

No: IPI/P-6/Policy/5/2013 / 665
Dt: 13 June, 2013

OFFICE ORDER (11 /2013)

Sub: Policy for settlement of dispute in cases where possession of plot could not be handed over to the allottee free from encumbrances.

An agenda item (2) was placed before the IDC in its meeting held on 29.05.2013. The Committee has accorded approval as under:

(A) General Provisions:

1. No disputed plot/land should be allotted by the unit offices. Only undisputed plot/land should be allotted and that too after proper demarcation at site.
2. After deposition of full land cost, the unit office will inform the allottee to take physical possession of plot. The intimation will be given as per rule by a registered A/D post or by Courier. Physical possession of the allotted land will have to be taken by the allottee within 30 days after deposition of full cost of land, the modalities of which have been stipulated in Corporation's office order No.IPI/P-6/IDC/2KX/3632 dated 5th March 2010. In case, possession of the allotted plot is not taken by the allottee within the prescribed period, then their claim for waiver of various charges due to dispute on the plot reported later on will not be entertained by the Corporation.
3. The allottee will be required to raise boundary wall/fencing within 6 months from the date of physical possession. During this period, if any dispute regarding un-authorized possession/encumbrances over the allotted land etc. is found, will have to be reported by registered post alongwith full details to the unit office concerned. In case, the dispute as cited above is not reported within the above period, then the subsequent request of the allottee for waiver of any charges will not be entertained.

(B) Provisions to resolve the dispute on part land:

1. If the dispute is about a small part of the allotted land area which is not affecting the building plan/construction of factory shed/commencement of activity etc., then the disputed area will be reduced, after taking an

undertaking from the allottee that the such reduced area would be got re-allotted to them after resolving the dispute. The cost of this reduced land area will be refunded to the allottee as per rule, if so desired by the allottee. If the allottee is not desirous to take refund of the reduced area, then the cost of land towards this area will remain with the Corporation but no interest will be payable on this amount. However, the allottee would pay all the applicable land dues, as per prescribed schedule, as and when due. Further to above, the setback towards the affected area will also be suitably relaxed, if required, for the proposed building plan.

(C) Provisions to resolve the dispute on substantial/full plot area:

1. If the dispute is reported on substantial area of plot/full plot area, then allottee will be given following options:
 - a. The entire amount deposited by the allottee will be refunded with interest as per rule without any deduction. The allottee has to make such request within prescribed period of 6 months from the date of physical possession.
 - b. Alternate plot of (+/-) 15% of the allotted plot size, if available, will be allotted in exchange of the allotted plot in the same/other industrial area with the approval of the Management. In that case, the period of completion of construction and commencement of production activity will be reckoned from the date of exchange of alternative plot.
 - c. If the allottee agrees to retain the same plot, then the period for completion of construction and commencement of production activity will be reckoned from the date of resolving the dispute. The allottee will have to pay the cost of land as per the prescribed schedule and no waiver of interest on delayed payment will be admissible. However, no service charges will be levied for the disputed period but the economic rent shall be paid by the allottee as per rules.

The above dispensation (B & C) shall be available for a period of one year, i.e. 1.6.2013 to 31.5.2014, and shall be applicable to the old cases pertaining to period upto 31.5.2013.

All unit heads are directed to move a drive to resolve pending disputes of such nature within the period of this scheme.


Advisor (Infra)

13/6

Order & Compliance 29.05.13