

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE COMMISSIONER OF INDUSTRIES-
419, UDYOG SADAN, FIE, PATPARGANJ, DELHI -92

No. CI/Admn./Misc./2010/ 3182-3192

Dated

25/05/2010

Minutes of the meeting of the Industrial Land Management Advisory Committee (ILMAC) held on 24.5.2010 at 11.30 A.M. in the chamber of Addl. Commissioner of Industries.

A meeting of the Industrial Land Management Advisory Committee (ILMAC) was convened on 24.05.2010 at 11.30 A.M. which was attended by the following members:-

1. Sh. A.R. Talwade, Addl. C.I. – Chairman
2. Sh. S.K. Singh, DCI – Member
3. Sh. A.K. Saxena, DCI – Member Convener
4. Sh. M.K. Sharma, F.O. – Member
5. Sh. V.K. Garg, Chief Manager, DSIIDC – Member

1. **The case of Plot No.81, Phase-II, Badli Industrial Area** for conversion from lease hold to free hold was considered by the Committee. The concerned Deputy Commissioner has presented this case before the ILMAC. This plot was originally allotted to Shri Vimal Kumar Vachar on 3.3.1981 who executed GPA in favour of Shri Hira Lal Kalra s/o Shri Hans Raj Kalra r/o 671, Shish Mahal, Teli Wara, Behind Azad Market Delhi-6 as his true and the lawful general power of attorney. He also executed registered "WILL" on 27th Oct., 1984 and unregistered agreement to sell on 7th Jan., 85 in favour of Smt. Saroj Kalra w/o Shri Hira Lal and Smt. Pushpa Kalra w/o Shri Balbir Raj both residents of 671, Shish Mahal, Teli Wara, Behind Azad Market Delhi-6. "WILL" is operational on the death of testator/executant. The GPA Shri Hira Lal Kalra expired on 15.11.1997 without moving application for conversion from lease hold to free hold for the above said plot No.81, Phase-II, BIA, Delhi. As per the conversion policy, an application is required to be moved by the allottee or his GPA for conversion of plot from lease hold to free hold. In the instant case the application was moved in

the name of expired GPA holder Shri Hira Lal Kalra, but was signed by Smt. Saroj Kalra w/o Shri Hira Lal and Smt. Pushpa Kalra w/o Shri Balbir Raj in their individual capacity. In view of the above, ILMAC is of the view that a self contained note to be put up by the concerned branch for taking legal opinion of the Law & Judicial Department of Delhi Government. After obtaining opinion of Law Department, this case may be placed before ILMAC.

2. **Flat No.D-169, FFC Okhla.** The allotment of this flat was made to Shri Gopi Nath Arora on rental basis. Shri Gopi Nath Arora expired on 13th June, 2003. subsequent to this his wife Smt. Pawan Arora, without getting the property muted in her favour, executed a partnership deed with Shri Rajiv Katyal on dated 22nd April, 2006. Smt. Pawan Arora applied for conversion of this rental property to hire purchase on dated 27.6.2006. Since the applicant applied for hire purchase, after executing partnership deed, the case for change in constitution and hire purchase was rejected by the then Competent Authority. Subsequent to this, now Smt. Pawan Arora has applied for mutation in her favour enclosing all relevant documents i.e. Relinquishment Deed, Indemnity Bond duly registered with sub-registrar and an affidavit. The applicant has also submitted a dissolution deed dissolving the earlier partnership deed vide which Shri Rajiv Katyal has retired (dissolution deed dated 10th Feb., 2010). On the recommendation of the branch, the ILMAC is of the considered view to recommend to allow mutation in favour of Smt. Pawan Arora, wife of late Shri Gopi Nath Arora subject to recovery of dues, if any, i.e. rental, interest etc. No composition charges is leviable for mutation as property has been inherited by allottee's wife.
3. **The file pertaining to fixation of conversion charges** from lease hold to to free hold and fixation of UEI charges for the financial year 2010-11 was discussed in detail in ILMAC in which Shri H.L. Malik, Advisor DITE was also invited. After detailed discussion and the deliberations, the ILMAC is of the view that conversion charges and market rates for the purpose of fixation of UEI charges for the year 2009-10, it is found that in the preceding years the conversion charges and the market rate for the

purpose of UEI charges was fixed by enhancing 10% over the rates of the preceding year. On the same analogy, the conversion charges and the market rates for the year 2010-11 will be fixed by enhancing 10% over the rates of 2009-10. Accordingly, the Land Coordination Branch will take appropriate action in this regard for moving a proposal for seeking approval of the competent authority.

4. **The case of Plot No.29, Phase-II, Badli Industrial Estate** for conversion from lease hold to free hold was considered by the Committee as per the recommendation of the concerned branch. The concerned Deputy Commissioner has presented this case before the ILMAC. Originally this plot, measuring 283.5 Sq. yards, was allotted to M/s Satish Kapur & Sons on 5.3.1983. The allottee executed registered GPA in favour of Shri Rakesh Kumar Jain s/o Sh. Rajinder Kumar Jain r/o K-1/4, Model Town, Delhi as his true and lawful general power of attorney. The registered GPA holder moved an application on 23.3.2006 for conversion from lease hold to free hold in favour of Shri Mukesh Kumar Jain s/o Sh. Rajinder Kumar Jain r/o K-1/4, Model Town, Delhi who also has agreement to sell in his name dated 27th June, 1984 from Shri Satish Kapur & Sons. Nothing adverse has been reported as per the report of the Estate Manager. The case seems to be in order. Accordingly, ILMAC recommends to allow conversion from lease hold to free hold in favour of Mukesh Kumar Jain s/o Sh. Rajinder Kumar Jain r/o K-1/4, Model Town, Delhi subject to payment of outstanding dues, if any, as per guidelines.
5. **Flat No.A-6, FFC Okhla.** Shri Harvinder Singh, Original allottee of the flat A-6, FFC Okhla applied for hire purchase on 29.6.2006, which was received in the department on 30.6.2006. A Show-Cause-Notice was issued to the allottee as there was an encroachment on government land. On removal of the encroachment, the action stipulated stands dropped vide letter dated 7.4.2010 as the applicant removed the encroachment vide Estate Manager's report dated 30.8.1996 (C-164 on file). The ILMAC is of the considered view to recommend the case to allow to convert the flat on hire purchase subject to payment of hire purchase cost and dues, if any. It is also

recommended to allow rent adjustment against the hire purchase cost as hire purchase was applied within the stipulated time i.e. 30.6.2006.

6. **Flat No. B-368, FFC Okhla.** One Shri Subodh Rehaja had applied for hire purchase on behalf of Shri Tribhuan Anand on dated 16.6.2006. From the record it reveals that Shri Tribhuan Anand is having no locus-standi in the flat in question. There is one dissolution deed on record dated 4.4.2000 vide which Smt. Rama Anand has retired from the partnership firm name M/s Karshni Intertech. There is no partnership deed on record between Smt. Rama Anand and Sh. Tribhuan Anand. The applicant Sh. Tribhuan Anand has filed a GPA from Canada which is of dated 22nd July, 2008 authorizing Shri Subodh Veer Rehaja to execute all documents on his behalf. The Committee is of considered view that since the GPA of dated 22.7.2008 is in favour of Shri Subodh Veer Rehaja whereas he has given acceptance of hire purchase on dated 16.6.2006, which is prior to the date of GPA executed, hence the Committee recommends for rejection of application of hire purchase received from Shri Subodh Rehaja.
7. **Flat No. B-177, FFC Okhla.** Smt. Sruti Kashiv has applied for change in Constitution in her favour. Earlier the case was rejected by the then C.I. has signature of Shri Deepak on dissolution deed did not match with the erstwhile partnership deed against which change in constitution was allowed vide letter dated 27.10.1998 (C-172) in which Shri Deepk was made 49% shareholding in the existing partnership firm M/s Laxmi Engineering and Packaging Industries. Subsequently department, based on the opinion of the Law Department, decided that in all such cases where change in constitution was effected in past and signature of erstwhile partners are not matching, in such cases, the present applicant will submit an affidavit giving details of partnership and dissolution deed that the signatures of these documents are genuine. Further the applicant will also have to submit an Indemnity Bond that he will bear the entire responsibility for any dispute in the property in future. Indemnity Bond and Affidavit has been submitted by the applicant Smt. Sruti Kashiv. Based on the recommendation of the concerned branch, the ILMAC is of the considered view to

- allow change in constitution in favour of Mrs. Sruti Kashiv, subject to payment of dues, if any and any other formalities required to be completed in terms of Land Management Guidelines. Further the Committee also recommends for conversion of plot from rental to hire purchase without rent adjustment and subject to recovery of hire purchase cost as well dues, if any.


(A.K. Saxena)
Member Convener

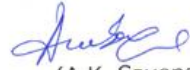
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Dated 25/05/2010

1. Sh. A.R. Talwade, Addl.CI - Chairman
2. Sh. Vishva Mohan, GM, DSIIDC
3. Sh. A.K. Saxena, DCI - Member Convener
4. Sh. Pradeep Gupta, DCI - Member
5. Sh. S.K. Singh, DCI - Member
6. Sh. M.K. Sharma, F.O. - Member
7. Sh. V.K. Garg, Chief Manager(RL), DSIIDC - Member
8. Sh. S.D. Windlesh, DCI (Badli).

Copy to:

1. Addl. CI (Relocation)
2. Addl. CI (Land- Okhla)
3. PS to CI/CMD(DSIIDC)


(A.K. Saxena)
Member Convener