GOVERNMENT OF ANDHRA PRADESH

Lr. No. 13211/Dsk.25/94 Date: 22-09-1994.

NOTIFICATION

The Azamabad Industrial Area (Termination and Regulation of leases) Act No. 15 of 1992 published in the A.P. Gazettee on 03-06-1992 and it has come into force w.e.f. 11-07-1992. According to Section 3(1) of the Act, all leases or other arrangements made or entered into through a registered deed or otherwise in respect of all demised plots in the Azamabad Industrial Area, shall stand terminated on the appointed date a thereupon all sub-leases or any other arrangements whatever made the person in occupation to hold possession of the demised plot shall nd annulled and every such demised plot shall vest in the Government from all encumbrances and shall be used subsequently for industrial purpose only. According to Section 23(a) and (b) of the Act no suit or other proceeding shall be maintained or continued in any court or before any authority for the continuance of the lease, sub-lease or other arrangement or for the leasee, sub-leasee or person in occupation staying on the demised plot and all such proceedings shall abate and no court shall enforce any decree or order directing the continuance of the lease, sub-lease or other arrangement to be in occupation of the demised plot.

The Hon'ble High Court of Andhra Pradesh, Hyderabad while dismissing the writ petitions filed challenging the constitutional validity of the Act, in it's order pronounced on 18-08-1994 has upheld the constitutional validity of the Act.

All the persons who were in occupation of plots/ portions of plots in Azamabad Industrial Area as on 11-07-1992 i.e., the date on which the Azamabad Industrial Area (Termination and Regulation of lease) Act No. 15 of 1992 came into force and who have been using the said plots for industrial purpose and carrying on the industrial activity and who have not made application for grant of Fresh lease, are hereby informed to file their applications in the form prescribed vide Annexure to the Azamabad Industrial Area (Termination and Regulation Act) Act Act No. 15 of 1992 Rules (See Rule 4(1) of the rules) in quardruplicate with the Commissioner of Industries (Competant Authority Azamabad Industrial Area), Chirag Ali Lane, Hyderabad on or before 31-10-1994 for grant of fresh lease in accordance with the provisions of the Act. The Application forms can be obtained from the Centralised Documentation and Clearances Ce (CDCC), Office of the Commmissioner of Industries, Hyderabad payment of Rs. 10/- on any working day during the office hours.

Occupants who do not submit their application for fresh lease on or before the due date will be treated as un-authorised occupants and action will be initiated for their eviction as per sections 5(1), 6(1) and (2) and 7 of the Act.

Sd/-
(P.C. PARAKH)
COMMISSIONER OF INDUSTRIES &
COMPETENT AUTHORITY,
AZAMABAD INDUSTRIAL AREA: HYDERABAD.

No. 578/CL/Advtl/C2/94.

LEASE RIGHTS AT AZAMABAD

SC pulls up State Govt

From Our Legal Correspondent

New Delhi, May 3: A division bench of the Supreme Court, comprising Justice Kuldip Singh and Justice Venkatachala, has pulled up the Andhra Pradesh Government for its stance on leasehold rights of lessees of Azamabad Industrial Area in Hyderabad.

The bench earlier heard various counsels appearing for lessees of the prime land in the city. They had challenged the vires of the Azamabad Industrial Leases Termination Act. The High Court had upheld the validity of the Act.

When the matter came up before the Supreme Court in appeal, the bench heard the State Advocate-General, Mr S Ramachandra Rao, and directed the government to present a 'status-report'. The bench on the occasion specifically wanted the State government to examine the possibility of extending the lease in favour of genuine original, industrial licences by converting into freehold rights.

The matter had its echo on the floor of the State Assembly with opposition leaders questioning the bona fides of the government and its counsel. The Chief Minister then announced that the interests of the government would be safeguarded. At this stage the Advocate-General wrote to the Chief Minister withdrawing from the case.

On Tuesday, Mr Kapil Sibal, senior counsel, was engaged on behalf of the government. In his absence, Mr N Subba Reddy presented the 'status-report' which classified the 'occupants' into four categories. Even as Mr Subba Reddy spelled out the stand of the government that to the bona fide industrialists, the land would be alienated at 75 per cent of the market value, Justice Kuldip Singh observed, "you are showing your true colour. You want to exploit."

Mr K Parasaran, senior counsel leading the batch on behalf of the Appellants, pointed out that the 'status-report' contradicted the preamble of the enactment' and said that the matter must be heard on merits. He argued that while the preamble of the Act justified the legislative Act in view of misuse by lessees, the 'status-report' presented facts to the contrary.

When Mr Subba Reddy, counsel appearing for the State government, argued that the government had the power to grant lease for 25 years under the Act, Justice Kuldip Singh quipped, "Who will believe the government?"

Adjourning the case to August 29, the bench aired its optimism by referring to the Advocate-General (who was conspicuously absent following his withdrawal from the case), Justice Kuldip Singh said that the Advocate-General would hopefully come forward with more positive proposals.

SC contempt notice to Thackeray: Page 9

DC. 26/2/1998

DECCAN CHRONICLE, HYDERABAD

State approves draft Bill on Azamabad

FROM OUR BUREAU

Hyderabad, Feb. 26: The State Cabinet on Thursday approved a draft Bill to amend Azamabad Industrial Area Termination and Regulation of Lease Act.

The Bill, which is to be introduced in the ensuing Assembly session, has been prepared as per the suggestion of the Supreme Court following a dispute over leasehold period and other related matters.

In the revised Bill, government will have power to revise lease rent, terminate existing leases after giving due show cause notices, grant free lease on government land in Azamabad industrial area in the heart of the city.

Briefing reporters after three-hour Cabinet meeting presided by Chief Minister N Chandrababu Naidu, Finance Minister P Ashok Gajapathi Raju said Rs 90 lakh had been approved as interest-free loan to AP Small Scale Industries Development Corporation towards implementation of Voluntary Retirement Scheme to all eligible staff in the ceramic factory at Gudur. Information and Public Relations Minister T Sitaram was also present.

Cabinet approved separation of cooperative society audit from the purview of AP State Audit Act as recommended by Ramamurthy Committee as part of administrative reforms. Cooperative audit will henceforth be under Registrar of Cooperative Societies. Among other things, it has also sanctioned Rs 1.95 crore to University of Health Sciences for establishment of a cancer hospital at Mangalagiri on the land donated by Yarlagadda Venkaiah Choudhary, Rs 1.12 crore to the same university to meet recurring expenditure following increase of 50 seats in Siddhartha Medical College Vijayawada and approved creation of surgical medical unit at S V Medical College.

The Finance Minister said the Cabinet reviewed at length the problems of cotton farmers, the spate of suicides and the relief measures initiated by the government. Asked whether any decision had been taken to implement the rural indebtedness act, he replied in the negative saying the issue needed wider debate since it would have wider repercussions.

When cornered by reporters on what the Cabinet has decided to check the continuing suicides by cotton farmers, the Minister parried the question saying he would not like to go into further details on it. "I have the information but I do not want to reveal it for good reasons," was his comment when a reporter wanted to know the number of suicides by cotton farmers so far. Meanwhile, it is learnt that some ministers complained to Naidu about some party leaders who indulged in anti-party activities in the just concluded LS elections and sought action against them. Naidu told them that he would take action against erring partymen after going through Assembly segment-wise reports on the subject and after hearing from party leaders.

Land alienation: CM's offer to Opposition

From Our Staff Reporter

HYDERABAD, April 18.

The Chief Minister, Mr. N. T. Rama Rao, has iterated the commitment not to alienate lands r the benefit of private individuals and said the ses relating to such lands would be tackled to e advantage of the Government.

Intervening in the Assembly on Tuesday in sponse to a question tabled by Mrs. Y. Sitadevi id A. Brahmanaiah (both TD) with regard to 6 acres of land at Azamabad Industrial Estate Hyderabad which was leased out to private dividuals to set up units, the Chief Minister ected the plea made by Mr. Ch. Vidyasagar o (BJP) and Mr. M. Kodanda Reddy (Cong-I), refer the matter to a House Committee but ered to sit with floor leaders to evolve a meth- to get the lands back.

Mr. Vidyasagar Rao, being an advocate, ould provide all information he had with re- rd to the 'valuable lands' to the Advocate- neral and the senior lawyer appearing before Supreme Court if he was interested in pro- ting these lands, so that the Government uld be in a better position to win the case.

mand of House panel rejected

The Higher Education Minister, Mr. G. Mud- krishnama Naidu, who answered the ques- n. on behalf of the Chief Minister earlier, ected the Opposition demand for a House nmittee. The Opposition, however, was sub- d following the statement by the Chief Minis-

The sum-up of what Mr. Muddukrishnama idu said was that the 136 acres of land was sed out for a rent and premium of Rs. 25 and Rs. 2,000 an acre a month respectively. The rent was raised to Rs. 100 in 1944. In course of time, some of the original lease-holders had sub-leased the land to other persons, collecting huge amounts as rent but paying only nominal sums to the Government. The result was that most of the land was not used for setting up industries as was originally stipulated by the Government but used for other purposes. In place of industries, even residential buildings had come up.

Explaining the present situation, the Minister said that out of 136 acres, only 104 acres were used now, 19 acres by Government corporations and 80 acres by private individuals. A sum of Rs. 44,000 a month was coming by way of rent to the ex-chequer.

The Minister said the present market value of the land in question was Rs. 3,000 to Rs. 4,000 a square ft. Following a suggestion by the Supreme Court, the Government called for applications from genuine users with a view to renewing the agreement but only 70 had responded. It was contemplated to raise the monthly premium to Rs. 500 for a square feet.

Corruption alleged

Alleging corruption on the part of the Government, Mr. Kodanda Reddy said the land was valuable and a lot of money had changed hands. He wanted to know why the Government kept quiet over such a vital issue for long. Joining the issue, Mr. N. Raghava Reddy (CPI-M) wondered how the member could talk like that as the Congress(I) Government during its rule for the past five years had don[illegible]thing on the issue.

When his plea for a probe by a House Committee was rejected, Mr. Kodanda Reddy sought at least 'half an hour discussion' on the matter so that he could throw more light on the subject and the Minister acceded to his demand.

At one stage, Mr. Ch. Rajeshwara Rao (CPI) sought the Speaker, Mr. Y. Ramakrishnudu, to direct the Government to place a report on the table of the House and call the Opposition for talks. The Speaker, however, rejected the plea.

DECCAN CHRONICLE

17/2/04

GOVERNMENT OF ANDHRA PRADESH

COMMISSIONER OF INDUSTRIES AND COMPETENT AUTHORITY, HYD.

NOTIFICATION

Calling for applications for grant of freehold rights in the Azamabad Industrial Area, Hyderabad under the provisions of Azamabad Industrial Area (Termination and Regulation of Leases) (Amended) Act 1 of 2000.

It is hereby brought to the notice that the Azamabad Industrial Area (Termination and Regulation of Leases) Act, 1992 has been amended and the "The Azamabad Industrial Area)Termination and Regulation of Leases) (Amendment) Act 2000" (Act 1 of 2000) came into force with effect from 17-02-2000. In exercise of the powers conferred by Section 21 of the Act, 1992, Government have amended the rules and a notification was published in the Andhra Pradesh Gazettee dated 07-03-2002.

The Government have taken a conscious decision to encourage shifting of industries from Azamabad Industrial Area which is presently surrounded by thickly populated residential areas and decided to extend the opportunity for industries to exercise option for converting the leasehold rights into freehold rights at 75% of the market value which was prevalent in February, 2000. Government while considering the above price, has decided to grant the following concessions for extending freehold rights in the Industrial Area, Azamabad, Hyderabad.

1. According freehold rights duly exempting from payment of fees as applicable for this purpose.
2. Exemption from payment of fees for land use conversion under relevant Act and Rules.
3. Exemption from the provisions of Urban Land Ceiling Act and waiver of fees payable for according such exemption.
4. Preference in allotment of APIIC land at 15-20% rebate on land cost in case of relocation in APIIC areas.

In view of the above, applications are invited in the prescribed format (available with Commissionerate of Industries) from the occupant industrialists for grant of freehold rights as per the rule 4 (1) of Act 2000 who are carrying on industrial activity as on the appointed date i.e..., 17-02-2000 and not attracting the provisions of Section 3(1)(b) of the Amended Act 1 of 2000, to reach this office within 30 days from the date of issue of this Notification.

Sd/- **Sameer Sharma, IAS**

Commissioner of Industries and Competent Authority.

No. 2989/CL/Advt/03-04.