

Proceedings of the Special Officer & Competent Authority, Urban Land Ceiling:Hyderabad.

Present: Sri E. Ram Reddy, I.A.S.

Proc.No. F2/4/93.

Dated: 09-09-1993.

Sub: Urban Land (Ceiling & Regulation) Act, 1976 - H.U.A. - Statement U/s. 6(1) of the Act filed by Gurudev Siddhapeeth - Properties exempted under Section 19(1) (iv) of the Act - Orders Issued - Regarding.

Read: 1. Statement U/s. 6(1) of the Act filed by Gurudev Siddhapeeth Rep. By G.P.A. holder Satish Modi.

Mts

2. Verification Report from Enquiry Officer, dt. 17-06-1993.

-:0:-

O R D E R:

Sri Gurudev Siddhapeeth represented by its G.P.A. holder Satish Modi R/o. 1-10-72/2/3, Begumpet, Secunderabad has filed a statement U/s. 6(1) of the Act declaring the following properties held by the trust.

Sl. No.	Description of the property	Location	Sy.No. / H.No.	Extent
1.	Land with Building	Sarojani Devi Road,	1-8-179	2,658.11
2.	Vacant Land	Begumpet	Sy.No. 37, 38	6,561.38
3.	Land With Bldg.	Banjara Hills.	H.No. 6-3-344	2,376.00
4.	-do-	M.G. Road,	5-4-187/3 & 4.	880.30
5.	-do-	-do-	-do-	1,949.00

Total:

The statement was enquired into. Based on the enquiry and the documents available on record it reveals that all the properties are held by the declarant by name Gurudev Sidhapeeth which is a charitable trust.

Originally it was Sri Gurudev Ashram, A Charitable Trust registered under Bombay Public Trust Act, 1950 with P.T.R.No. A-484. The name of the said trust has been changed as Sri

Gurudev Sidhapest with the approval of the Dy. Charity Commissioner, Maharashtra, Bombay in Appl. No. 2 of 78, dt. 28-02-1978. The aims and objectives of the trust are for public charity purpose and not for any profit motive.

The properties held by the trust are discussed below:

1. Pre.No. 1-8-179, S.D. Road Secunderabad, Extant 2,658.11 Sq.

The trust has acquired an extent of 2,658.11 Sq.Mts. in Pre.No. 1-8-179, S.D. Road, Secunderabad through the following Registered Gift Deeds.

Sl. No.	Name of the Executor	Location	Regd. Doct. No. & Dt.	Extent in Sq.Mts.
1.	Pramodchandra Modi	1-8-179 SD Road.	1695/75 17-10-1974	769.21
2.	-do-	-do-	1855/71, 30-10-1971	1888.90
Total:				2658.11

Subsequently in the year, 1988 there was an exchange of deed between Girija ben Modi Charitable Trust and Gurudev Siddha Peetah which was registered as document No. P/172-6/1988 dated 14-7-1988. The declarant trust acquired the Pre.No. 1-8-169, S.D. Road, to an extent of 757.00 Sq.Mts. while releasing the same extent of 757.00 Sq.Mts. in Pre.No. 1-8-179, S.D. Road. As such there is no material change in the ext. except the location of the site.

As per the measurement sketch, the total extent of the premises held by the trust is 2,646.43 Sq. Mts. out of which an extent of 482.68 Sq.Mts. is affected in the road which is not taken for computation. The balance area will be  $2,646.43 - 482.68 = 2,163.75$  Sq.Mts.

The balance area of 2,163.75 Sq.Mts. is fully covered with (2) main buildings over an extent of 1,405.98 Sq.Mts. and 755.77 Sq.Mts. respectively constructed prior to the commencement of the Act. Therefore the entire area is protected U/s. 4(11) of the Act.

II. Vacant Land in Sy.No. 37 and 38 of Begumpet:

The trust has acquired the property in Sy.Nos. 37, 38 of Begumpet Vg. to an extent of 6,571.38 Sq.Mts. through a gift deed 1552/75, dt. 07-06-1975 from one Smt. Kusum P. Modi. As per the measurement sketch, the total area is 6,561.38 Sq.Mts. this is treated as vacant land.

III. Vacant Land in Pre.No. 6-3-343, Banjara Hills, Hyd:

The trust has acquired this property to extent of 2,376.00 Sq.Mts. at Banjara Hills, Hyderabad through a gift deed document 3576/75 dt. 21-08-1975 from one Sri Pravin-chandra M. Modi.

As per the measurement sketch the total area of the premises is 2,376.00 Sq.Mts. This correlates with T.S.No. 19, Ward 85, Block 'A' of Khairatabad Vg. recorded in the name of Sri Praveen Chandra M. Modi from whom the trust has acquired through registered gift deed. This is a vacant land.

IV. Pre.No. 5-4-187/3 & 4(P) at M.G. Road, Secunderabad:

The trust has acquired the Pre.No. 5-4-187/3 and 4 at M.G. Road, Secunderabad to an extent of 2,829.30 Sq.Mts. through two separate gift deeds as shown below:

Sl. No.	Name of the executor	Location	Gift Deed & Date	Extent in Sq.Mts.
1.	Satishchandra Modi, S/o. Manilal C Modi	5-4-187/3 & 4 (R), MG Road, Sec'bad	1929/71 16-10-71	1,949.00
2.	-do-	-do-	756/77 20-05-77	880.30
Total:				2,829.30

The total extent of both the gift deeds put together is 2,829.30 Sq.Mts. correlates in the same T.S.No. 4 of Bholakpur Vg. There are (3) non-dwelling units in this premises, constructed prior to the commencement of the Act as shown below:

	Sq.Mts.
1. M/s. Indian Iron & Steel Co. Shed	571.93
2. Office Room	157.68
3. Shops and Building	880.30

As they are non-dwelling units in nature each one is entitled for appt. land of 500.00 Sq.Mts. as shown below:

Total Area	Item No.	Plinth area	Appt. Land	Area protected U/s. 4(11)	Balance if any
2829.30	N.D.U.-I	571.93	500.00	--	--
	N.D.U.-II	157.68	500.00	--	--
	N.D.U.-III	880.30	219.39	--	--
2829.30		1609.91	1219.39	2,829.30	--

Therefore the entire extent of 2,829.30 Sq.Mts. is protected U/s. 4(11) of the Act.

In view of the foregoing discussions the properties held by the declarant trust are as follows:

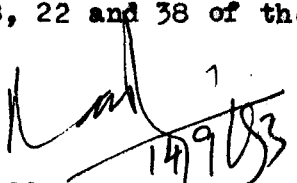
Sl. No.	Description of the property	Location	Total area	Area protected U/s. 4(11)	Vacant Land
1.	Land with Bldg.	H.No.1-8-179 & 1-8-169 S.D. Road.	26 2163.75	2163.75	--
2.	Vacant Land	Sy.No.37, 38 Begumpet.	6561.38	--	6561.38
3.	-do-	6-3-343, Banjarahills	2376.00	--	2376.00
4.	Land with Bld.	5-4-187/3, & 4, MG Road, Sec'bad.	2829.30	2829.30	--
Total:			13930.43	4993.05	8937.38

The total extent held by the trust namely Sri Gurudev Siddhapeet is 13,930.43 Sq.Mts. <sup>out</sup> of which an extent of 4,993.05 Sq.Mts. protected U/s. 4(11) of the Act. The vacant land held by the trust is 8,937.38 Sq.Mts.

The Public Charitable Trust Properties which required and use for any Public Charitable Purposes are not attracted by the provisions of Chapter-III of Urban Land Ceiling Act as ~~laid~~ laid down U/s. 19(1) (iv) of the Act as long as they utilise for the purpose of trust. The exemption provided U/s. 19(1) (iv) of the Act will cease as and when the trust intends to alienate the lands. In case the trust intends to alienate the lands the trust should obtain prior permission from the Govt. who will in turn consider, subject to the satisfying the following conditions as per the G.O.917 Revenue (U I) Department dt. 12-09-1989.

That the trust must obtain prior permission of the Commissioner (Endowment) Department or Wakf Board or the Government who will accord permission for alienation of such lands according to the Act or <sup>R</sup>ule applicable to them and also taking into the interests of the institution and the public.

This order is issued subject to the provisions of sub section (2) of section 6, 18, 22 and 38 of the Act, 1976.

  
14/9/83  
Special Officer & Competent Authority, Urban Land Ceiling, Hyderabad.

To:  
Sri Gurudev Siddhapeeth,  
Rep. by its G.P.A Satish Modi,  
1-10-72/2/B, Begumpet, Hyderabad 16.

Copy to Superintendent 'A' Section.