

SUBJECT NO.74

Sub: VUDA – Visakhapatnam – Allotments- Review of conditions- Present Status of Sale permissions, Registrations/ handing over after disposal of Plots/ Flats – Reg.

AGENDA NOTE:

VUDA has developed nearly 51 layouts and 39 housing projects. The allotment of Flats/ Plots in VUDA developed layouts and housing projects is done either by drawl of lots or by way of Auction duly inviting applications from the public through advertisements in the newspapers and VUDA website.

- Once the allotment is done, the allottee pays the cost of the plot/flat in number of installments as fixed for the said scheme.
- On payment of full cost of Flat/Plot and on confirmation of the payments by Accounts Wing the site will be handed over on ground.
- Once the sketches by the estate wing is provided to the allotment wing, the registration will be done with a condition in the sale deed that “the vendee doth hereby declare and covenant with the vendor the vendee shall not sell the property hereby sold for a period of 5years from the date of completion of construction of the building on the site violation of this condition results in automatic cancellation of the allotment if , however, the Vendee intends to sell the property within the aforesaid stipulated period, the property shall be offered for sale in the first instance to the vendor herein and in such event the vendor shall have the right to purchase the property at the same price for which it was sold to the vendee and also the buildings if any constructed thereon at such price as will

represent the market value of such buildings at the relevant time, and if the vendor does not exercise the right to purchase, the vendee shall be entitled to sell the property after obtaining the prior written consent of the Vendor.

- On submission of sale deed form with other documents like ID proof, two passport size photos.
- The Secretary, VUDA is authenticated for execution of the sale deed in favour of the allottee.
- The sale permission is being issued to the allottees whose stipulated period of 5 years in the sale deed condition is not completed duly collecting the fee towards sale permission charges for the balance period basing on VUDA Board Resolution vide Resolution No.168, dt.28.04.2007 duly collecting sale permission charges
 - Rs.200/- per Sq.Yd within GVMC limits and Rs.75/- per Sq.Yd in urban areas,
 - in case of Flats
 - in GVMC limits for LIG Rs.5000/-, MIG Rs.7500/-, HIG Rs.10,000/-,
- out of GVMC limits LIG Rs.4000/-, MIG Rs.6000/-, HIG Rs.8,000/- and
- furnishing of Notarized Affidavits both from the purchaser and seller, E.C, Original Document for verification, to passport size photos and ID proof of the intending purchaser.
- The Secretary, VUDA is authenticated for issue of sale permission.

It is to submit that vide Rc.No.LIG-268/PG-III/F4, dated.02.09.2013 the Vice Chairman, VUDA instructed not to involve Estate Wing in (7) matters like;

1. Showing the boundaries of the Plots within the VUDA developed layout.
2. Dealing with the matters of allotment wing i.e., dealing with the files of the allotment.

3. Giving assurance on the matters concerning TDRs.
4. In the past dealt with the land to land allotment issue.
5. Allotment of developed plots on any grounds.
6. In the past dealt with allotment of alternate Plot.
7. Dealing with old matters of allotment.

And, directed Planning Wing to show the boundaries of developed plots by VUDA as stated below;

1. Once the Estate Officer shows the boundaries of the land to the Planning Wing for the development of layout, the Planning Wing prepares the paper layout with the pattern as per the allowable rules and submit for VC's approval and after the approval, the same will be peg marked on the ground.
2. Peg marking means placing the plots their respective position in the ground so that exact plot numbers with sizes of each plot will be arrived at this peg marking of plots will happen with stone planting.
3. The overall boundaries of each survey number, when shown by the Estate wing to the Planning Wing, should be done in the presence of Revenue Department Surveyor so that future disputes on boundary or extent are avoided.
4. The peg marking of plots will be done by the Planning Wing.
5. After the allotment is made by the allotment wing, the applicant is expected to pay the dues and once all the dues are paid, before registration, the schedule of Plot has to be prepared by the Planning wing and to be signed by the concerned APO.
6. The boundaries/ schedule sketch should not be done by the Estate Wing.
7. The schedule so prepared will accompany the registration document.
8. Any matters relating to the allotment requiring changes against the condition of allotment made then, has to be approved by the Vice Chairman, VUDA and in few cases, the same has to be taken to the board for approval.

9. By this arrangement, any discrepancy in the field conditions vis-à-vis peg-marked and approved layout will be known to the Planning Wing who should initiate action for correcting the approved layout by following the due procedure under the AP Urban Areas (Development) Act, 1975 and rules thereon.
10. The Allotment Wing, VUDA should first list out the cases, wherein the VUDA developed layouts, after the allotment, still registration is due and the pendency is due to various reasons like non completion of payment by the allottee, unable to hand over the possession due to court dispute, etc.
 - a. If all the cases are brought to the authority in a comprehensive manner, a decision can be taken with the knowledge of the board to deal with old matters.
 - b. Any case of alternative land allotment for Government handed over lands, dealt with assignees or patta land owners of VUDA laid master plan roads should not be processed further in view of the recent Board Resolution No.54, dt.05.08.2013 for either registration or showing possession and any court case on the said request has to be immediately brought to the notice so that same can be fought legally to uphold the decision of the board in this regard.
11. The General Policy of excess land or lesser land when we are possession to the allottee after he has made his full payment prior to registration should be dealt in the same file of allotment and any Board Resolution on this policy issue should be brought to the notice.
 - a. In general, in case of lesser lands, the amount paid has to be returned to them.
 - b. In case of excess, based on the shape, size and proposed utility of the land, the matter has to be decided.

12. In any matter, Allotment Wing is directed not to process any of the survey done by the Estate Wing in the past for doing registration or for showing possession.
13. Based on the sketch prepared and signed by the APO, the possession has to be shown by the concerned ADM/SDM of the zone to the applicant.
14. Preparation of sketch precedes the registration and once registered and shown possession, there is no need to re-open the case.

With respect to registration of the bulk land, the revised guidelines are issued as below :

1. Showing Possession and Effecting registration.

- A. The Estate Wing will show the boundaries and possession. It is also instructed that since the lands are auctioned at the instance of Government orders/ CCLA, revenue department should be liaised to see that while showing possession the revenue department is also available to avoid any discrepancies.
- B. The registration will be done by the allotment wing under the Secretary after the possession is shown.

2. To identify shortfall if any while showing possession before registration.

- A. If any shortfall is noticed during the above exercise of showing possession, the same will be recorded in the presence of revenue authorities and will be intimated to the district collector and revenue machinery as the bulk land auctioning is resorted based on the lands handed over by the Collector based on the instructions of the CCLA and if any shortfall, the same has to be agreed upon first by the revenue machinery and then to the extent of shortfall, the amount paid by the developer will be refunded after the board's approval in this regard once we get the refunding from the Government.
- B. As the amount is already deposited to the Government.

C. As per the earlier board resolution, there is no procedure to reopen the issue of shortfall once the registration is over as it is the responsibility of the developer to verify the extent before the registration itself. Any shortfall will have to be dealt legally only.

3. To go for Joint Registration against the names given in the application.

There is no such procedure and it cannot be agreed upon.

4. Whether, as per the Applications for sale, there are commitments from VUDA in developing infra structure like.

- a. Approach road to the bit of land.
- b. Facilitation from conversion of land use pattern.
- c. Mutation in the revenue records.

On this as well, the Secretary is instructed to read the document and come up with the commitments in a fresh file so that the CE will work out the existing infra structure and come up with the balance works and similarly, CUP will try to convene the meeting with all those who have completed the process of registration so as to enable facilitation towards change of land use proposal.

Mutation in the revenue records in those cases where the registration is completed will be facilitated by Estate Officer. The Estate Officer is instructed not send the proposals of alienation of these lands as they were sold under Bulk land auctioning without development in first 24 cases and in these cases, the revenue department has to be informed that alienation proposals will not be sent by VUDA.

5. Finalizing the court cases if any.

On the basis of available information, the course of auction is initiated on each of the case as mentioned above, and the Secretary, VUDA is directed to act immediately to avoid financial burden to the organization. The bulk land cases files being 30 in number is given to a good working AO rather than sticking to the "F" Section AO to avoid delay in procession.

6. The reconciliation of Accounts.

The list as submitted above did not contain the details of seller and other details with respect to three cases and the Secretary and CAO should reconcile and circulate the files for order at the earliest. The reconciliation will lead to more amount accrual to the VUDA from the Government for which, already the proposals are sent

In view of the above, the matter is placed before VUDA Board for favour of perusal and ratification of the revised guidelines issued for procedure towards streamlining handing over plots developed by VUDA and bulk lands disposal happened in the recent past. It is also requested to constitute a Committee of Secretary, CAO, District Registrar, Visakhapatnam, Two RDOs/ Deputy Collectors by the Collectors under the chairmanship of the Vice Chairman to study all the conditions under which, the applications are invited and deeds are made and put up to the ensuing board meeting for the revision of the same with proper justification and implementation thereon .

Sl. No.	Subject No.	Subject	Resolutions
22	73	Allotment of sites in Kurmannapalem Phase-I Town Centre Layout – Amendment to the sale deed conditions exclusively for the allotment made in Kurmanapalem Town Centre layout – Proposals – Submitted –Reg.	The proposal is agreed to modify the condition in commercial plots and necessary legal precautions like rectification deeds have to be worked out by VC, VUDA.
23	74	Review of conditions/ Present Status of Sale permissions, Registrations/ handing over after disposal of Plots/ Flats-Reg	Revised guidelines proposed are agreed including the recommendation to constitute a committee in this regard and the recommendations of the Committee should reach the next board for necessary further action.
24	75	Harita Housing Project- Madhurawada – Delay in construction and handing over to the allottees – postponement of due dates for 5th and 6th installments – ratification-request – Reg	<ol style="list-style-type: none"> 1. Rescheduling of 5th and 6th payments by VC is ratified 2. Proposals of arrival of final price of both the retained plots and vacant plots are agreed 3. As earlier resolved, give the priority to the existing allottees for the remaining vacant plots subject to their agreeing for paying the revised and increased charges and to the over all terms and conditions of earlier allotment

