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for Saham Modi

GOVERNMENT OF TELANGANA
DEPARTMENT OF INDUSTRIES
NOTICE

No.No AIA-Azamabad/25(1)&27(1)/2022 /2023-3, Dated: 14-08-2023

Subj: State Cell - Conversion of lease land to free hold rights. Demand notice issued to M/s.Meera Industries, Plot No 25(1) & 27(1), AIA, Azamabad, Hyderabad District. Failed to pay 100% of the demanded amount in the note within time limits-Issue of state lease notice before initiating eviction proceedings - Regarding

- Ref: 1 Government memo No. 501/IP&INF/A1/2018, Dt: 29/08/2022, 1
2 Government memo No. 501/IP&INF/A1/2018, Dt: 02/02/2023, 2
3 Your application Dt: 10.10.2022
4 Demand Notice No.No AIA Azamabad- 25(1)&27(1)/2022, dated: 18.10.2022 of Pdt. Secy to Govt.

With reference to your application 3rd cited, wherein you have requested to regularize the demised plot in Azamabad Industrial Area, Azamabad. It is to inform that, the Nizam Government during the year 1927 formed a committee consisting of (i) superintending Engineer, City Improvement Board (ii) Commissioner, Municipal Corpn. of Hyderabad, (iii) Commissioner, City Police Br., The Director, Commerce and Industries and (iv) Superintending Engineer, Electricity to select an area for industries and factories. The committee acquired the land to an extent of 136 acres and 4 guntas in Azamabad from out of the funds provided by the Industrial Trust Fund. Later the total area was divided into 86 plots of different sizes and leased out to industrialists for industrial purpose for a period of 99 years. The Superintending Engineer, City Improvement Board had handed over the plots in Industrial Area to the Industrial Trust Fund, through his Lr No. 9/37 F/7018, dated 29/12-1952. To curb misuse of unauthorized use of Government land, other irregularities, violations and to prevent non-industrial use and to have uniform terms and conditions of lease

Not available

the Government has enacted Azamabad Industrial Area (Termination and Regulation of Leases) Act 15 of 1992.

Under Section 3(1) of the said 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, stand terminated on the appointed date i.e., 11-07-1992 and consequently, all sub-leases or any other arrangements whatsoever made by the person/entity in occupation to hold possession of the demised plot stand annulled and every such demised plot vests in the Government free from all encumbrances and shall be used subsequently for industrial purpose only.

Section 4(1) of the Act, says on the termination of the lease or other arrangement under subsection (1) of section 3, the person in occupation may, at his option apply for a fresh lease in the manner prescribed.

The Government also issued rules under the Azamabad Industrial Area (Termination & Regulation of Leases) Act, 1992, vide G.O. MS No. 155 Inds. Com (IF Cell) Dept. dated 06/04/1992 and the Commissioner of Industries appointed as Competent Authority under the Act vide G.O. M No. 154 Inds. & Com (IF Cell) Department dated 06/04/1992.

Press Notification was issued on 22/09/1994, informing all leases or other arrangements made or entered into through registered deed or otherwise in respect of all demised plots in the AIA, shall stand terminated on the appointed date thereupon all sub-leases or any other arrangements whatever made by the person in occupation to hold possession of the demised plot shall vest in the Government free from all encumbrances and shall be used subsequently for industrial purpose only. All persons who were in occupation of portions of plots in AIA as on 11.07/1992 i.e. the date on which the AIA Act No. 15 of 1992 came into force and who have been using the said plot for industrial purpose and cannot

of freehold rights to the industrial of Azamabad Industrial Area. Accordingly, Section (3) of the AIA Act No. 1 of 1992 has been amended to terminate all leases, sub leases or other arrangements made or entered into through a registered deed or otherwise in case of misusing the land for other purposes, unauthorized sub-letting or transferring the plots or portions, entering into disguised partnerships or violation of any terms of the lease deed as per section 3 sub section (h) and All those lessees who do not fall under section 3 sub section(h) were to be entitled to a grant of fresh lease from the appointed date and in lieu of the renewal of lease may opt for free hold rights in respect of demised plots.

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Further, the Government vide Memo No. 15511/1F Cell/A1/2003 dated 03-02-2004 decided as follows and requested the Commissioner of Industries to take action accordingly.

9. For such of those lessees, who are willing to shift immediately, the Commissioner of Industries, was authorized to collect such 'Quit Rent and premium' which is not disputed in any Court of Law i.e. prevailing upto 1983 till according the freehold rights to such lessees
10. For such of those lessees, who are not willing to shift out of the Azamabad Industrial Area, the Commissioner of Industries, was authorized to impose heavy Premium and quit rent as indicated below, as a matter of deterrent for continuing industrial Activity in Residential area.

A premium of Rs.500 per square yds and in all the cases, and A Quit Rent 16% of the value in the land prevailing at the beginning for the lease year to be paid in lump sum before grant of extension of lease. Lease was to be allowed only for existing units to be renewed on annual basis as long as the valid industrial activity is taken up

Press notification was issued for grant of free hold rights in Azamabad Industrial Area under the provisions of Act 1 of 2000. Applications were invited in prescribed format from the occupant Industrialist for grant of free hold rights as per rule 4(1) of Act 2000 who are carrying out an Industrial activity as on appointed date that is 17/02/2000 and not attracting provisions of Sec. 3 (1) 1 of the amended act 1 of 2000 within 30 days from the date of notification i.e. 17/02/2004.

The Principal Secretary to Government, Industries & Commerce Department has directed vide memo no. 2901/Prl.Secu/Inds/Pestd 2020 Dtd 29.01.2020 the GM, DIC, Hyderabad to conduct a Joint Inspection with the officials of Revenue Department under the guidance of concerned District Collector to ascertain status of utilization of the lands allotted to industrial units.

The General Manager, District Industries Centre, Hyderabad has submitted Joint Inspection report on 01/04/2022. As per Joint Inspection report there are 58 units including TSRTC Plots are in possession.

The Cabinet subcommittee for resource mobilization, in its meeting held on 25.6.2022 have decided to extend freehold rights to all the units in the AIA estate. Remote meetings were conducted on 05.07/2022 and 16.07.2022 with the Chief Secretary, on the course of action to be adopted for extending freehold rights to the occupants of land in three Industrial estates.

After careful examination, Government vide memo no. 501/IP&INF/A: 2018, Dated 29/08/2022 has decided to issue for freehold rights to units in Azamabad Industrial Estate by categorizing the units and fixing the rates for these two categories of units as

- 13) original allottees and units working: rates of registration rules

14) others: 200% of Registration value which was subsequently modified

others viz sub-tenants and whoever has occupied under any arrangement with the original lessees or otherwise was viable and justified for the categorisation.

15) MD, TSIC was nominated as competent authority/nodal agency.

Further, the Government vide Proceedings No 41/Prl Secy P. Secy 2022
Dated 14/10/2022 has created a dedicated cell to handle all matters related to Azamabad, Balanagar and Hafeezpet Industrial Lease Lands to free Hold

It is once again informed that lease period of Azamabad Industrial Area, Azamabad has terminated by virtue of the provisions of the Azamabad Industrial Area (Termination and Regulation of Leases) Act, 1992 and the possession of land vested with Government. Large number of requests have been made for giving free hold rights to the existing units of demised plots in the estate.

In such a factual matrix, your application has been received, wherein you have requested to grant freehold rights of the demised plot in Azamabad Industrial Area, Azamabad.

As per the memo no 501/IP&INF /A1/2018 dated 29.08.2023, your application was considered and accordingly, you were required to pay 25% of the total amount within the stipulated date and in the event of delay, the time extended with interest at 12% upto 31.03.2023. Your approach is highly deplorable as the amounts were to be paid in strict adherence with the timelines. Your failure to pay the money as required amounts to non-acceptance and resting from the obligations entitling us to proceed for your eviction. It is noted.

to state that by virtue of the amended provisions of the Act No. 1 of 2004, you have requested for freehold rights, but you have failed to avail the provision for conversion from leasehold to freehold. It is significant to mention that you have failed to remit the agreed premium and have been a willful default. You have also by letting the demised premises on further lease committed an offence under the conditions of the original lease entitling the lessor to evict you. In violation alone in any case you have been in possession of the demised premises and your possession is unauthorized and you are a trespasser on public premises and a squatter on the public property.

We, therefore, hereby call upon you to avail the benefit of compensation of demised premises from leasehold to freehold as per the prevailing registration value by 31.08.2023. Else, the State Government shall be compelled to exercise the appropriate legal recourse for your eviction from the aforesaid premises and for damages and compensation by way of mesne profits at Rs. 70 lakhs per month holding you responsible for all costs and consequences thereof.

[Signature]
Principal Secretary to Government S.G.P.
Industries & Commerce Dept.
Govt. of Telangana

To,

M/s. Meera Industries,
Plot No.25/1 & 27/1, AIA, Azamabad, Hyderabad
Hyderabad District

Received on 22/8/23
[Signature]