class Magistrate or by a Notary of Public, or established by a Civil Court decree, where the Chairman deems such decree declaring him as the heir of the deceased allottee against the person disputing the fact is necessary.

(c) "Allotment" means allotment of a house on lease cum sale basis under these regulations.

(d) "Cost price" means the cost price fixed by the Chairman for a house under Regulation 14.

(e) "Family" means family of the allottee consisting of husband, wife and children and shall include parents, sisters and brothers as are ordinarily living with the allottee as dependants.

(f) "Form" means the form appended to these regulations.

(g) "Government" means the Government of Andhra Pradesh.

(h) "House" means a tenement and premises to which these regulations are applicable.

(i) "Instalment" means the annual instalment payable by an allottee under these regulations and includes the rent for the house leased to the allottee.

(j) "Old hire purchase rules" means the "Rules" governing the sale of C.I.B. Model houses on hire purchase system or "Regulations for the allotment on lease cum sale basis of certain houses of Hyderabad Housing Board let out on rental basis" sanctioned by Government in their G.O.Ms.No.158 Housing, dated 23-7-1962 as the case may be.

(k) "Optee allottees" means the person to whom a house was allotted under the old hire purchase rules and who has opted to be governed by these regulations.

(l) "Sale price" means the sale price of the house as may be fixed by the Chairman under Regulation 15.

(m) "Schedule" means a schedule appended to these regulations and.

(n) "Tenant" means the person who is in occupation of the house under a rental agreement executed in favour of the Board.

4. . :-

The houses allotted under these regulations shall be deemed to have been leased to the allottee until the lease is terminated (determined) or the house is conveyed in the name of the allottee in accordance with these regulations.

5. . :-

(1) Due notice shall be given to the tenants and the allottees under the old hire purchase rules as the case may be in respect of houses offered for allotment regarding.

(a) cost price of the houses.

(b) initial deposit payable at the time of allotment, and.

(c) annual instalment payable for a period of 15 years.

(2) The allottee of a house under the old hire purchase rules shall be required to give an application in Form I for exercise of his option as to whether he wishes to be governed by these regulations within such time as may be fixed in the notice.

6. . :-

Applications for allotment by a tenant shall be presented in Form No.(I A).

7. . :-

The applications received shall be entered in a register maintained in Form No.II.

8. . :-

No allotment shall be made to the applicant who:

(i) owns a house within the municipal limits in his or her name or in

the name of his or her name or in the name of his wife or her husband or in the name of any other member of the family living in the house offered for allotment or.

(ii) takes on rent any other house of the Housing Board in his or her name or in the name of any other member of the family living in the house offered for allotment.

9. . :-

The Chairman shall allot the house unless the application is rejected.

10. . :-

Within thirty days from the date of receipt of the order of allotment, the allottee shall pay an initial deposit equal to 1/5th of the cost price of the house and rent. If any, dues as per the rental ledgers of the Board. The optee allottee shall pay within thirty days from the date of receipt of order of allotment an initial deposit equal to 1/5th of the cost price of the house and the amounts annual equated instalment of which would have fallen due to the date of order of allotment under these regulations been in force from the date the house was allotted under the old hire purchase rules, but no penal interest shall be payable by the said optee allottee on any amount which could have fallen due prior to the date of expiry of thirty days from the date of receipt of allotment under these regulations.

Provided that:

(a) If the amount paid prior to 23rd June, 1964, is less than the amount found due under these regulations to the date of option, the optee allottee shall pay the difference to the Board within thirty days from the date of receipt of order of allotment, and such difference shall be deemed to have fallen due for payment on the expiry of thirty days from the date of receipt of order of allotment.

(b) If the amount paid by him prior to 23rd June, 1964, is found to be more than the amount of sale price due under these regulations, the optee allottee shall be eligible for refund.

(c) If the amount paid prior to 23rd June, 1964, is found to be more than the amount due to the Board to the date option under these regulations the optee allottee shall be eligible to get such difference adjusted towards instalments payable if any, in future to the Board.

(d) The amount, if any paid by the optee allottee from 23rd June, 1964, to the date of communications of these regulations to the optee, allottee has not fallen due under these regulations the amount may either be adjusted towards future instalments or refunded to the optee allottee as the case may be on an application of said optee allottee.

(e) If an allottee pays the initial deposit on or before 31st March, 1966, the rent paid by him to the Board with effect from 23rd June, 1964, to the date of payment of initial deposit shall be adjusted towards an overdue instalment, if any, and if no instalment fell due or if no amount is due by the allottee under these regulations shall be refunded to the allottee.

(f) If tenant is allotted a house under these regulations with effect from a date prior to 1st April, 1966, the property tax, if any paid by the Board on the house for the period from 23rd June, 1964 to 31-3-1966, shall be recoverable from the allottee and may be adjusted from the amount, if any, due to allottee from the Board.

(g) In case of the sale of houses already affected the allottee should pay 1/15th of the cost price towards initial deposit.

11. . :-

With in sixty days from the date of receipt or order of allotment the allottee or the optee allottee shall execute and register at his own cost a lease cum sale agreement with the Board in Form No.III.

12. . :-

If the allottee or the optee allottee fails to pay the Board the amount, execute and register the agreement in accordance with Regulation No.11, the amount shall be cancelled and the amount, if any paid by him shall be forfeited to the Board.

Provided that the Chairman may in his discretion grant extension of time for payment of the amount due for execution and registration of the lease cum sale agreement.

13. . :-

(A) Notwithstanding anything contained in Regulations 5,6,7,8,9,10,11 and 12 the tenants who have paid the initial deposit on or before 23rd June, 1964, but prior to 1st April, 1966, shall be deemed to have been duly allotted the house, under these regulations. Rent, if any paid by the said allottee for the house for the period from 23rd June, 1961 to the date of payment of initial

deposit shall be adjusted towards and overdue instalment, if any, and if no instalment fall due, the amount shall be refunded to the allottee unless it is adjusted towards property tax, if any paid by the Board under Clause (f) of Regulation 10. He shall execute and register his own cost a lease cum sale agreement with the Board in Form No.III within sixty days from the date of receipt of a requisition from the Chairman in this regard. (2) If the allottee fails to execute and register the agreement within the said time of sixty days the allotment shall be cancelled and the amount paid by him shall be forfeited to the Board.

Provided that the Chairman may in his discretion grant extension of time for execution and registration of lease cum sale agreement.

14. . :-

The cost price of the house shall be in the manner specified in the Schedule. The cost price shall be finalised by the Chairman after getting the area of the plot of the land pertaining to the house measured and revising the land cost included in the cost price with reference to such measurement in accordance with the market value existing on the date of allotment. In respect of house allotted before 5-12-1970 the cost of the land should however be in accordance with the orders issued in G.O.Ms.No.57 Housing, dated 23-6-1961.

15. The sale price shall comprise of :-

(i) initial deposit equal to 1/5th of the cost price payable under Regulation 10 subject to proviso (g) of the said regulation.

(ii) balance of the amount of the cost price together with simple interest thereon at 5 1/2% per annum shall be payable in 15 equated consecutive annual instalments worked out in such manner as Chairman may determine with the approval of the Government in respect of optee allottee and allottee.

(iii) penal interest on overdue instalments and other amounts due at 8 1/4% per annum.

(iv) compounding fee, if any levied under the lease cum sale agreement by the Chairman.

(v) difference between the cost price given in the Schedule and cost price finalised by the Chairman under Regulation 14, if the latter is found to be more and which is payable at the time of

finalisation of accounts.

(vi) any other amounts due under the lease cum sale agreement, and

(vii) any amount paid by an optee allottee prior to 23rd June, 1964, which is found to be in excess of the amount due under these regulations.

Provided that the Chairman shall revise the sale price suitably so as to restrict the payment of the interest payable under Clause (ii) to the date of payment of the entire balance of sale price only if the allottee pays the entire balance due by him on any given date earlier than the expiry of 15 years period and close his account. Provided further that any amount paid by an allottee or optee allottee on or after 23rd June, 1964, is more than the finalised cost price determined by the Chairman, the difference shall be refunded to the allottee.

16. . :-

On payment of full sale price, as finally fixed by the Chairman, the house shall be transferred in the name of the allottee. The expenses on account of stamp duty, registration fees and any other incidental charges shall be borne by the allottee.

Provided that no such conveyance shall be effected till the lapse of five years from the date of allotment of the house.

16A. . :-

On a request made by the unauthorised occupant of a house, the V.C. and H.C. shall, at his discretion and after satisfying the bonafide claim of such unauthorised occupant, transfer the ownership of the house in the name of the present occupant after giving a notification in the news papers calling for objection for the proposed transfer within a stipulated time and subject to levy of penalty as transfer fee from the applicant to the extent of 5% of the sale price of the house.

Explanation:- The term 'sale price' of the house shall mean the sale price paid by the applicant if the purchase was after 1984 or such market price as may be fixed by the V.C. and H.C. shall be binding.

SCHEDULE 1

SCHEDULE

SCHEDULE

(See Regulation 14)

Sl. No.	Locality	Class of house	Rate of land per Sq.Yard	Standard size of the plot.	Cost of the house		(as amended)	Total
					Land	Cost charged for Construction		