

DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORPN. LTD.  
PLOT NO. 419, UDYOG SADAN, 3<sup>RD</sup> FLOOR, PATPARGANJ, DELHI-92.  
(RELOCATION DIVISION)

Dated: 19.10.2012

Sub.: Agenda for a case to be placed before ILMAC on 22.10.2012.

Sl.No.	App. No.	Name of the firm	Agenda
1.	8515	M/s. Dalmia Thread Mills	COC in favour of Sh. Raj Kumar Gupta as proprietor due to retirement of another partner, Sh. Rajinder Kumar Dalmia (outside family definition) without UEI because the change is prior to issue of the Provisional Eligibility Letter dated 08.12.2001. <span style="float: right;">in this ca</span>

It is certified that the above case is fit for change in constitution as per policy/guidelines and it has been recommended accordingly.

  
(Ram Phal)  
Div. Manager (RL)


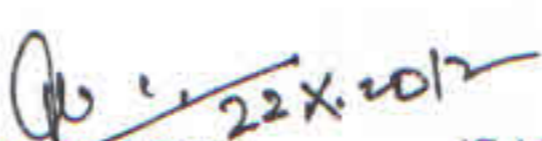
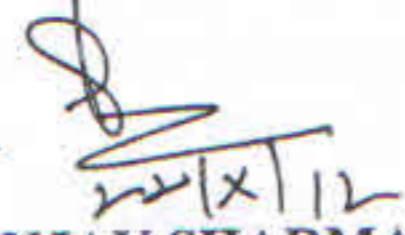

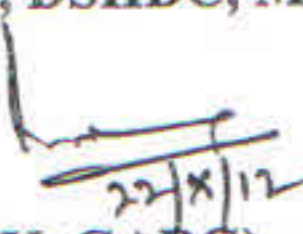
DY.GM (RL)  
Co-ordinator (ILMAC)

*Date of meeting 22/x/12*

Decision of Industrial Land Management Advisory Committee (ILMAC):


This case was taken up by ILMAC for COC. M/s. Dalmia Thread Mills was having two partners namely (1) Sh. Raj Kumar Gupta S/o Sh. S.R. Gupta (50% share) & (2) Sh. Rajender Kumar Dalmia S/o Sh. Ram Kumar Dalmia (50% share), being outside family definition. The plot allotted in this case is in Bawana-II (Bhorgarh). Sh. Rajender Kumar Dalmia retired from the firm w.e.f. 01.04.1997 prior to issue of PEL dated 08.12.2001. The existing partner, Sh. Raj Kumar Gupta has requested for change of constitution in his favour as sole proprietor of the firm. He has submitted all requisite documents for change of constitution i.e. Dissolution Deed (01.04.1997), Amended STRC, Indemnity Bond (regd.) etc. Further, the division is satisfied with the case for change in constitution and has certified at N/6 that the case is fit for COC without payment of UEI charges, because one of the partner, Sh. Rajinder Kumar Dalmia retired from the firm before the issue of provisional eligibility letter from DSIIDC i.e. on 08.12.2001 (C/47-46).


Accordingly, ILMAC recommends deletion of name of Sh. Rajender Kumar Dalmia due to his retirement and recommends the existing partner, Sh. Raj Kumar Gupta as sole proprietor of the firm without the payment of UEI charges, subject to clearance of outstanding dues, if any.


 (BHARAT BHUSHAN) DAM, DSIIDC, Member	 (S.K. SINGH) DCI, Co-ordinator	 (SANJAY SHARMA) CM, DSIIDC, Member
 (SUDHIR SHARMA) CM, DSIIDC, Member		 (V.K. GARG) DGM, DSIIDC, Member


  
(SANJEEV AHUJA)  
CHAIRMAN, ILMAC


The above members of the ILMAC may be seen for approval

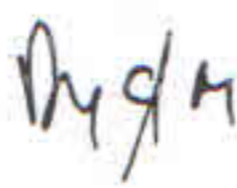
  
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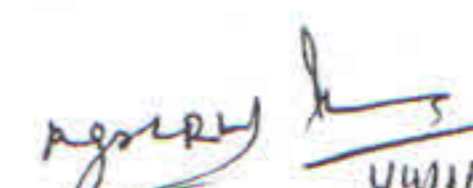
  
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**DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORP .LTD.**  
**419, UDYOG SADAN, FIE INDUSTRIAL AREA, PATPARGANJ, DELHI - 92**

**(NARELA ALLOTMENT CELL)**

Dated : 18-10-2012

**Agenda for the cases to be placed before ILMAC on 22-10-2012**

The details of the cases are as under :-

S.No.	Plot No./ Location	Name of the Original allottee	Name of the Purchaser/applicant	Agenda:
1.	279, Narela	Sh Swarn Singh & Sh. Gurdev Singh	Sh. Sanjay Gupta	Case for conversion from lease hold to free hold in favour of Sh. Sanjay Gupta

It is certified that the above cases No. 1 is fit for conversion as per policy/guidelines and they have been recommended accordingly.



**(S.C.DUBEY)**  
**Div. Manager (NAC)**

Dy. G.M (NAC)  
DSIIDC  
Member-Co-ordinator.


-: N/53 :-

Plot No.279 Narela Industrial Complex

In the instant case, the plot was allotted to Sh. Swarn Singh & Sh. Gurdev Singh in the year 1990 and possession was handed over in the year 1993 and subsequently the plot was purchased by Sh. Sanjay Gupta in Ind Sale through regd. GPA and sale agreement and has applied for conversion of plot to freehold as per the policy. Lease was executed on 28-9-2007 (C/230). The applicant has submitted House Tax Assessment Order according to which Factory Building was completed in the year 1997 (C/278), as such composition charges are not leviable in cases of Narela. The requisite Conversion Fee and other dues have been recovered as reported by the Branch. In the Estate Manager Report, the applicant's Unit is functional & engaged in the industrial activity of P.V.C. Products (C/373) and nothing adverse has been mentioned therein. Further, the division has certified at N/49 that the case is in order for conversion as per policy and guidelines. The facts were presented by Dy. G.M. before the Committee.

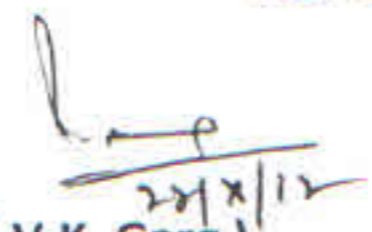
On the basis of above certification and details submitted by the branch concerned, ILMAC recommends the case for conversion of the above mentioned plot from Leasehold to Freehold in favour of the applicant Sh. Sanjay Gupta subject to realization of outstanding dues, if any.

  
(BHARAT BHUSHAN)  
DAM, DSIIDC  
Member

  
(S.K. SINGH)  
DCI  
Member


  
(SANJAY SHARMA)  
C.M., DSIIDC  
Member

  
(SUDHIR SHARMA)  
C.M., DSIIDC  
Member

  
(V.K. Garg)  
Dy. G.M, DSIIDC  
Member- Co-ordinator

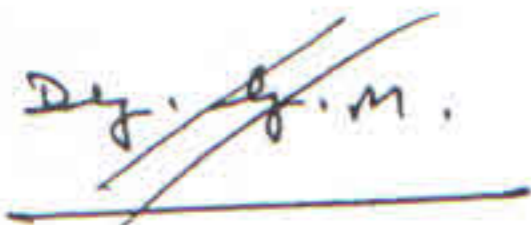
  
(SANJEEV AHUJA)  
E.D., DSIIDC/Chairman, ILMAC

The above minutes of ILMAC may  
please be seen for approval pl.

  
S. Q.  
22/10/12

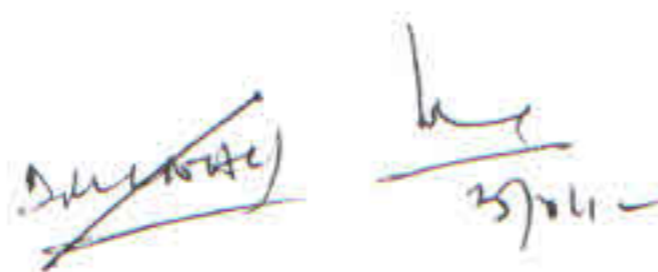


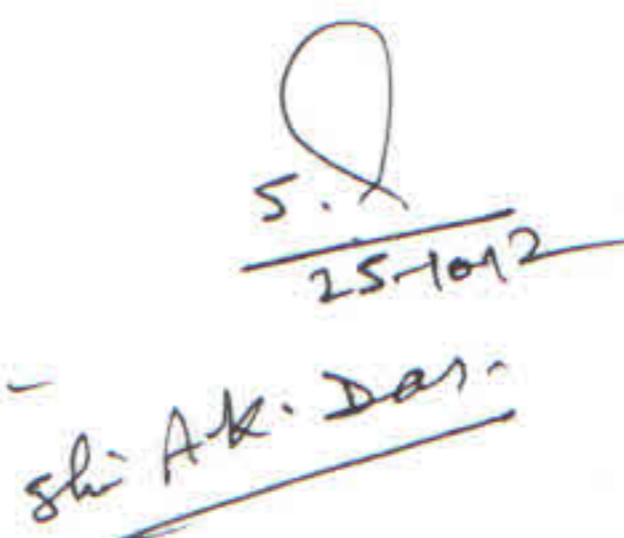
ILMAC  
10/2012

  
Dy. G.M.

  
22/10/12

  
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30/10/12

  
Shri Ak. Das  
25-10-12

**GOVERNMENT OF NCT OF DELHI**  
**OFFICE OF THE COMMISSIONER OF INDUSTRIES**  
**419, F.I.E., UDYOG SADAN, PATPARGANJ, DELHI-110092.**

Minutes of Meeting of Appeal Committee/ Industrial Land Management Advisory Committee held on 22.10.2012 in the Conference Room, N-36, Connought Place, New Delhi-110001.

The following officers/ Members attended the meeting:-

1. Shri Sanjeev Ahuja .	Executive Director, DSIIDC	Chairman
2. Shri S. K. Singh	Dy. Commissioner Industries	Member
3. Shri V. K. Garg	DGM, DSIIDC	Member/ Coordinator
4. Shri Sudhir sharma	C.M. (IEM), DSIIDC	Member
5. Shri Sanjay sharma	C.M. (REC), DSIIDC	Member
6. Shri Bharat Bhushan	DAM (IEM)	Member

The following cases were taken up in this meeting deliberated upon as under:

**1. M/s. Auto Tech Services, 16A, Bagh Chandi Wala, Nizamuddin East, New Delhi (Application No. 26982).**

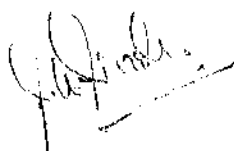
The premises of this unit was sealed on 28.3.2007. The applicant submitted various representations to various authorities for allotment of alternative plot and he was informed that this case was rejected on the the grounds that 'MCL is for service workshop. Service Centre not eligible' and that requests received after 15.2.01 for reconsideration can not be entertained. Thereafter on receipt of another representation on 24.12.10, the then Commissioner of Industries ordered to re-examine this case. Under these directions of the then Commissioner of Industries the facts were submitted before the 46<sup>th</sup> meeting of Land & Flat Allotment Committee on 11.05.2012 and it was decided by the committee that site inspection of premises of this unit be carried out and the factual position be put up before Appeal committee/ ILMAC in its next meeting for deliberation. In the 45<sup>th</sup> meeting dated 02.02.2012 also the Land & Flat Allotment Committee asked to give their recommendations depending upon merits of the case. At the time of inspection of this premises seal at the door was not found but it was locked from out side. It appeared from outside look that the premises was not in use for the last 5-6 years. During such a long period the seal might have vanished. Other premises in the vicinity were also in depilated condition and no body was found functioning from any of these premises. Inspection report is available at page C/2319 of the case file.

To prove that the establishment of unit of car servicing was prior to 19.04.1996, the applicant is having and submitted MCL in the name M/S MGP Auto tech Services (P) Ltd. At premises Ground Floor, 16-A, Bagh Chandiwala, Nizamuddin West, New Delhi. Whereas the applicant applied in the name of M/S Auto tech Services Prop Shri Naresh Mohan Goel, at premises No. 16-A, Bagh Chandiwala, Nizamuddin West, New Delhi. The committee is of the view that the applicant unit and the unit mentioned in Municipal Corporation License are separate entity, therefore, the case of applicant can not be considered for allotment of plot under relocation scheme. The applicant Shri Naresh Mohan Goel requested to give him 15 days more time, so that he may arrange/ bring the necessary documents as required by the Department under relocation scheme and mentioned in the letter dated 09.11.19989 to prove that the applicant unit M/S Auto tech Services Prop Shri Naresh Mohan Goel, at premises No. 16-A, Bagh Chandiwala, Nizamuddin West, New Delhi was established prior to 19.4.1996 and that the MCL No. 3182 was in fact in name of the applicant unit. The applicant was asked to appear before the Appeal Committee/ ILMAC in its meeting on 05.11.2012 at 11.30 AM.

**2. M/S Nirlon India, 1st Floor, Vats Market, Madhuban, Pitampura, Delhi (Application No. 22342).**

The documents available on the office file is a photocopy set of the papers relating to this case. On receipt of orders dated 23.1.2009 from the Hon'ble High Court of Delhi to pass speaking orders in this case within eight weeks, this case was put before the ILMAC/ Appeal committee in its meeting earlier also but due to non receipt of original file from DSIIDC, the ILMAC/ Appeal committee could not recommend/ reject this case, therefore, it was put up before the Land & Flat Allotment Committee in its meeting on 11.5.2012. The Land & Flat Allotment Committee ordered that the file in this case be reconstructed and re-submitted after examination and deliberations by the Appeal Committee/ ILMAC. Accordingly a letter to the applicant was issued to submit personally self attested photocopy set of all the documents they have already submitted in the department at the time of filing application in the year 1996 and also to show their originals to prove authenticity of the same. Another letter was issued to DSIIDC with a last request to trace out original file of this unit and send the same to this office immediately, so that this case could be processed further. Till date neither the DSIIDC responded to letter of this office nor the applicant appeared to show original documents etc.

A letter was also issued to the applicant vide No. 974 on 10.11.2012 to appear before the Appeal committee/ ILMAC in its meeting for today but no one turned up on behalf of this unit. The Appeal Committee/ ILMAC is of considered view that being a court matter one more opportunity may be given to submit self attested set of documents which he filed at the time of submission of his application No. 22342 & thereafter to prove their authenticity bring their



originals and to complete other formalities also. a letter be issued at all known addresses of the applicant unit as well as it should be delivered/ pasted DASTI. It should also be sent through email at his email address written on its letter head.

**3. M/S Bhushan Electrical Industries, W-192, Gali Chander Shekhar, Baberpur, shahadra, Delhi (Application No. 4131).**

This case was put up in 46<sup>th</sup> meeting of the Land & Flat Allotment Committee on 11.05.2012 and the committee ordered that before putting this case before this committee, it should be put up before the ILMAC/ Appeal committee for its observations/ recommendations.

Perusal of this file shows that this application was initially recommended for allotment of a plot of 250 Sq. Mts. but later on rejected on the ground that unit is located in 'Local Commercial Area' and communicated to the applicant vide order dated 18.7.2000. The applicant sent a representation in this office through the then Minister of Industries Shri Narender Nath on 30.12.99 to know fate of his application. This representation/ appeal was rejected on the same grounds by the appeal committee. EMD in this case was refunded vide order No. 10438 Dt. 19.1.02). The applicant also sent a legal notice to this office through his advocate Shri C.B. Garg on 10.10.07 and he also was informed vide this office letter Dt. 13.12.07 that the application No. 4131 has been rejected on the ground that 'unit is located in Local Commercial Area'.

Thereafter the applicant filed a suit for permanent injunction before the court of Senior Civil Judge on 19.05.2008 and the hon'ble judge vide his judgment dated 15.1.2011 passed a decree in favour of applicant and directed this office to relocate unit of the applicant from non conforming area to conforming zone by providing an alternate plot under the scheme of relocation of industries.

This file was with DSIIDC till 26.4.11 and transferred to Industries Department on 26.4.11 to take a decision on merits. Perusal of the record reveals that the unit was holding MCL No. C-01253 issued on 15.02.1989 and it was valid up to 31.03.1996 at factory address GF-W/192, Gali No. 5, Babar Pur for manufacturing activities of PVC Compound & Wire Insulating with (1-1/2) Seven & Half HP El. As per policy, units which were/ are violating norms of Local Commercial Area, are eligible for allotment. In the instant case, unit was manufacturing electric wires & cable (Page 3 of application form) with 21 H.P. (Page 4 of application form). Such activities with 21 H.P. are not allowed at LCA.

The applicant was called before this committee for today to show all the original documents for verification vide letter No. 973 & 976 dated 10.10.2012 and

11.10.2012 respectively but the applicant did not turn up and the committee decided that one more opportunity should be given to to the applicant unit by writing letters at all known addresses as well as it should be delivered/ pasted DASTi also.

**4 & 5. M/s. Public Tyres, Kh. No. 39-9/1, 9/2, Bawana Road, Samaypur (Badli), Delhi (Application No. 7120 & 7121).**

Initially the application No. 7120 was recommended for a plot of 250 Sq. Mtrs on the grounds that MCL is valid up to 1996 but later on the officers of this Department noticed that two separate applications have been submitted by the partners of this unit independently for allotment of two separate alternate industrial plots against the same unit and on the basis of same documents, therefore, they rejected both the applications on the ground that:

- (i) Two applications exceeding 400 Sq. Mtrs size. Hence not recommended.
- (ii) Anand Parbat, Shahadra Samaipur Badli are excluded from relocation scheme. Not considered.

Application No. 7121 was rejected at the initial stage.

Aggrieved by rejection of their applications, Shri Pawan Kumar partner filed an appeal for reconsideration of his case on 24.11.99 and Shri Girish Kumar partner also on 24.11.99 available in their respective files. Appeals in both these cases were rejected on the grounds that:

- (a) unit is located in IN-SITU area.
- (b) Two applications 7120 & 7121 for same name, constitution and address'.

EMD in both these cases has been refunded vide order No. 10819 dated 13.5.02.

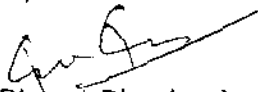
After rejection of appeals in both these cases these files were transferred to the DSIIDC and after gap of a long time Shri Girish Kumar filed representations for reconsideration of allotment of plot in application No. 7121 as well as in 7120. DSIIDC called reports in these cases from their Engg. Division at their own and thereafter transferred both these files to the Industries Department.

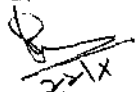
*File Singh.*




The Addl. Commissioner of Industries also remarked in the file that 'Do we have any policy to re-open such cases which have been closed years back and money has also been refunded?'. The Dy. Commissioner of Industries (Rel) also opined in this case that the area in question was notified by DDA in MPD-2001 for re-development, therefore, the boundary of the area notified by the DDA can be ascertained by DDA only.

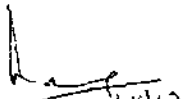
The Appeal Committee/ ILMAC is of considered view that as per available record the applicant did not file any appeal on or before the stipulated date i.e. 15.02.2001 as published in the leading news papers to file appeal against their rejection order under the relocation scheme. The Committee also felt that the applicant should be given an opportunity as whether he filed appeal before the competent authority within stipulated period and, if so, he may submit proof of the same, so that the case could be decided on merits. A letter by speed post is required to be sent in this regard.


  
(Bharat Bhushan)  
DAM (IEM) DSIIDC  
Member

  
(Sanjay Sharma)  
C.M. (REC) DSIIDC  
Member

  
(Sudhir Sharma)  
C.M. (IEM), DSIIDC  
Member

  
(S. K. Singh)  
Dy. Commissioner Industries  
Member

  
(V. K. Garg)  
DGM, DSIIDC  
Member/ Coordinator

  
(Sanjeev Ahuja)  
Executive Director, DSIIDC  
Chairman