

DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORP. LTD.
419, UDYOG SADAN, PATPARGANJ INDUSTRIAL AREA, DELHI - 110092

(NARELA ALLOTMENT CELL)

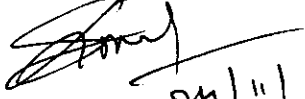
No. DSIIDC/NAC/ILMAC/2011/ 2144

Dated : 24-11-2011

Sir,

Kindly refer your mail dated 21-11-2011. We are enclosing herewith the copies of recommendations of ILMAC as recorded on individual files of the plots of Narela Industrial Project as per details given below for necessary action at your end.

Plot No	Plot No	Plot No
65	658	1384
69	685	1464
256	690	1582
281	696	1606
318	810	1666
372	881	1695
373	910	1701
375	999	1702
446	1152	1708
452	1181	1731
520	1223	1768
591	1336	
657		


(Lila Singh) 24/11/11
Manager (NAC)

To:

✓ Sh. V.K.Sehgal,
UDC, Industries Deptt.

Copy to :

Dy. G.M (NAC) for information please.

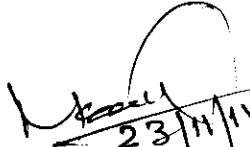
DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORPORATION LTD.
Udyog Sadan, Plot No.419, 4th Floor, FIE Patpar Ganj Indl. Area, Delhi-110092

(RECOVERY DIVISION)

No.DSIIDC/REC/

Dated: 23.11.2011

Please find enclosed herewith 79 photocopies of recommendations/ Minutes of ILMAC meetings held from the Month of August to October, 2011 regarding conversion of sheds under Recovery Division from lease hold to freehold, as required by Commissioner of Industries.


23/11/11
(MUKUT LAL)
Sr. MANAGER (R)

Encl: As above.

Sh. V.K. Sehgal
U.D.C., CT

The case of Shed No.-11, Okhla Industrial, Estate, Phase-III New Delhi was placed before ILMAC on **23.11.2011** for consideration of application of M/s. Southend Builders Pvt. Ltd. for conversion from leasehold to freehold. On 01-08-1957 Shed No. 11 was allotted to M/s. Bishamber Dass & Sons which was an equally shared partnership of Sh. A.P. Jain and Sh. P.D. Jain and on 31-12-1972 the partnership dissolved and Smt. Jaimala Jain w/o Sh. P.D. Jain became the sole proprietor of the firm. On 19-5-73 the firm informed that a Pvt. Ltd. Company has been formed and solicited permission in this regard.

On 29.06.1972, 04.07.76 & 28.12.93, reports were submitted by the Estate Manager concerned to the effect that unauthorized encroachments and unauthorised construction have been done by the unit on govt. land and further that **three other units are functioning at the shed**. Accordingly, SCNs were issued on 11.7.86 and 03.07.87. Another EM report dated 24.03.86 was received in the office to the effect that the premises have been **sub-letted** to M/s Pooja Electronics and this followed by report dated 27.4.88 thereby showing **multiple sub-letting**. Due to all these reasons, the deptt. was not in a position to execute the documents i.e. Hire Purchase etc. Aggrieved by this, the firm filed a civil suit in the **Hon'ble High Court** of Delhi(C/277-291) thereby praying inter-alia to direct the Lessor/Govt. to execute the Sale Deed/Perpetual Lease Deed in respect of shed in question in favour of plaintiff within the period to be specified by the Hon'ble High Court, restrain the Lessor from interfering/dispossessing from the factory premises, restrain the Lessor from cancelling or withdrawing the offer of Hire Purchase of factory to the plaintiff and to declare Smt. Jai Mala Jain as sole proprietor of M/s Bishamber Dass & Sons as sole owner of the said factory premises. Since the suit was below Rs. 5 Lacs, the matter was transferred to the Court of District Judge.

The deptt. did not considered Smt. Jai Mala Jain as sole Proprietor of M/s Bishamber Dass & Sons as well as did not execute the Lease Deed in her favour. Mrs. Inder Meet Kaur, the then ADJ, Delhi by her order dated 01.07.1996 directed the deptt. to execute the Lease Deed/Perpetual Deed of the factory premises. Again on 21.03.2002, Ms. Pratibha Rani, ADJ dismissed the application of the department for amendment.

1. Against both **these orders, the deptt. filed an appeal before the Hon'ble High Court and the same was dismissed in default due to non-appearance**. Earlier, the matter was also referred to mediation vide C/496 and the opinion of Law Deptt. in this regard may be seen at C/418 vide which it has been suggested that **deptt. should participate in the mediation process** irrespective of the stand to be taken by the deptt.

On 21.01.2008(C/507), Sh. V.K. Tandon, Govt. Counsel informed the deptt. that on the last date of hearing i.e. 11.01.2008 the court was annoyed and observed that the **Department was not cooperating and complying with the directions passed from time to time**. At this, the then worthy CI, on 23.01.2008(C/508) requested the govt. counsel to take four week's time to finalize the issue. On 23.12.2008(C/512), the Govt.

Contd. to page -2.

Counsel intimated that 'the Hon'ble High Court has issued rule on 12.03.2008. The matter will now come up for hearing in due course. This is further to inform you that in the above noted case Smt. Jai Mala Jain had expired and her legal representatives were brought on record. One of the legal heirs was her husband Sh. P.D. Jain. It has come to my knowledge that Sh. P.D. Jain has also expired. Accordingly, the said fact may kindly be verified and in case the said fact is true, his legal heirs are to be brought on record. The steps may kindly be taken up on an urgent basis.'

There is no reference of status of this court case in the file upto June, 2011 and now the Estate Manager, Okhla has submitted that the matter has been dismissed in default vide order dated 23.04.2010 of Hon'ble High Court of Delhi. Now, on 24.01.2011(C/590), an application has been filed by M/s Southend Builders Pvt. Ltd. through its Director Sh. Pramod Kumar Bindal seeking conversion of shed No.11, OIE, Phase-III from lease hold to free hold in-favour of the firm by virtue of GPA and A/Sell(C/542-572). The Estate Manager's report dated 18.03.2011 shows manufacturing activities of Assembly of Electric fans and goods with no other violation reported as such. In the meantime, the Govt. Counsel has forwarded an application to the department for filing the same in the High Court of Delhi for revival of the suit. Considering the above facts, ILMAC is of the view that the matter may be referred to the Law & Justice Department, GNCTD for their opinion whether to file a revival appeal in the Hon'ble High Court, at this stage, as suggested by Govt. Counsel and to call the explanation of the then Estate Manager for not attending the court and for not pursuing the court matter properly.


28/11/11
(V.K. Garg)

Dy. G.M.(DSI IDC)-Member


23.11.2011
(S.K. Singh)

DCI(Policy)-Member


28/11/11
(A.R. Talwade)

Addl. C.I./Chairman (ILMAC)


23/11/2011
(Vinod Kumar)

DCI(BIE/PPG)-Member


28/11/11
(Ashok Kumar)

Finance Officer-Member


(Sanjeev Ahuja)

ED, DSI IDC-Member

The case of Shed No. 93, Okhla Industrial Estate, Phase-III, New Delhi-

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The case of Shed No.-93, Okhla Industrial, Estate, Phase-III New Delhi was placed before ILMAC on **23.11.2011** for consideration of conversion from leasehold into freehold in favour of M/s. White Wood Sports With Sh. Rajat Miglani and Sh. Ramesh Kumar Miglani as partners. Sh. Ramesh Kumar Miglani, partner, appeared in the meeting. As per Estate Manager report, the unit is engaged in manufacturing activities of cutting and slitting of steel coils. Proof of manufacturing activities has also been submitted by the applicant and no other violation of any kind reported. The Perpetual Lease was not executed in respect of this property. The change in constitution was allowed in favour of M/s. White Wood Sports With Sh. Rajat Miglani and Sh. Ramesh Kumar Miglani as partners (vide approval of CI at N/145 vide Dy. No.-2151 dated 11.11.2011). Accordingly, on the recommendation of the branch, ILMAC recommends conversion of Shed No. 93, Okhla Industrial Estate, Phase-III, New Delhi from leasehold to freehold in favour of M/s. White Wood Sports With Sh. Rajat Miglani and Sh. Ramesh Kumar Miglani as partners subject to payment of outstanding dues if any, and to include premium of the plot in the amount of conversion charges paid for the purpose of stamping of Conveyance Deed, as the lease deed is not executed, as per Land Management Guidelines. However, it has been made clear that the conversion has been allowed solely on the basis of information/documents provided by the firm/applicant and the free hold shall stand null and void if anything contrary found/noticed in future.


23/11/11
(V.K. Garg)

Dy. G.M.(DSI IDC)-Member


23.11.2011
(S.K. Singh)

DCI(Policy)-Member


23/11/11
(A.R. Talwade)

Addl. C.I./Chairman (ILMAC)


23/11/2011
(Vinod Kumar)

DCI(BIE/PPG)-Member


23/11/11
(Ashok Kumar)

Finance Officer-Member


(Sanjeev Ahuja)

ED, DSI IDC-Member

The case of Plot No.S-43, Badli Industrial Estate, Phase-I, Delhi

The case of Plot No.-S-43, Badli Industrial, Estate, Phase-I Delhi was placed before ILMAC on **23.11.2011** for consideration of restoration of lease of the plot in favour of Sh. Satpal Gupta, subsequent purchaser. Initially, Plot No.S-43, Phase-I, BIE admeasuring 615 sq. yds. was leased out to M/s Diwan Chand Hari Chard, a partnership concern of Sh. Dewan Chand S/o Chaudhary Budhoo Ram and Sh. Hari Chand S/o Sh. Hem Raj for running the industry of Handloom. Thereafter, on 11.04.1991 the lease of the plot was determined by the Lessor due to unit's engagement in unauthorized activity of Stainless Steel Re-rolling. Notices/SCNs were served in this regard. The matter was referred to Estate Officer for eviction on 16.07.1992. Eviction orders were passed on 06.06.2003. Aggrieved, one Sh. Satpal S/o Late Sh. Sheo Karan Dass Gupta filed an appeal against the Eviction Order vide PPA NO.-177/03 in the court of ADJ vide C/1-14(LF). The Hon'ble ADJ, Poonam A Bamba, on 01.04.2008 set aside the Eviction Order and remanded back the matter to Estate Officer with further directions to the department to consider appellant's application for regularization/restoration, if found eligible. Now, Sh. Satpal, subsequent purchaser through GPA/Agreement to Sell has filed conversion application and an appeal for restoration. Manufacturing activities of Drum size cutting and straightening covered under MPD-2021 have been reported carried out by the firm by the Estate Manager vide latest report dated 23.12.2010. Considering the facts narrated by the branch and as available on record and further the directions of the Ld. ADJ, ILMAC is of the view that the branch concerned should place all these points before the Estate Officer for taking appropriate view in the matter with regard to remanding back of the matter to him by the Ld. ADJ vide order dated 01.04.2008.


(V.K. Garg)

Dy. G.M.(DSI IDC)-Member


(S.K. Singh)

DCI(Policy)-Member


(A.R. Talwade)

Addl. C.I./Chairman (ILMAC)


(Vinod Kumar)

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ED, DSI IDC-Member