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1. HOW TO PURCHASE A VALID PROPERTY IN KARACHI

The procedure of buying residential property in Karachi is bit intricate in nature .More-so, it differs from area to area, thus it is imperative to make sure before entering into any deal about purchase of property, that it is free from all encumbrances.

Here are a few checks by applying that a buyer can protect his .interest up to a maximum limit.

1. Ensure that the property is neither mortgaged with any bank nor under litigation in a court of law. {This can be ascertained by obtaining Non-encumbrance certificate from the office of the Sub-Registrar of the area concerned where does the property fall. }
2. Has no defective title to land, that might put into jeopardy the Seller under the law to dispose-off the property. { This can be ascertained from the land allotting agency }
3. To avoid legal complications, make sure that all the original documents are in order and handy available with the Seller.
4. If the owner lives abroad, a power of attorney, duly certified by the Embassy or the Consulate General of Pakistan and registered with the area registrar is required.

Documentation varies from area to area and is subject to the requirement of local authorities, such as the Clifton Cantonment Board, Defense Housing Authority (DHA), Karachi Development Authority, and the other societies, functional in Karachi.

Buyers should check the following documents before handing over token money or signing Sale Agreement.

1. Allotment letter
2. Possession order
3. Site and sub-divided site plan
4. All paid utility bills and challans
5. Approval and completion of the building plan
6. Completion certificate
7. Transfer/Mutation Order
[In case where sale deed is executed subsequent to Lease Deed]
8. Power of Attorney, duly executed in the office of the Sub-Registrar concerned.

In case the property under consideration is in territorial jurisdiction of DHA, specific documents required include Conveyance Deed, approval letter for water connection, assessment of property, Sui Gas and KESC installation sketch and test report, demarcation letter and form 'A' sub-lease and form 'B' lease.

For property in Clifton and shares certificates, sale or gift deed, and form 'A' sub-lease and form 'B' lease, are required.

Buyers must take all original documents of the property from the seller, from acquiring the empty plot up to completion certificate of the building at the time of making the final payment with peaceful vacant physical possession of the property.

To take out the risk involved in Sale/Purchase transaction do not avoid to consult any property dealer or advocate about genuineness with chain of document as spending thousand rupee is better to avoid loss of million for life time.

2. GUIDELINE HOW TO PURCHASE THE PIECE OF LAND FROM THE OPEN MARKET:

If the intending partner has no piece of land in any city of Pakistan and he/she is interested to construct a Shelter for their children with the financial assistance of House Building Finance Corporation. For this purpose he/she will take the following steps:-

- He/She in the first instance will select the locality/areas as well as the price range for purchase of the land/plot;
- After selection of the area he/she will first survey the area and assess that the necessary infrastructure i.e. water, sewerage, Electric, Gas and transport are easily available;
- The area where he/she is interested to purchase the plot should be leased hold;
- He/she will trace out the plot through Estate Agency or through personnel level;
- After selection of the plot he/she will enter into a sale agreement with the seller on stamp of Rs. 100/- duly attested by Notary;
- The purchasee of the plot will pay 10% of the total value of the plot as token money to the seller at the time of the agreement and will obtain receipt of token money on prescribed revenue receipt value;
- The purchasee of the plot/land will obtain the photo copies of the documents and contact the concerned department/office for verification of the genuineness of the documents.
- The purchasee of the plot will also publish notice through News paper that he/she has entered an agreement with the seller if any person(s) have any objection may be informed to the concerned department within 15 days;
- The purchasee after expiry of the 16 days of public notice will approach the concerned Department i.e. KDA/DHA/KMC/MDA or Private Cooperative Housing Societies for transfer of plot in his/her name with the following documents:-

- 1 Original copy of agreement to sell on non Judicial Stamp paper;
- 2 Attested photo copy of NIC of Transferor/Transferee/Attorney;
- 3 Press notification
- 4 Indemnity Bond on Rs. 50/- non judicial stamp paper for the transferee/Seller and Transferee/Purchaser;
- 5 Paid copy of oldest challan of property tax PT=I and PT-10
- 6 Attested photo copies of all paid challans;
- 7 Attested photo copy of allotment order;
- 8 Attested photo copy of Possession order;
- 9 Attested photo copy of acknowledgement of Possession;
- 10 Attested photo copy of Site plan;
- 11 Attested photo copy of transfer orders;
- 12 Attested color photograph of seller and purchaser;

- The concerned department. after examination of the above documents will issue a challan of transfer of plot in the name of the purchaser;
- The purchaser will pay the challan issued by the concerned department in the authorized Branch within due date;
- After payment of the challan in the authorized Branch of Bank, he/she will submit the duly paid challan in the concerned Branch with the application for issue of transfer letter in his/her favour
- The authorized Officer of the department under the existing rules will fix the date for recording of the statement of seller and purchaser before him;
- After recording of the statement of seller and purchaser the authorized officer will process the case for transfer of plot in the name of the seller.
- The concerned department is issued the transfer letter within the prescribed period in favour of the purchaser.

3. GUIDANCE FOR COMPLETING PROPERTY DOCUMENTS FROM OTHER DEPARTMENTS TO BECOME TITLEHOLDER OF LAND FOR AVAILING HBFC’s LOAN FOR CONSTRUCTION OF HOUSE.

Step #	Situation	Step-by-step procedure involved	Executing Agency
1	<p>How to become titleholder of land for availing HBFC’s loan</p> <p><u>Scenario 1</u></p> <p>If one have a piece of land in his possession by virtue of allotment letter but wants to avail the loan facility from HBFC.</p>	<p>Neither allotment letter is reckoned as title document to land nor is it transferable in the name of any other person once it has been issued by the concerned agency. However, property can be transferred to another person.</p> <p>Having a clear and unencumbered marketable title to land in one’s favour is prerequisite condition for availing HBFC’s loan.</p> <p>Lease Deed is a title documents for availing HBFC’s loan, therefore, if one is holding allotment of land in his favour and requires to became a titleholder of the land then he is required to contact with the Authorized Officer of the scheme for execution of Lease Deed/Sub Lease/License “A”</p> <p><u>Steps involved</u></p> <ol style="list-style-type: none"> 1. Under the rules, the allottee of land will be required to deposit the dues of the land (if any); 2. The concerned agency i.e. KDA/KMC/DHA will issue a bill of the due amount against land in favour of allottee; 3. Having cleared the outstanding dues of land the allottee will obtain prescribed blank file, on payment of required amount of fee, from the nominated branches of HBL and after completing the required formalities , as mentioned in the file, will apply to the authorized officer of KDA/DHA/KMC 	<p>KDA/KMC/ DHA/MDA</p>

		<p>Scheme in the for execution of the Lease Deed/License in his favour;</p> <p>4. The Authorized Officer. After observance of required procedure will issue three blank Lease/Sub Lease and License “A” to the allottee for the stamping of prescribed value of Rs..... on the first page of Lease/Sub Lease and License from the Treasury Office of the Government;</p> <p>5. After stamping on the Lease/Sub Lease and License “A”, the applicant will request the concerned officer for the execution of the Lease/Sub Lease and License “A” in the Sub Registrar Office.</p> <p>6. The Authorized Officer of the department will fix date for execution of the Lease/Sub Lease and License “A” in favour of the applicant before the Sub Registrar.</p> <p>7. After registration of the Lease/Sub Lease ad Licensee “A”, the Registrar’s Office will issue a slip for obtaining the Registered Lease/Sub Lease and License “A” after one month or so.</p> <p><i>Once the Lease/Sub-Lease and License is executed /issued by the department concerned you became the titleholder of the property/land for a specified period of time mentioned therein.</i></p>	
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<p>2</p>	<p>Scenario 2 If one have purchased the land/ property simply on allotment letter through a Sale Agreement and wants to avail the loan facility from HBFC.</p>	<p>Neither allotment letter is reckoned as title document to land nor is it transferable in the name of any other person once it has been issued by the concerned agency. However, property can be transferred to another person.</p> <p>Having a clear and unencumbered marketable title to land in one’s favour is prerequisite condition for availing HBFC’s loan.</p> <p>Lease Deed is a title documents for availing HBFC’s loan, therefore, if one has purchased a piece of land comprising simple on allotment and the transaction of sale/purchase is made through a simple sale agreement and he requires to become a titleholder of the land then he is required to contact with the Authorized Officer of the scheme for execution of Lease Deed/Sub Lease/License “A”</p> <p><u>Steps involved</u></p> <ol style="list-style-type: none"> 1. Under the rules, the purchaser of land will be required to deposit the dues of the land (if any); 2. The concerned agency i.e. KDA/KMC/DHA will issue a bill of the due amount against land in favour of allottee/ purchaser; 3. Having cleared the outstanding dues of land the purchaser will obtain prescribed blank file, on payment of required amount of fee, from the nominated branches of HBL and after completing the required formalities , as mentioned in the file, will apply to the authorized officer of KDA/DHA/KMC Scheme for transfer of land in his favour; 4. The Authorized Officer. After observance of required procedure will issue transfer letter in favour of the purchaser; 5. The next step which is required to follow after the issuance of Transfer Order, by the purchaser is to apply to the concerned 	<p>KDA/KMC/ DHA/MDA</p>
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		<p>Authorized Officer of KDA/KMC/DHA for execution of lease deed in his favour.</p> <p>6. The purchaser will be required to obtain prescribed blank file, on payment of required amount of fee, from the nominated branches of HBL and after completing the required formalities , as mentioned in the file, will apply to the authorized officer of KDA/DHA/KMC Scheme in the for execution of the Lease Deed/License in his favour;</p> <p>7. The Authorized Officer. After observance of required procedure will issue three blank Lease/Sub Lease and License “A” to the allottee for the stamping of prescribed value of Rs..... on the first page of Lease/Sub Lease and License from the Treasury Office of the Government,;</p> <p>8. After stamping on the Lease/Sub Lease and License “A”, the applicant will request the concerned officer for the execution of the Lease/Sub Lease and License “A” in the Sub Registrar Office.</p> <p>9. The Authorized Officer of the department will fix date for execution of the Lease/Sub Lease and License “A” in favour of the applicant before the Sub Registrar.</p> <p>10. After registration of the Lease/Sub Lease ad Licensee “A”, the Registrar’s Office will issue a slip for obtaining the Registered Lease/Sub Lease and License “A” after one month or so.</p> <p><i>Once the Lease/Sub-Lease and License is executed /issued by the department concerned you became the titleholder of the property/land for a specified period of time mentioned therein.</i></p>	
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3	<p>How to get approved building plan and why it is necessary.</p>	<p>Raising construction without having a building plan approved from the concerned agency is a violation of rules of Karachi Building Control Authority (KBCA) and can lead to demolition of construction by KBCA.</p> <p>Therefore, for all practical purposes i.e. before raising construction and for availing HBFC's loan, approved building plan and its approval letter is mandatory.</p> <p><u>Steps involved</u></p> <ol style="list-style-type: none"> 1. The individual should contact a licensed architect for the preparation of building plan of the property; 2. The required amount of fee of KBCA, shall be required to be deposited in the designated branches of the bank before submission of building plan for obtaining approval of KBCA there-against; 3. Having deposit the fee , the Architect shall submit the proposed plan in KBCA for its approval; 4. Currently KBCA is approving building plan within three days; 	<p>KBCA</p>
4.	<p>How to obtain permission to assign or No-objection certificate and why it is necessary</p>	<p>It is mandatory for availing HBFC's loan that prior permission should be obtained by the intending partner from the concerned land allotting agency to the effect that the agency is having no objection in assigning the land for availing loan.</p> <ol style="list-style-type: none"> 1. The intending partner will now approach the concerned Department for obtaining the Permission to Assign or NOC (as the case may be); 2. For obtaining the above documents the allottee of land will apply in the concerned Office on prescribed form by attaching the 	<p>KDA/KMC/DHA/MDA or the concerned society</p>

		<p>required documents mentioned in the form.</p> <ol style="list-style-type: none"> 3. The concerned department after examination of the documents will issue a challan of Rs..... in favour of the intending partner for deposit in any authorized Branch. 4. After deposit of the fee he/she will submit the challan in the concerned department for issuance of permission to assign. 5. The concerned department after checking the documents the concerned department is issued the above documents within one month. 6. If the plot/flat is purchased by the intending partner from the Cooperative Housing Societies / Builders then permission to assign will be issued by the Cooperative Housing Society and Builder in their own letter head. 	
5.	NEC (Non Encumbrance Certificate)	<ol style="list-style-type: none"> 1. The Sub Registrar concerned issues NEC (Non-encumbrance certificate) to the titleholder of land showing therein the history/event of Lease Deed/Sub Lease/ License since inception to-date; 2. For obtaining the above documents, the concerned will attach the photo copy of Lease Deed; 3. The concerned will deposit the nominal fee of Rs.....for the NEC through challan in the Treasury Department; 4. In case there is any subsequent transaction then photo copy of Sale Deed/Conveyance Deed and photo copy of Mutation will be attached with the application; 5. The Sub Registrar Office on receipt of the documents is issued the NEC within one week. 	The concerned Sub- Registrar

6	Mutation Certificate	<p>Mutation is in fact a document which forms basis for transformation of proprietary rights in the record of concerned land allotting agency.</p> <p>Mutation is conventionally involved in case a Leased property is purchased by an individual through a Sale Deed, executed in the office of the Sub-Registrar .The prime purpose for issuance of Mutation certificate is to bring change of ownership in the record of land allotting agency.</p> <p><u>Steps involved</u></p> <p>1. For issuance of mutation certificate, the applicant will apply on prescribed form in the concerned department with the following documents:-</p> <ul style="list-style-type: none"> • Photo copy of Lease Deed; • Photo copy of CNIC of the seller; • Photocopy of Sale Deed • The concerned Department on receipt of the above documents and examination of case will issue payment challan of Rs..... in favour of the new owner; • The intending partner will deposit the challan fee in the authorized branch of Bank; • On receipt of the payment challan from the applicant, the concerned department will issue mutation certificate in favour of new owner and copy endorsed to the old owner. 	KDA/KMC/DHA/MDA or the concerned society
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4. List of documents required for execution of Lease Deed, Issuance of Allotment Order, Mutation by Registered Sale Deed, Pre-Lease Transfer by Joint Declaration, Transfer by Gift.

EXECUTION OF LEASE DEED

- Five copies of Site Plan (Blue Print)
- Attested photo copies of CNIC
- Attested paid copy of Challan
- Attested paid copy of allotment order
- Possession Order
- Acknowledgement of Possession
- Site Plan
- Transfer Order

ISSUANCE OF ALLOTMENT ORDER

- Affidavit on Rs.10/= non judicial stamp paper duly attested.
- Attested photo copy of CNIC
- Attested photo copy of all paid challans.

MUTATION BY REGISTERED SALE DEED

- 2nd copy of Registered Sale Deed on Rs.10/= non Judicial stamp paper
- Attested photo copy of GPA (if any) with CNIC of Attorney
- Press notification
- Deed of Redemption/Noc from loan giving agency in cases where permission to Mortgage/Assign has already been issued by KDA.
- An Affidavit in cases where permission to Assign/Mortgage issued by KDA has not been utilized.
- Indemnity Bond on Rs.30/= non Judicial Stamp paper from the vendee/purchaser
- Proof of construction

a) Completion certificate of Building Control Authority

OR

b) Certificate from XEN concerned

OR

c) Paid copy of Challan of Property Tax

- Photo copies of all paid challans
- Attested photo copy of allotment order
- Attested photo copy of possession order
- Attested photo copy of Acknowledgement of Possession
- Attested photo copy of Site Plan
- Attested photo copy of Transfer order
- Attested photo copy of Registered Lease Deed

PRE-LEASE TRANSFER BY JOINT DECLARATION

1. Original Copy of Agreement to Sell on Non-Judicial Stamp Paper as directed by the govt. on different size of plot.
 2. attested photo copy of N.I.C of Transfer/Transferee/Attorney (if any)
 3. Press Notification (Specimen 'A')
 4. Attested photo copy of Power of Attorney (if any)
 5. Indemnity Bond on Rs.50/= non judicial Stamp paper for the Transferee/Seller and Transferee/Purchaser within (Specimen 'B & C').
 6. Proof of Construction
 - a) Completion Certificate of Building Control Authority
 - OR
 - b) Paid copy of oldest challan of Property Tax, PT-1,PT-10.
 7. Attested Photo copies of all Paid Challans (Give No. of Challans along with original.
 8. Attested Photo copy of Allotment Order, along with original.
 9. Attested Photo copy of Possession Order, along with original
 10. Attested photo copy of Acknowledgement of Possession along with original
 11. Attested photo copy of Site Plan along with original
 12. Attested photo copy of Transfer order along with original
 13. Attested colour Photograph of Seller and Purchaser
- Note: (All Original will be returned after scrutiny.)

TRANSFER BY GIFT

1. Declaration of Gift on Rs.100/= Non-Judicial Stamp paper (in original) duly attested by Magistrate/Notary Public (in case of attestation by the Notary public Notarial Stamps to be affixed)

OR

Second copy (on Rs.100/-Non Judicial Stamp) of the Regd.Gift Deed.
2. Press notification inviting objections to the proposed mutation/transfer on the basis of Gift
3. Indemnity Bond on Rs.50/= non-Judicial papers from Donor and Donee.
4. Attested Photo copies of National Identity Cards of both donor and Donee.
5. Search Certificate (in cases of Leased plot) from the date of lease upto date.
6. in case Permission to Mortgage has already been issued, either both copies of Permission to Mortgage/Assign be surrendered, or NOC form the Loan Giving Agency for the proposed mutation be submitted or an affidavit to the effect that the Permission to Mortgage/Assign was not utilized (specimen 'E') or Deed of Redemption be submitted.
7. proof of construction i.e.
 - a) Completion Certificate of Building Control Authority.

or
 - b) Certificate from XEN concerned.

or
 - c) Paid copy of challan of Property Tax.
8. Photo copies of all paid challans (Give No. of Challan_____)
9. Attested Photo copy of Allotment Order, along with original
10. Attested Photo copy of Possession Order, along with original
11. Attested Photo copy of Acknowledgement of Possession along with original
12. Attested photo copy of transfer orders along with original
13. Attested Photo copy of transfer orders along with original
14. Photographs of Donor, Donee
