

Dt. 27th February 2004.

From:
Gurudev Siddha Peeth
Rep by Shri. Satish Modi
5-4-187/3 &4, M. G. Road,
Secunderabad – 500 003.

To
The Special Officer & Competent Authority
Urban Land Ceiling,
Hyderabad.

Dear Sir,

Sub: Submission of Property Tax Assessment Extracts
Ref: 1. Your Proc. No. F2/4/93 dated 29.01.2004
2. Our letter dated 24th February 2004.

Further to our letter dated 24th February 2004 please find enclosed herewith Property Tax Assessment Extracts for the property referred to as NDU I and NDU II in reference 1, situated at 5-4-187/3 &4/8, Karbala Maidan, Secunderabad for following years.

Sl. No	Year
1	1968 to 1974
2	1974 to 1977
3	1977 to 2004

We hope that these abstracts are adequate proof that the building existed before the commencement of the ULC Act. If you require any further information we will provide the same.

Thanking you,

Yours Sincerely,
For Gurudev Siddha Peeth.

Satish Modi

(Satish Modi)

Encl: Property tax assessment extracts 3 (Three) Nos

Date: 24th February 2004

From,
Gurudev Siddha Peeth
Rep by Sri Satish Modi
5-4-187/3&4, M. G. Rd.
Secunderabad.

To,
Special Officer & Competent Authority
ULC
Hyderabad.

Sub: Reply to your Proc. No.F2/4/93 dated 29-1-2004
Ref: 1. Our reply to the above proceedings dated 07th February 2004

Dear Sir,

This letter is further to our reply dated 07th February 2004 given to you in response proceeding No. F2/4/93, dated 29.01.2004.

This letter is in reference to one of the four properties, bearing No.5-4-187/3 & 4, M. G. Road, Secunderabad, owned by Gurudev Siddha Peeth and mentioned as the fourth property in reference 1 above.

This land was held protected u/s 4(11) vide Proceedings No.2/4/93 dated 9/9/93 as follows:

"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.Mtrs. is protected U/c. 4 (11) of the Act."

The buildings on this land were built before the commencement of the ULC Act. It was a well known fact that the area known as Karbala Maidan was in occupation of Indian Iron & Steel Corporation for more than three decades. The workshops of Indian Iron & Steel Corporation and Sundaram Motors on the adjoining land were land marks in the 60's and 70's. Indian Iron & Steel Corporation was a tenant of the Trust for over two decades and vacated the premises in the year 1992.

As proof of the above please find enclosed the following documents:

1. A copy of sanction plan No.237/E/1967, dated 25.09.1967 to 24.09.1968. This sanction plan is for the building referred to as NDU-III above. It is evident from this sanction plan that the building was constructed in the years 1967/68, well before the commencement of the Act. In the said sanction plan it can also be seen that the buildings referred above as NDU-I and NDU-II are clearly shown to be existing on the date of sanction i.e. in the year 1967/68. The

Satish Modi

sanction plan clearly shows that the above referred NDU-I and NDU-II were in existence in 1967-68 well before the commencement of the act.

2. Copy of lease deed with Bank of Baroda (Registered as Document No. 1643/77), dated 09.10.1973, for the portion of the premises referred above as NDU-III. This lease deed clearly shows that the building construction was completed and occupied by tenants well before 1976.

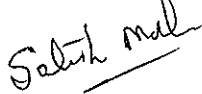
3. Copy of sanction plan No.106/E of 1962/63, dated 14.05.1962 in favour of Indian Iron & Steel Corporation. The sanctioned plan is for the buildings referred above as NDU-I and NDU-II. NDU-I and NDU-II were constructed more than a decade before the commencement of the act.

4. We have been able to locate the property tax assessment book in the Municipal Corporation of Hyderabad. Please find enclosed the extract copy from the assessment book for the year 1974 to 1976 and from 1976 to 1998 for the premises bearing No.5-4-187/3 & 4, referred to above as NDU-III. Unfortunately for the buildings referred to as NDU-I and NDU-II, we have not been able to get a certified copy as most of the staff are on election duty. We shall submit the extract copy of the property tax assessment book to your office in a day or two.

We hope that these documents are adequate proof that the buildings existed before the commencement of the Act. We are willing to provide any further assistance and documents, if required.

Thank You

Yours Sincerely,
(for Gurudev Siddha Peeth)



Satish Modi

Date: 7 February 2004

From,
Gurudev Siddha Peeth
Rep by Sri Satish Modi
5-4-187/3&4, M. G. Rd.
Secunderabad.

To,
Special Officer & Competent Authority
ULC
Hyderabad.

Sub: Reply to your Proc. No.F2/4/93 dated 29-1-2004

Ref:

1. Proc No F2/4/93 dated 9-9-1993
2. Govt Memo No 29446/UCII (2)/98-29 dated 21-11-02
3. Our representations dated 1-10-02 & 7-10-02
4. F2/1557/Corr./97 dated 1-2-2001 to the CCP MCH
5. Letter F2/570/Cor./98 dated 9/2/01 from SO ULC to P.S. Govt. of AP
6. Proc No F2/4/93 dated 29-1-2004

Dear Sir,

This reply is in reference your Proc. No. F2/4/93 dated 29-1-04, in accordance with Ref. 2. mentioned above.

Gurudev Siddha Peeth, a public charitable Trust registered in Maharashtra (with ashrams in over 40 countries), had several properties in the twin cities.

The Special Officer and Competent Authority ULC in proceedings relating to the properties of this Trust, in Hyderabad, vide Proc. No. F2/4/93 dated 9-9-93 conclusively held the following after due verification

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	2163.75	2163.75	---
2.	Vacant Land	Sy.No.37, 38 Begumpet	6561.38	---	6561.38
3.	- do -	6-3-343 Banjara Hills	2376.00	---	2376.00
4.	Land with Bldg.	5-4-187/3, & 4 M.G. Road Sec - bad	2829.30	2829.30	---
Total: -			13930.43	4993.05	8937.38

"... The Total extent held by the Trust namely Sri Gurudev Siddhapeeth is 13,930.43 Sq.Mts. out 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 down U/s. 19 (1) (1V) of the Act”

This order has since become final. The Government of Andhra Pradesh (Govt Memo No 29446/UCII (2)/98-29 dated 21-11-02) also agreed that there was “... no irregularity/impropriety in passing the said orders nor irregularity in the procedure followed”.

Subsequent to the above referred order there have been developments on the properties owned by the Trust. Each of the four properties are dealt with hereunder separately.

1. Pre No 1-8-179, S. D. Road Secunderabad; Extent 2658.11 sq. meters

This property was declared as protected u/s. 4(11) of the act, vide Ref 1. above, as there were structures on this land constructed before the date of commencement of the act.

It is surprising that the enquiry officer has found that the Trust demolished the structures. There is an obvious mistake made since the Trust has sold the land with structures to Haryana Seva Sangh vide doc no 4315 of 93. This matter was investigated by the ULC department and an NOC was issued by the ULC department vide proc F2/1557/Corr./97 dated 1-2-2001 to the Chief City Planner MCH. The said letter has dealt with the case in detail and the enquiry officer should have taken cognisance of the facts of the case instead of coming to such incorrect conclusions. The demolition of structures was made by Haryana Seva Sangh and that to only after taking an MCH sanction for construction. **Thus, Gurudev Siddha Peeth had only sold protected property.**

At the time of inspection by the EO this land was covered by a two storied building and it is incorrectly mentioned in Ref. 6. cited herein above that the land was found to be vacant. Please find enclosed herewith a recent photograph depicting the present status of the said land.

2. Vacant land in Sy No 37 and 38 Begum pet

The order via “Proceedings No.2/4/93 dated 9/9/93” held that an extent of 6561.38 sq. meters of vacant land in Survey No.37 and 38, Begumpet, Hyderabad was vacant. The order states that the Trust is entitled to hold vacant land as per section 19(1) iv of the act. The order further stated that in terms of G.O. No.917 dated 12-9-1989 permission of Endowment Commissioner was to be taken before vacant land could be transferred. GSP had already obtained permission from the Charity Commissioner, Maharashtra, the relevant Endowment Commissioner, who accorded permission in the interests of the Trust, keeping in mind the long litigation and involvement of criminal elements on this property. Thereafter apartments were made and handed over to the occupants.

The ULC dept. had subsequently issued a show cause notice saying that provisions of the ULC & R act were violated. The Trust filed a writ petition (W. P. no 5547/99) in the High Court challenging the same. The Court allowed the writ saying that the Trust had not violated any provision of the ULC act. On appeal by the ULC department (W. A. 451/2000), the Divisional Bench of The Hon. High Court of A. P. allowed the appeal of the ULC department, stating that they are not going into the merits of the case till the ULC dept. passes an order on the show cause notice. The order stated further that in case, the ULC office passes an order unfavorable to the Trust, it was free to once again approach the court.

During this period, an application for exemption u/s 20(i) of the act was made by the Trust, to the Govt. of A.P., for permission to transfer the land to the apartment buyers. This was being processed and the comments of the ULC Department were called for. **To this the SO ULC has stated that the Trust has not violated the provisions of ULC Act and therefore there was no scope for launching any prosecution against the Trust and has also**

recommended to. Govt. of AP, that exemption may be considered. The application for exemption is still pending with the Govt.

The Govt. of A.P. has now issued G.O.455 dated 29/7/2002 where in the occupants of vacant land can ask for allotment of excess vacant lands that vested with the Govt. under section 10(3) or for vacant lands that may vest with the Government in future. Residential apartments have been constructed in the said land pursuant to the construction permission granted by the Municipal Corporation of Hyderabad. The apartments are presently in the possession of 3rd parties. The Occupants of the buildings were desirous of seeking remedy under G.O. 455 for the land under their occupation so as to resolve a long standing matter.

As the exemption application is pending with the Govt., for the last six years, to avoid hardship to the purchasers the Trust has ultimately decided to avail the remedy under the aforesaid GO MS 455 by co-operating with the purchasers solely to put an end to the ordeal.

We are given to understand that, in order to allot land to 3rd parties under the above mentioned GO, as desired by the above cited occupants, the ULC office requires proceedings to be completed under section 10(3) of the act. Consequently, we had informed the ULC office vide our letter dated October 1st 2002, that we have no objection to the required proceeding to be initiated and brought to the said 10(3) stage to help ensure that allotment is given in favour of the occupants.

Therefore we request you to kindly accept these applications and process the same at the earliest.

3. Vacant Land at Pre No 6-3-343, Banjara Hills, Hyderabad

It may be noted that the Trust filed a declaration saying that there was a shed on this land prior to 1976 but the ULC department had held in Proceedings No.2/4/93 dated 9/9/93 that this entire land of 2,376 sq. meters is vacant. This order has since become final.

The Trust as per the earlier proceedings and by virtue of Section 19(1)(iv) is entitled to hold this land. The land is still in its original state.

4. Land with Building at Pre No 5-4-187/3 and 4 M.G. Road Secunderabad

This land was held protected u/s 4(11) vide Proceedings No.2/4/93 dated 9/9/93 as follows:

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

<i>Total Area</i>	<i>Item No. Plinth Area</i>	<i>Appt. Land</i>	<i>Area Protected U/s. 4 (11)</i>	<i>Balance if any</i>
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	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.Mtrs. is protected U/c. 4 (11) of the Act."

A portion of this protected land was proposed to be sold to M/s. H. P. Constructions Pvt. Ltd.. However, M/s. H. P. Constructions Pvt. Ltd. has defaulted in its commitments to the Trust and the matter is pending in the City Civil Court, Secunderabad vide O. S. No. 358/94 (copy enclosed). An application to MCH and HUDA was made to develop a building on this protected land. The N.D.U. - I admeasuring 571.93 sq. meters, as mentioned in Ref. 1. herein above was illegally removed by M/s H. P. Constructions Pvt. Ltd. **It is a protected property under the Act.**

In conclusion, **the Trust has not sold any vacant land so far; only protected properties u/s 4(11) have been sold.** In light of the above, **there should be no change in the Proceedings No.2/4/93 dated 9/9/93 except with reference to the land in Sy No 37 and 38 Begumpet.** This land can be treated as vacant so as to enable the said occupants to avail the remedy under GO Ms 455 dated 29/7/02.

Finally, **there is no question of the Trust selling any property for profit.** The concept of profit in case of the present Trust cannot be applied since whatever monies or properties that the Trust acquires or gets by way of gifts or otherwise, including income, form part of the assets of the Trust, which are to be used only to fulfil its objectives.

We request that an opportunity of a hearing may also be accorded to us through our counsel, if, for any reason, or any issue, the reply is not found to be satisfactory.

Thank You

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Satish Modi
(for Gurudev Siddha Peeth)



List of Documents Submitted

- ① Haryava seva sang sale deed
- ② 2 latent Photographs
- ③ Haryava seva sang deed
- ④ Sha Manu - MUMET sale deed
- ⑤ up limits - OS 358/94 - copy.

Dt. 27th February 2004.

From:
Gurudev Siddha Peeth
Rep by Shri. Satish Modi
5-4-187/3 &4, M. G. Road,
Secunderabad – 500 003.

To
The Special Officer & Competent Authority
Urban Land Ceiling,
Hyderabad.

Dear Sir,

Sub: Submission of Property Tax Assessment Extracts
Ref: 1. Your Proc. No. F2/4/93 dated 29.01.2004
2. Our letter dated 24th February 2004.

Further to our letter dated 24th February 2004 please find enclosed herewith Property Tax Assessment Extracts for the property referred to as NDU I and NDU II in reference 1, situated at 5-4-187/3 &4/8, Karbala Maidan, Secunderabad for following years.

Sl. No	Year
1	1968 to 1974
2	1974 to 1977
3	1977 to 2004

We hope that these abstracts are adequate proof that the building existed before the commencement of the ULC Act. If you require any further information we will provide the same.

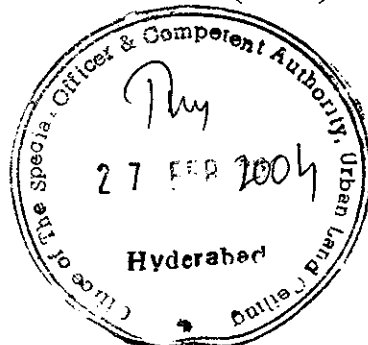
Thanking you,

Yours Sincerely,
For Gurudev Siddha Peeth.

Satish Modi

(Satish Modi)

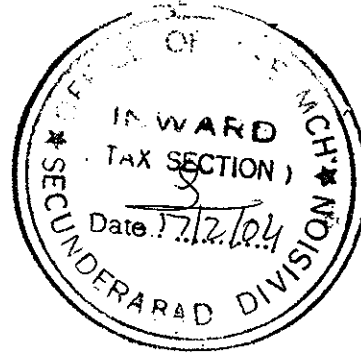
Encl: Property tax assessment extracts 3 (Three) Nos .



From,
Gurudev Siddapeth,
5-4-187/3 & 4/8
M. G. Road,
SECUNDERABAD.

Date: 09.02.2004

To,
The Asst. Assessor & Collector,
Municipal Corporation of Hyderabad,
SECUNDERABAD Division.



Dear Sir,

Sub: Request for issue of Assessment Abstract for the year 1970-71.
Ref: Premises No. 5-4-187/3 & 4/8 Karbala Maidan, Secunderabad.

With reference to the above we request you to issue Assessment Abstract for the year 1970-1971. The necessary fees will be paid. We are herewith enclosing Gift Settlement.

Kindly do the needful immediately.

Thank You.

Yours Sincerely,
For **Gurudev Siddha Peeth,**


[G. KANAKA RAO]