

Application for Refund of EMD & other deposits

To
The Chief Manager(RL)
DSIIDC,
419, Udyog Sadan,
Patparganj, Delhi-110092.

Dated: _____
Application No. _____
Mobile No. _____

Sub: Application for refund of EMD/other deposits under category :
(Please tick (✓) as applicable)

A. Category-‘A’

i) Rejection of application by CI

ii) Non-deposition of 50% payment of cost of plot by 31.03.2001.

B. Category-‘B’

Voluntary withdrawal other than category ‘A’

Sir,

I/we applied for allotment of plot under Relocation Scheme and now seek refund as per details given below, in favour of :

- (i) Firm
- (ii) Bank/Financial Institution

1) Particulars:

- a) Application No. : _____
- b) Name of the firm with address : _____
- c) Correspondence address : _____
- d) Constitution of the Firm : (i) Proprietorship
(as per original application) (ii) Partnership
(iii) Private Limited
(iv) Limited Firm
- e) Name of the Applicant(s)/ : (i)
Proprietor/Partners/Director(s) (ii)
(as per original application) (iii)
(iv)

2) Whether COC occurred : : (Yes / No)

If Yes, then indicate:

- a) Present constitution of the Firm : (i) Proprietorship
(ii) Partnership
(iii) Private Limited
(iv) Limited Firm
- b) Name of the present Applicant/ : (i)
Proprietor/Partners/Directors (ii)
representing the firm (iii)
(iv)

3) If refund falls in Category-A, following information may be submitted:-

(A) Status of clearance of EMD/Loan from Bank/Financial Institution

(i) EMD financed by (please tick(√) whichever is applicable)

(α) Self (β) Bank/Financial Institution (γ) Self & Bank/Financial Institution

(a) If EMD is financed by bank/Financial Institution, then specify name :

(b) Whether No Dues Certificate for clearance of EMD/NOC : (Yes/No)
from the Bank/Financial Institution is enclosed

(ii) Whether cost of the plot is financed by Bank/Financial Institution

(a) If yes, Name of Bank/Financial Institution :

(b) Whether No Dues Certificate for clearance of loan/NOC : (Yes/No)
from the Bank/Financial Institution is enclosed

(B) Documents required to be deposited alongwith application for category-‘A’

i) All original documents issued by Relocation Division (Tick (√) whichever is applicable)

(α) Acknowledgement Slip (β) Payment Challans (γ) Allotment-cum-Demand Letter

(Note: Allotment-cum-Demand Letter is required only for II of Category-‘A’)

ii) Whether Copy of PAN Card is enclosed : (Yes/No)
(otherwise income tax shall be deducted as per rules)

iii) Whether No Dues Certificate(s)/NOC(s) from the Bank is/are enclosed : (Yes/No)
(In case, EMD/loan is financed by Bank/Financial Institution)

iv) Whether notarized Affidavit (as per Format-‘C’) on stamp
paper of Rs.10/- is enclosed format for closure of
industrial operation/activities of the firm in : (Yes/No)
non-conforming area w.e.f. 31.05.2004
(not required in cases where the application was rejected by CI during scrutiny)

4) If refund falls in Category-‘B’, following information may be submitted:

(A) Status of the Application

(Please tick (√) whichever is applicable)

- (i) Allotment Letter issued
- (ii) Possession Letter issued
- (iii) Physical Possession Letter issued
- (iv) Lease Deed executed
- (v) Lease Deed registered

(B) Status of clearance of EMD/Loan from Bank/Financial Institution

(i) EMD financed by (please tick (√) whichever is applicable)

(α) Self (β) Bank/Financial Institution (γ) Self & Bank/Financial Institution

- (a) If EMD is financed by bank/Financial Institution, then specify name :
: :
- (b) Whether No Dues Certificate for clearance of EMD/NOC from the Bank/Financial Institution is enclosed : (Yes/No)
- (ii) Whether cost of the plot is financed by Bank/Financial Institution
(a) If yes, Name of Bank/Financial Institution :
: :
- (b) Whether No Dues Certificate for clearance of loan/NOC from the Bank/Financial Institution is enclosed : (Yes/No)
- (iii) Whether construction of plot is financed by Bank/Financial Institution
(a) If yes, Name of Bank/Financial Institution :
: :
- (b) Whether No Dues Certificate for clearance of loan/NOC from the Bank/Financial Institution is enclosed : (Yes/No)

(C) Documents required to be deposited alongwith application for Category-'B'

- (a) All original documents issued by Relocation Division
(tick (√) whichever is applicable)
- i) Acknowledgement Slip
 - ii) Provisional Eligibility Letter
 - iii) Allotment-cum-Demand Letter
 - iv) Payment Challans
 - v) Possession Letter
 - vi) *Proof of surrendering the plot at site to Works Division
 - vii) Lease Deed Sets
 - viii) Resolution passed by the BOD of Co. In case of a Pvt./Public Ltd. firm authorizing representative to seek refund from DSIIDC

Note: *Where the allottee(s) has/have taken the physical possession of the plot, Property Tax Clearance Certificate/NOC from the concerned authority is also to be enclosed. On receipt of application of refund by this division, this division within 10 days, will issue a letter to the allottee to handover the physical possession of the plot to the Engg. Division. Engg. Division will provide a proof of surrendering the plot to the allottee. Proof of surrendering the plot issued by Engg. Division of DSIIDC shall be submitted to this division.

- (b) Whether notarized Affidavit (as per Format-'C') on stamp paper of Rs.10/- is enclosed for closure of operation/ activities of indl. unit from non-conforming area w.e.f. 31.05.2004 : (Yes/No)
- (c) Whether Photocopy of PAN Card, if any, is enclosed (otherwise Income Tax shall be deducted as per rules). : (Yes/No)
- (d) If refund is applied in favour of bank, then request letter from allottee and bank for seeking refund indicating amount : (Yes/No)
- (e) Proof of payments i.e. bank challans in original are enclosed : (Yes/No)

(f) Property Tax Clearance Certificate/NOC from concerned authority : (Yes/No)
(only when allottee has taken the physical possession)

5. In case of death of proprietor/partner, information & documents as mentioned below are to be submitted/enclosed by the beneficiary in addition to the above information/documents:

i) Name of person applying for refund : _____
(Beneficiary)

ii) Relation of beneficiary of deceased : _____

iii) Documents for death:

(a) Original Death Certificate

(b) Regd. Relinquishment Deed(as per Format-'A')/Regd. Will/Survival Certificate from SDM Office

(anyone, whichever is applicable).

(c) NOC/notarized Affidavit(as per Format-'B') from all legal heirs (in case where Relinquishment Deed required)

(d) Proof of Identification from beneficiary & all legal heirs.

(e) Regd. Indemnity Bond(as per Format-'D') from beneficiary as per format.

6. In case, documents issued by DSIIIDC are lost by the applicant, copy of FIR for the lost documents and Notarized Indemnity Bond as per Format-'E' shall be submitted/enclosed.

I/We do hereby affirm and declare that the information given above and in the enclosed documents is true and correct to the best of my knowledge and belief and nothing material has been concealed therein. I am well aware that concealment of facts and giving false information is a punishable offence and in case I am guilty of giving false information or concealment of facts herein, I will be liable to be punished with imprisonment and/or fine as per relevant provisions of law. I also undertake that the benefits availed by me by furnished such false information or concealment of facts shall be liable to be summarily withdrawn.

Note: If refund falls in category 'A', information and documents asked under category 'B' are not required to be furnished/enclosed, only information and documents asked in category 'A' are to be furnished. If refund falls in category 'B', information and documents asked category 'A' are not to be furnished.

Yours faithfully,

Sign. of the Prop./Partner(s)/Director(s) (with stamp of firm)/Claimant
For & on behalf of firm M/s. _____

Name	Signature	Mobile No.
1.		
2.		
3.		

Documents required alongwith application for refund of deposits in f/o firm/bank

- 1) All original documents issued by Relocation Division like- Acknowledgement Slip of Application, Provisional Eligibility Letter, Provisional Allotment Letter, Allotment-cum-Demand Letter, Possession Letter, Proof of surrendering the plot to Works Division, Lease Deed sets, Resolution passed by the BOD in case of Pvt. Ltd. Firm, Property Tax Clearance Certificate/NOC where the allottee has taken over the physical possession of the plot (whichever is applicable).
- 2) Surrendering the proof of payments i.e. bank challans.
- 3) Affidavit on stamp paper of Rs.10/- for closure of operation/activities of industrial unit from residential/non-conforming area w.e.f. 31.05.2004 (as per format available on page-3).
- 4) Photocopy of PAN Card, if any.
- 5) If refund in favour of :
 - (i) Firm, NOC from bank financed loan.
 - (ii) Bank, request letter from allottee and bank seeking refund.
- 6) In case of death of proprietor/partner, documents as mentioned below are to be submitted/enclosed by the beneficiary in addition to the above information/documents:
 - (a) Original Death Certificate
 - (b) Regd. Relinquishment Deed (as per Format-'A')/Regd. Will/Survival Certificate from SDM Office (anyone, whichever is applicable).
 - (c) NOC/Notarized Affidavit from all legal heirs (as per Format-'B').
 - (d) Proof of Identification from beneficiary & all legal heirs.
 - (e) Regd. Indemnity Bond from beneficiary (as per Format-'D').

Note:

- In case of refund under Category-B, interest on late payment, if any, paid and Rs.10,000/- as processing charges shall be deducted from the refund amount.
- In case of refund under Category-A, interest on late payment, if any, paid shall be deducted but no processing charges shall be deducted from the refund amount.
- Refund shall be made in favour of Firm/Bank only.
- In case, documents issued by DSIIDC are lost by the applicant, copy of FIR for the lost documents and Notarized Indemnity Bond as per Format-'E' shall be submitted/enclosed.
- Where the allottee(s) has/have taken the physical possession of the plot, Property Tax Clearance Certificate/NOC from the concerned authority is also to be enclosed. On receipt of application of refund by this division, this division within 10 days, will issue a letter to the allottee to handover the physical possession of the plot to the Engg. Division. Engg. Division will provide a proof of surrendering the plot to the allottee. Proof of surrendering the plot issued by Engg. Division of DSIIDC shall be submitted to this division.
- If refund falls in category 'A', information and documents asked under category 'B' are not required to be furnished/enclosed, only information and documents asked in category 'A' are to be furnished. If refund falls in category 'B', information and documents asked category 'A' are not to be furnished.

RELINQUISHMENT DEED

(For Refund of EMD/other deposits in case of death of Proprietor/Partner)

1. This DEED OF RELINQUISHMENT is made & executed at Delhi, on _____,
by:- (1) Sh./Smt. _____ S/o, W/o, D/o
_____ R/o _____ (2)
Sh./Smt. _____ S/o, W/o, D/o _____ R/o

(3) Sh./Smt. _____ S/o, W/o, D/o _____
R/o _____.
(hereinafter called the RELEASORS)

in favour of

Sh./Smt. _____ S/o, W/o, D/o _____ R/o

(hereinafter called the Releasee)

2. Whereas, vide Appl. No. _____, my father/mother Sh./Smt. _____
as a Proprietor/Partner of M/s. _____ had applied for an
industrial plot under Relocation Scheme in the year 1996 and deposited some
amount.

WHEREAS M/s. _____ were not allotted/allotted a
Plot No. _____, Pkt. _____, Sec. _____, measuring _____ sq. mtrs. at _____
Indl. Area, Delhi by DSIIDC through its Proprietor/Partners:

1. Sh./Smt. _____ S/o/W/o _____
2. Sh./Smt. _____ S/o/W/o _____

3. And whereas, the allottee Late Sh./Smt. _____ S/o, W/o, D/o
_____ has expired on _____ at Delhi, and is survived
by the following legal heirs:-

Sl. No.	Name of the legal heirs	Age Years	Relationship of the deceased
1.			
2.			

4. And whereas, there is no other legal heirs of the above said deceased except above mentioned.

5. And whereas, the RELEASORS wishes to Relinquishes their shares in the plot as mentioned hereinafter in favour of:- Sh./Smt. _____ S/o, W/o, D/o
Late Sh./Smt. _____ R/o
_____, New Delhi, who is also one of the legal heirs
of the Allottee.

6. Pursuant to their wishes as mentioned above the RELEASORS hereby releases and relinquishes all their rights, interests, shares in the plot and hereby declares and affirm that they will have no claim, right or interest in the plot and the same vests absolutely in Sh./Smt. _____ S/o, W/o, D/o _____ R/o _____, New Delhi, the (Releasee).

7. IN WITNESS WHEREOF the RELEASER & RELEASEE have signed this Relinquishment Deed, after understanding the contents of the same in vernacular, in their sound and disposing mind, without any undue influence, coercion or fraud, on the day, month & year, first herein above mentioned in the presence of the following witnesses:-

RELEASER(S)

RELEASEE

WITNESSES

1.

ID No.

2.

ID No.

A F F I D A V I T
(NOC)

(For Refund of EMD/other deposits in case of death of Proprietor/Partner)

I, Sh./Smt. _____ of S/o, W/o, D/o _____ R/o _____, New Delhi-1100____ do hereby solemnly affirms and declares on _____ as under:

1. That my father/mother/husband/wife/brother/sister Sh./Smt. _____ S/o /D/o / W/o / B/o / Sis/o Sh./Smt. _____ was the sole Proprietor/Partner/Director of M/s. _____ at _____, New Delhi.
2. Vide Appl. No. _____, my father/mother Sh./Smt. _____ as a Proprietor/Partner of M/s. _____ had applied for an industrial plot under Relocation Scheme in the year 1996 and deposited some amount.

WHEREAS M/s. _____ were not allotted/allotted a Plot No. _____, Pkt. _____, Sec. _____, measuring _____sq. mtrs. at _____ Indl. Area, Delhi by DSIIDC through its Proprietor/Partners:

1. Sh./Smt. _____ S/o/W/o _____
 2. Sh./Smt. _____ S/o/W/o _____
3. That _____ unfortunately my father/mother/husband/wife/brother/sister Sh./Smt. _____ passed away on dated _____, at Delhi and my father/mother/husband/wife/brother/sister Sh./Smt. _____ S/o /D/o / W/o / B/o / Sis/o _____ leaving behind the following legal heirs:

Sl. No.	Name of the Legal Heirs	Age (yrs.)	Relationship with the deceased
I.			
II.			
III.			

and here is no other legal heirs of Late _____

4. That now my father/mother/husband/wife/brother/sister Sh./Smt. _____ S/o /D/o / W/o / B/o / Sis/o Late _____ become the sole proprietor of M/s. _____ and he seek to transfer the said industrial plot in his name in the record of Competent Authority.
5. That being the legal heir/son of Late _____, I have got no objection for the transfer of above noted industrial plot in the name of my father/mother/husband/wife/brother/sister Sh./Smt. _____ proprietor/partner/director M/s. _____ for which I or my legal heirs, nominees shall not raise any objection against the same.
6. That, I or my legal heirs, nominee shall not raise any objection/claim against the same, and if found otherwise, the same should be treated null and void in every court of law.
7. That it is my true statement, and I have executed this affidavit with my full responsibility on _____.

DEPONENT

VERIFICATION:

I, the above named deponent do hereby solemnly affirms and declares on _____ that all the contents in this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

DEPONENT

AFFIDAVIT

(For Refund of EMD/other deposits)

I, Sh./Mrs./Ms. _____ son/wife/daughter of
Sh. _____ resident of _____
Proprietor/Partner(s)/Director(s) of M/s. _____ do hereby
solemnly affirm and declare on _____ as under:-

1. That I am the Proprietor/Partner(s)/Director(s) of M/s. _____,
address at _____ and have applied for allotment of
an industrial plot vide Application No. _____ under Relocation Scheme of
Industries and have been allotted an Industrial plot bearing No. _____,
measuring _____ sq. mtrs. at Bawana/Bawana-II (Bhorgarh)/Narela.
2. That I have already stopped operating the industrial unit of the existing address
at _____ which was in
residential/non-conforming area w.e.f. 31.05.2004 under the directions of
Hon'ble Supreme Court of India given vide order dated 07.05.2004.
3. That the liability of payment of property tax, if any attached to the Plot No. _____
allotted to my firm shall be wholly borne by me/my firm.
4. Affidavit is enclosed on _____.

DEPONENT

Verified at Delhi on _____ that the contents of this affidavit are true and
correct to the best of my knowledge and belief and nothing therein has been concealed
therefrom.

DEPONENT

INDEMNITY BOND

(For Refund of EMD/other deposits in case of death of Proprietor/Partner)

1. This INDEMNITY BOND is made at Delhi, on _____, by
Sh./Smt. _____ S/o/W/o LATE Sh./Smt.
_____, NEW DELHI-1100 _____.
R/O-

(hereinafter called the "EXECUTANT").

IN FAVOUR OF:-

Delhi State Industrial & Infrastructure Development Corporation(DSIIDC)

(hereinafter called the Authority/Lessor).

The expression the EXECUTANT shall unless it requires a different or another meaning include his heirs, successors, legal representatives, administrators and permitted assigns.

The expression the Authority shall unless the context it requires a different or another meaning include its successors and assigns.

2. Vide Appl. No. _____, my father/mother Sh./Smt. _____ as a Proprietor/Partner of M/s. _____ had applied for an industrial plot under Relocation Scheme in the year 1996 and deposited some amount.

WHEREAS M/s. _____ were not allotted/allotted a Plot No. _____, Pkt. _____, Sec. _____, measuring _____sq. mtrs. at _____ Indl. Area, Delhi by DSIIDC through its Proprietor/Partners:

I. Sh./Smt. _____ S/o/W/o _____
II. Sh./Smt. _____ S/o/W/o _____

3. AND WHEREAS my father/mother LATE Sh./Smt. _____ S/o/W/o Sh./Smt. _____, has expired on _____, at Delhi, leaving behind following legal heirs:

Sl. No.	Name of the Legal heirs	Age Years	Relationship of the Deceased
1.			
2.			
3.			
4.			

AND WHEREAS there is no other legal heirs of the said deceased except above mentioned.

4. AND WHEREAS I/We am/are now the sole claimant(s) to the said plot/refund amount.
5. And whereas the releaser(s) has/have relinquished their shares in the amount deposited against the above mentioned Appl. No. _____ by my Late father/mother in favour of Sh./Smt. _____ S/o/W/o Late Sh./Smt. _____, R/o- _____ who is also one of the legal heirs of the allottee.
6. AND WHEREAS my application is to the Lessor/Authority to substitute in its records my name in place of the name of my father/mother Late Sh./Smt. _____ S/o/W/o Sh./Smt. _____, deceased/Lessee/Sub-Lessee in respect of the payment deposited/said plot. The Lessor through the DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORPORATION, has agreed to do so on my first executing Bond to Indemnity the Lessor against all losses or damages which it may sustain by reason of any claims which may be set-up by other persons claiming to be the heirs of my deceased Late Sh./Smt. _____ S/o/W/o Sh./Smt. _____.
7. WHEREAS in consideration to the aforesaid agreement, the Executant Sh./Smt. _____ S/o/W/o Late Sh./Smt. _____ R/o _____, NEW DELHI, and his heirs, successors, executors and administrator jointly and severally undertake to keep Lessor harmless and indemnified against any concealment of material facts/mis-representation and all claims whatsoever against the amount to be refunded/refunded/aforesaid property of land or in respect thereon together with all interests, loss, damages, penalty, action, demand and cost of all kind, whatsoever arising out of this transfer/mutation.
8. IN WITNESS WHEREOF I, _____ S/o/W/o Late Sh./Smt. _____, signed and delivered this Bond on _____.

WITNESSES:-

1. Sh./Smt. _____

EXECUTANT

ID No.

2. Sh./Smt. _____

ID No.

On ₹100/- Stamp Paper
duly Notarized

INDEMNITY BOND

(For Refund of EMD/other deposits in case of loss of documents)

1. This INDEMNITY BOND is made at Delhi, on _____, by Sh./Smt. _____ S/o/W/o Sh./Smt. _____ R/o- _____, NEW DELHI-1100_____.

(hereinafter called the "EXECUTANT").

IN FAVOUR OF:-

Delhi State Industrial & Infrastructure Development Corporation(DSIIDC)

(hereinafter called the Authority/Lessor).

The expression the EXECUTANT shall unless it requires a different or another meaning include his heirs, successors, legal representatives, administrators and permitted assigns.

The expression the Authority shall unless the context it requires a different or another meaning include its successors and assigns.

2. Vide Appl. No. _____, executant Sh./Smt. _____ as a Proprietor/Partner of M/s. _____ had applied for an industrial plot under Relocation Scheme in the year 1996 and deposited some amount.

3. WHEREAS M/s. _____ were not allotted/allotted a Plot No. _____, Pkt. _____, Sec. _____, measuring _____sq. mtrs. at _____ Indl. Area, Delhi by DSIIDC through its Proprietor/Partners:

1. Sh./Smt. _____ S/o/W/o _____

2. Sh./Smt. _____ S/o/W/o _____

4. AND WHEREAS the executant is suffering from financial crises and made an application with DSIIDC for refund of EMD/other deposits/cancellation of allotment of said Industrial Plot but the original documents as listed below:-

was theft/lost from the possession of executant, FIR of the same is registered with Police Station concerned vide No. _____, dated _____, with P.S. _____, Delhi-1100_____, which are not traceable after her best efforts and the executant hereby declares that he/she had not given or assigned the above said documents and file to anyone nor dealt with the same, which are free from all sorts of encumbrances, such, as sale, Gift, Mortgage, Court Case, dispute etc.

5. AND WHEREAS on the faith and representation made by executant the DSIIDC has agreed to refund the EMD/other deposits/cancellation of the allotment of above said plot in the absence of above said original allotment letter/possession letter/lease deed and file on conditions that the executant first executes an Indemnity Bond in favour of DSIIDC/its officials on account of any loss or claim sustained by them.

6. AND WHEREAS in consideration of above said agreement the authority has agreed to refund the EMD/other deposit/cancellation of the allotment of said plot in the absence of original allotment letter/possession letter/lease deed and file, subject to conditions that the executant undertake to indemnify and shall always keep indemnified to the authority and its officials on account of any loss or claim sustained by it in case anyone claim for allotment of above said Industrial Plot on behalf of said lost/misplaced original allotment letter and file and/or any legal heir(s) of the executant and/or any third person on behalf of executant made any claim for allotment of Industrial Plot under Relocation Scheme against Application No. _____, and/or on behalf of M/s. _____, the executant shall be liable and responsible for the same and decision taken by DSIIDC OFFICIALS shall be binding upon the executant in all manners.

7. IN WITNESSES WHEREOF, the executant have signed and delivered this Indemnity Bond at New Delhi, in the presence of following witnesses:

WITNESSES:-

1. Sh./Smt. _____

EXECUTANT

ID No.

2. Sh./Smt. _____

ID No.