



htestates

LAW BOOK

Sunil Tyagi

I am planning to construct a farmhouse on a farm that I own in Delhi. I want to build a basement that will substitute as my personal office space. What is the policy regarding floor area ratio of basements?

—Akash Gaur

According to the Master Plan for Delhi 2021, the permitted floor area ratio or FAR for dwelling units constructed on a farm house (with minimum plot area of 0.4 hectares) is 20 (without additional charges). With additional charges it is between 20 and 30. A basement constructed for normal habitation will be counted towards FAR. However, a basement used for recreational purpose, home office, storage, parking, services and utilities installation will not be counted in FAR. Thus, if you want to use the basement of your house as your office it will not be counted in FAR.

I had booked an apartment in a flat being developed by a builder. I have also signed the buyers' agreement. Due to some financial exigencies, I am unable to pay the installment amounts and want to exit the transaction. However, my brother is willing to purchase the apartment. How can I transfer the apartment to my brother's name?

—R Singh

In order to do so, you should communicate your intention to the developer through a written application. Most developers permit transfer of allotment by

charging a processing fee for transfer of the booking/allotment in favour of a third party. However, there are some developers who permit the first instance of transfer without levying any transfer charges. Generally, the transfer fee charges are calculated on per square foot/per square metre basis, which is generally mentioned in the buyers' agreement.

I am buying the third floor of a house in Delhi and am presently in the middle of negotiations. What are the things that I should keep in mind to ensure that the construction is legal?

—Sanjeet Rao

You should check the title documents with respect to the land on which the house is constructed to confirm the ownership of land. Also, you should check the building plans sanctioned by concerned authorities prior to the construction. Further, the seller should provide you with completion/occupation certificate. These will help you ascertain if the construction is as per all laws, regulations, and norms prescribed by the authorities.

The author is a senior partner at Zeus Law, a corporate commercial law firm. One of its areas of specialisations is real estate transactional and litigation work. If you have any queries, email us at htestates@hindustantimes.com or ht@zeus.firm.in

