

No. LW/PL/1435-VI

Dated 24/08/2017

**NOTICE FOR INVITING COMMENTS/SUGGESTIONS FROM THE
PUBLIC/STAKE HOLDERS ON RENEWAL OF LEASE.**

Sub: Invitation of Public Opinion on proposal of land lease case to be submitted to the Empowered Committee, Ministry of Shipping as approved by the Board on dated 02-08-2017 for Renewal of lease for a period of 30 years (Without Renewal Option) in respect of Plot No.1 admeasuring 36 sq. mtrs. situated near Port Colony, New Kandla, allotted to late Shri V.B. Dafda for the purpose of Flour Mill as per the Amended Policy Guidelines for Land Management by Major Ports, 2014.

Public Opinion/Comments/Suggestions are invited on the following renewal of lease case as approved by the Board vide Resolution No. 35 dated 02-08-2017 for submission to the Empowered Committee for final approval.

The Public Opinion/Comments/suggestions may be forwarded to the Chief Engineer, KPT and SE(Kandla Land),KPT on or before 13/09/2017 Details of the proposal to be submitted to Empowered Committee are described below.

The Kandla Port Trust had allotted a plot No.1 admeasuring 36 sq. mtr situated near Port Colony, New Kandla was allotted to Late Shri V.B. Dafda, on 30 years lease period commencing from 25-11-1976 to 24-11-2006 for the purpose of Flour Mill and lease deed has been executed with Kandla Port Trust. The above lease period was upto 24-11-2006. Late Shri Virji Dafda had expired on 23-11-2006. Legal heir Smt. Maltiben V. Dafda i.e. wife of late Shri V.B. Dafda had applied for renewal of lease and furnished the undertaking.

The above party has been allowed to continue by charging compensation bill as per the TAMP approved rate (Single Rate) from date of expiry of the lease period as per the approval of the Board vide Resolution No. 356 dated 17/03/2015. The lease rental determined for the retrospective period i.e. period from 25-11-2006 to 31-07-2017 as per the TAMP approved rates prevailing during the period at that time. The details of approval of rates by TAMP during period of renewal under consideration are mentioned below: -

PERIOD	APPROVAL OF RATE BY COMPETENT AUTHORITY
From 25-11-2006 to 31/12/2013	Rate approved by the Tariff Authority for Major Ports (TAMP) vide Order dated 25th March, 2011 retrospectively in respect of Kandla Land from July – 1999 in three consecutive slabs i.e., from July – 1999 TO 31-12-2003, from 01-01-2004 TO 31-12-2008 and from 01-01-2009 TO 31-12-2013. The lease rentals shall bear an escalation @ 5% (compoundable) per annum for the period – July 1999 TO 24-02-2004 and @2% thereafter.
From 01/01/2014 to 31/12/2018	Rate approved by the TAMP vide Gazette Notification No. 350 dated 04/12/2014 with 2% escalation per annum.

The lease deed executed by the party are having renewal clause at the end of the lease period. The condition No. 08 regarding renewal of lease in lease deed is re-produced as under:-

“The lessee observing and performing all the agreements covenant and conditions hereof, will on expiration of the term reserved herein, be granted at his/her option, a new lease of the demised premises by way of renewal for a further period of as may by mutual arrangement between the parties decided years to commence from the date of expiry thereof on such terms and conditions as the lesser may in his absolute discretion then determine”

The above plot allotted for Flour Mill and they are still in requirement of that land. The proposal is in conformity with Clause/Paragraph Nos. 11.3,(b),(d) & (g) in accordance with Policy Guidelines for Land Management, 2014 as revised on 17-07-2015.

Kandla Port Trust does not require the land for its own purpose. The purpose of the proposed lease is in conformity with the existing Land Use Plan of KPT approved by the Board vide Resolution No. 191 dated 29/03/2016.

Accordingly, renewal proposal was examined by Land Allotment Committee at its meeting held on 03-06-2017 and The Land Allotment Committee at its meeting held on 03-06-2017 has recommended to renew the lease in respect of plot No.1 admeasuring 36 sq. mtrs. situated near Port Colony, New Kandla in favour of legal heir Smt. Maltiben V. Dafda i.e. wife of late Shri V.B. Dafda for the purpose of Flour Mill for a lease period of 30 years from the date of expiry of previous lease w.e.f. 25.11.2006, by treating it as a fresh lease, on annual lease rental basis as per the

prevailing TAMP approved rate under Category "C2" from time to time (Rate of Rs.95.51 applicable during 2017), subject to approval of the Board and the Empowered Committee of the Government by following the provisions of the amended Land Policy Guidelines, 2014.

The Board at its meeting held on 02-08-2017 vide resolution No. 35 dated 02-08-2017 resolved to approve as under:-

"Resolved to recommend the renewal of lease of plot No.1, admeasuring 36 sq. mtrs., situated near Port Colony, New Kandla, in favour of the legal heir, Smt. Maltiben V. Dafda, wife of late Shri V.B. Dafda, for the purpose of Flour Mill for a lease period of 30 years from the date of expiry of lease w.e.f. 25-11-2006 to 24-11-2036, by treating it as a fresh lease on annual lease rental basis under "C2" category of TAMP approved rate, as applicable from time to time (Rate of Rs.95.51 applicable during 2017), subject to approval of the Empowered Committee and Ministry of Shipping as per the provisions of the amended Land Policy Guidelines, 2014.
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In accordance with clause No. 15(v) of the Policy Guidelines for Land Management, 2014 this instant proposal is published in the Port Website on **24/08/2017** for inviting comments/suggestions of the public/stake holders.

**SE(Kandla Land)
Kandla Port Trust**