

SCHEME OF CONVERSION FROM LEASE-HOLD SYSTEM INTO FREE-HOLD

(FOR INDUSTRIAL PLOTS / BUILT UP SHEDS)

**BROCHURE
(INCLUDING APPLICATION FORM)**

NOVEMBER – 2005

**OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**

Price : Rs. 100/-

**The Scheme of Conversion from Lease Hold System of Land Tenure
into Free Hold**

The Government of NCT of Delhi has decided to convert Industrial built up plots, irrespective of the size in Delhi, from lease hold to free hold on payment of conversion charges. The prescribed conversion charges are applicable up to 31.3.2006.

SALIENT FEATURES OF THE SCHEME

1. The scheme covers all built up Industrial Plots developed by the Industries Department and The Delhi State Industrial Development Corporation Ltd. (DSIDC) including Industrial Sheds where the lease had been granted on behalf of the President of India. The Scheme, however, does not include industrial plots allotted under the Relocation Scheme.
2. The one time charges payable for conversion from leasehold to free hold are set out in **Annexure-"A"** read with **Annexure "B"**. These charges are to be paid in lump sum through Bank Draft payable at Delhi / New Delhi in favour of Commissioner of Industries.

Original lessees/allottees would be entitled to 40% remission in the conversion charges as specified in **Annexure -"A"**.

3. Conversion would be allowed only when the Industrial building on the plot has been constructed and completion certificate/'D' form for the building has been obtained.
4. The application for conversion shall not be entertained unless accompanied by prescribed documents.
5. The arrears of ground rent alongwith interest as prescribed in the lease-deed, wherever applicable, would have to be paid by the applicant before conversion can be permitted. In cases where revision of ground rent has become due, the revised amount of rent will be notified to the lessee for depositing the amount before the execution of the conveyance deed.
6. The conversion shall be applicable only for properties which are on land for which the land use prescribed in the lease deed/allotment letter is Industrial.
7. In cases of mortgaged properties, conversion would be allowed only on submission of 'No Objection Certificate(s)' from all the mortgages? If the property has been mortgaged more than once, 'No Objection Certificates' from all the mortgages are required to be submitted.

8. In cases where lease deeds has not been signed, conversion will be allowed provided that the non-execution of the lease deed has been only on account of administrative reasons and not because of certain defaults on the part of the allottees. However in such cases the stamp duty would be payable on the amount of conversion charges and the surcharge wherever applicable as well as the price / premium of the property.
9. In case of any legal dispute relating to title of the property, conversion shall not be allowed until the legal dispute is settled.
- 10(i) Conversion will be allowed only when all dues including charges towards misuse, damages, ground rent, service/maintenance charges etc. have been paid by the applicant in respect of the property.
- 10(ii) In case of re-entered properties conversion would be allowed only when re-entry notice has been withdrawn and the lease/allotment restored.
- 10(iii) For the purpose of conversion, misuse charges would be leviable upto the date of application of conversion even after which action against misuse would continue to be taken by the respective local bodies under the bye laws/regulations.
- 10(iv) Conversion to freehold shall not be permitted in respect of properties involving encroachment on government/public land. The lessee would have to vacate the encroached land before consideration of the conversion application and shall also be liable to payment of occupation charges for the part period as per normal rules.
11. In case of any dispute between the original lessee /allottee and Power of Attorney holder, application for grant of freehold rights would be entertained only after the dispute is settled.
12. In cases where applications for mutation or substitution are pending with the lessor, conversion would be allowed only after the necessary mutation/substitution has been carried out.
13. The conversion shall also be allowed in the cases where lessee/allottee has parted with the possession of the property, provided that:
 - a) Application for conversion is made by a person holding power of attorney from lessee/allottee to alienate (sell/transfer) the property.
 - b) Proof is given of possession of the property in favour of the person in whose name conversion is being sought.

- c) Where there are successive power of attorneys, conversion will be allowed after verifying the factum of possession provided that the linkage of original lessee/ allottee with the last power of attorney is established and attested copies of power of attorneys are submitted.

In such cases, surcharge of 33-1/3% on the conversion fee would be payable over and above the normal conversion charges applicable for regular lessee (no unearned increase will be recoverable).

- 14 In case of the premises allotted / converted into Hire-Purchase on instalment basis, conversion shall be allowed only after all the instalments have been paid with interest, if any.
15. The scheme of conversion is optional.
- 16(i) The Zone-wise conversion rates for industrial plots have been given in **Annexure 'A'**. The location-wise rates are given in **Annexure 'B'**. The localities for which land rates have not been given in **Annexure 'B'**, the rates of the adjoining / comparable locality would be applicable.
- 16(ii) A remission of 40% on the conversion charges will be allowed in case of conversion in favour of original leasees.
17. Model calculations of conversion charges, and surcharge have been given in the **Annexure - 'C'**
18. The requisite conversion charges, and surcharge as applicable alongwith processing fee of Rs.500/- are required to be deposited at the time of submission of applicable form.
19. Mode of remittance shall be only by pay order, bank draft drawn in favour of Commissioner of Industries payable at Delhi. The amount of remittance has to be rounded off to the nearest rupee. The payment is to be made through Pay Order/ Bank Draft. Name of the applicant and serial no. of application form should be mentioned on the back side of the pay order/Bank Draft. After depositing the application form and the conversion charges, applicants must ensure to obtain an acknowledgement from the officer in-charge designated by the Commissioner of Industries.

The conversion charges, and surcharge wherever applicable, are to be deposited in lump-sum.

20. The original lease deed should be produced at the time of execution of the conveyance deed. The same will be cancelled and returned along with the conveyance deed.

21. If the original lease deed was lost, the lessee/applicant must issue notice in a prominent news paper having circulation in the area where the property is situated also execute an affidavit before the 1st Class Magistrate indicating therein how the original lease deed was lost. A copy of the public notice published in the news-paper and the original affidavit must be submitted at least 10 days before the date of execution of the conveyance deed.

PROCEDURE FOR SUBMISSION OF APPLICATIONS FOR CONVERSION

The brochure alongwith prescribed application form will be available for sale on payment of Rs.100/- at the reception of the Office of the Commissioner of Industries, Government of NCT of Delhi, Udyog Sadan Patparganj-Industrial Area, Delhi between 10.00 AM to 1.00 PM on all working days.

Application forms in two different colours have been printed in respect of :-

- (i) Industrial Plots and Shed developed / constructed by the Industries Department (Red print on blue paper)
- (ii) DSIDC built up plots / sheds (Black print on White Paper)

The application forms duly complete in all respects alongwith prescribed conversion and other charges may be deposited at specified counter in the Lands Branch, Block No. A-1, 1st Floor, Udyog Sadan Patparganj Industrial Area, Delhi.

If any application is found incomplete or defective in any manner, the applicant shall be given opportunity to furnish the prescribed documents not enclosed to the application and to remove the defects within a period of 30 days. On failure of the applicant to remove the defects within the period specified, the application shall be deemed to have been rejected. Applications found in order will be disposed of within a maximum period of 90 days from the date on which the prescribed formalities are completed. Conveyance deed shall be sent to the applicant / person in whose name conversion is sought by registered post. The recipient shall then get it stamped from Collector of Stamps and submit it within 45 days from the receipt thereof at the specified Counter located at the Office of the Commissioner of Industries, Government of NCT of Delhi, Udyog Sadan Patparganj Industrial Area, Delhi.

On receipt of the conveyance deed, a date will be given on which the signed conveyance deed can be collected from the aforementioned locations. Thereafter the recipient shall get the conveyance deed registered only with the Sub-Registrar, Seelampur, Delhi. Stamp duty and registration charges shall be borne by the person in whose favour the conversion is allowed.

In case the conveyance deed is not received by the applicant/person in whose favour conversion has been sought within a period of 90 days, he/she may contact the Nodal Officer for the Scheme i.e. Addl. Commissioner of Industries, Office of the Commissioner of Industries, Government of NCT of Delhi, Udyog Sadan Patparganj Industrial Area, Delhi on any working day from 12.00 noon to 1.30 p.m.)

DOCUMENTS REQUIRED TO BE SUBMITTED

The applicant shall be required to furnish the following documents along with the application form:-

- (a) Undertaking in prescribed format duly attested by Notary Public/First Class Magistrate, Annexure 'D'.
- (b) Affidavit in prescribed format duly attested by Notary Public/First Class Magistrate Annexure - 'E'
- (c) Indemnity bond(s) in prescribed format(s) duly attested by Notary Public/First Class Magistrate (Annexure 'F' and 'FF')
- (d) Copy of Power of Attorney(s) {POA(s)} alongwith copy of Sale Agreement (where application is made by attorney), duly attested by Notary Public / Gazetted Officer.
- (e) Copy of Completion Certificate / 'D' form duly attested by Notary Public / Gazetted Officer.
- (f) Proof of Physical possession by the person in whose name the conversion is sought viz. Copy of possession letter or slip/house tax receipt/ration card/passport/driving licence/identity card etc. duly attested by Notary Public/Gazetted Officer.

- (g) 4 attested passport size photographs and 4 attested specimen signatures of the person in whose favour the conversion is sought duly attested by a Gazetted Officer/Notary Public as per **Annexure 'G'** (if the applicant is allottee/lessee, then his/her photograph and in case of applicant being an attorney, photographs of person named in column '3' of the application form are required to be submitted.
- (h) Copy of lease deed/conveyance deed/allotment letter/demand letter duly attested by Notary Public / Gazetted Officer.
- (i) Copy of N.O.C.(s) from the mortgagee(s) duly attested by Notary Public/Gazetted Officer.
- (j) Information regarding payment details of Ground Rent (**Annexure - 'H'**).
- (k) Certificate in the prescribed form (**Annexure - I**) in case of DSIDC built up plots / sheds.

GUIDELINES FOR FILLING-UP THE APPLICATION FORM

Column-1

If there is only one allottee/lessee of the property sought to be converted into freehold, his/her name and other particulars should be given in sub-column (a). If there are two allottees/lessees, the name and other particulars should be given separately in sub-column (a) & (b). If there are more than two lessees/allottees, a separate sheet be attached giving the required particulars.

Column - 2

If the application is submitted by an attorney duly authorised to seek sale permission, execute the Sale Deed and get it registered on behalf of the lessee/allottee, his/her particulars should be given in this column. However, 1st column also shall be filled up in such cases. If there are successive power of Attorneys, the application shall be entertained only from the last Attorney provided that attested copies of all the Power of Attorneys establishing the linkage between the original lessee/allottee and the applicant/last attorney are submitted.

Column - 3

This column is applicable only in cases where conversion is sought in favour of a person other than the lessee/allottee and the application is submitted by the Attorney. It would, however, be necessary that the person in whose favour the conversion is sought is in physical possession of the property under a valid Agreement to Sell executed in his/her favour.

Column 4

Under sub-column (ii), some authentic document viz. Attested photostat copy of Ration Card, Passport, Driving Licence etc. should be submitted in proof of possession with the person named in column 3. Under sub-column (iii), attested true copy of the Agreement to sell or any other authentic document showing that the person named in column 3 has already agreed to purchase the property is required to be submitted.

Column 5

File number is given on the communications sent to the lessee/allottee by the Department of Industries, Government of NCT of Delhi and can be taken from there.

Column 18

It is necessary to pay upto date Ground Rent, alongwith simple interest for arrears, if any, at the rate as prescribed in the lease-deed before applying for conversion. Proof of payment of Ground Rent by the allottee to the Office of the Commissioner of Industries / DSIDC as well as proof of payment made in respect of individual plot is required to be submitted alongwith the application.

Column 19

The applicant is required to assess the conversion charges carefully on the basis of the formula and the notified land rates, applicable in respect of plots/sheds as given in Annexure - 'A' and 'B'.

Column 20

Surcharge is required to be paid in the cases where the application is submitted by the Attorney of the lessee/allottee and conversion is sought in favour of a person other than the allottee/lessee. The amount of surcharge is 33-1/3% of the prescribed conversion charges.

Zone	Conversion fee per Sq. Mtr. for Industrial Plots
1. South Zone	Rs.26,080/-
2. West Zone	Rs.17,870/-
3. North Zone (other than Mangolpuri) Mangolpuri Industrial Area, Keshavpur Industrial Area and Manufacturing Udyog Nagar	Rs.17,870/- Rs.19,960/-
4. East Zone	Rs.11,150/-
5. Narela / Badli	Rs. 7,500/-

Plot area	X	Notified land rates (industrial) as on the date of application	X	10/100
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NOTE : A remission of 40% will be allowed on the conversion charges in case of original lessees and a surcharge of 33-1/3% on the conversion fee would be payable over and above the normal conversion charges in GPA cases.

ANNEXURE – 'B'

CONVERSION RATES APPLICABLE FOR INDUSTRIAL LEASES IN VARIOUS LOCALITIES OF DELHI

Sl.No.	Name of the Development Agency	Name of the Industrial Area	Conversion Rates per Sq. Mtr. (in Rupees)
1.	Industries Department	(1) Okhla Industrial Estate	26,080
		(2) Patparganj Industrial Estate	11,150
		(3) FIEE Okhla, Phase-II	26,080
		(4) Badli Industrial Estate	7,500
2.	DSIDC	(1) Lawrence Road Indl. Area	17,870
		(2) DSIDC Sheds Nangloi	19,960
		(3) Mangolpuri Indl. Area	19,960
		(4) Okhla Indl. Area Ph-I & II	26,080
		(5) Kirti Nagar Indl.Area	17,870
		(6) Jhilmil Indl. Area	11,150
		(7) Wazirpur Indl.Area	17.870
		(8) Narela Indl.Area	7,500

Illustration of Calculation of Conversion charges

A For Industrial Plots Allotted by the Industries Department / DSIDC

Illustration 1

Suppose an allottee/firm/company is having a plot located at Okhla Industrial Area measuring 100 sq. mtrs. and the possession of the plot is still with the original allottee, the formula for calculating conversion charges in this case will be as under :

$$\left[\frac{P \times R \times 10}{100} \right] \text{ minus } 40\% \text{ Rebate}$$

Where P = Plot area

Where R = Rates notified by the Government of NCT of Delhi for the year-2005-2006 for Okhla Industrial Area as per the List at Annexure 'B' which is Rs.26,080/-

Where Rebate=Relaxation; applicable in case of original allottee/Firm/Company which is 40%.

Substituting the above values the conversion charges will be :

i) $100 \times 26080 \times 10/100 = \text{Rs.2,60,800/-}$

ii) 40% of the above value will be $40/100 \times 2,60,800/- = \text{Rs.1,04,320/-}$

Therefore, the actual conversion charges = Rs.2,60,800 - 1,04,320 = **Rs.1,56,480/-**

Processing Fee of Rs.500/- will also be added to the conversion charges. Hence, conversion charges payable will be **Rs.1,56,980/-**

Illustration 2

Suppose an allottee/Firm/Company 'X' was allotted a plot of 100 sq.mtr. at Okhla Industrial Area. He/She/They executed a general power of attorney (GPA) in favour of person 'Y' with an agreement to sell in favour of person 'A' and person 'Y' applied for grant of free hold right in favour of person 'A'; then the Conversion Charges will be calculated as under:-

$$\left[\frac{P \times R \times 10}{100} \right] \quad \text{plus} \quad 33\text{-}1\text{/}3\% \text{ Surcharge}$$

Where P = Plot Area

Where R = Rates notified by the Government of NCT of Delhi, for the year-2005-2006 for Okhla Industrial Area as per the List at Annexure 'B' which is Rs.26,080/-

Where Surcharge = 33-1/3% applicable in case of conversion sought in favour of person who is not the original allottee and transfer of properties has taken place through GPA/Agreement to Sell.

Substituting the above values, the conversion charges will be :

- i) $100 \times 26,080 \times 10/100 = \text{Rs.}2,60,800/-$
- ii) $33\text{-}1\text{/}3\% \text{ of the above value will be } 33\text{-}1\text{/}3\%/100 \times 2,60,800 = \text{Rs.}86,934/-$

Therefore the actual conversion charges = $2,60,800 + 86,934 = \text{Rs.}3,47,734/-$ Processing Fee of Rs.500/- will also be added to the conversion charges. Hence, conversion charges payable be **Rs.3,48,234/-**

UNDERTAKING

(To be submitted by the person in whose favour conversion is sought on non-judicial stamp paper of Rs.10/- duly attested by Notary Public/First Class Magistrate)

I S/o, W/o, D/o Sh. Resident of
..... do hereby undertake as under :-

1. That I shall pay to Commissioner of Industries, GNCT of Delhi, immediately on demand, such amount as may be demanded by it on account of arrears of ground rent and/or interest thereon, in respect of Industrial Plot No. at -----

2. That I shall pay to Commissioner of Industries, GNCT of Delhi, immediately on demand, such amount as may be demanded by it on account of maintenance/service charges applicable, if any.
3. That I shall pay, within such time such additional sum or sums towards premium of the above referred property, as may be decided upon by the lessor on account of compensation awarded by the Land Acquisition Collector being enhanced on reference or in appeal or both and the decision of the lessor in this behalf shall be final and binding on me (applicable only in case of plots other than those sold in auction).
4. That on my failure to pay any sum referred above the conversion of lease hold rights into free hold rights in respect of the above referred property shall be deemed to be null and void and the lessor/Authority shall be entitled to recover the same as arrears of land revenue.
5. That if it is found by the Commissioner of Industries, GNCT of Delhi/MD, DSIDC or any other local authority, at any point of time, that the above referred property or any part thereof is being used for the purposes other than specified in the lease deed architect control, in violation of the Master Plan of Delhi, I shall, forthwith, stop such use.

..... day of 200....

Lessee/Allottee/Purchaser.

In the presence of :

1.
2.

(ANNEXURE-"E")

AFFIDAVIT

(To be sworn by person in whose favour the conversion is sought on non-judicial stamp paper of Rs.10/- duly attested by Notary Public/First Class Magistrate).

I S/o, D/o, W/o Sh. R/o do hereby solemnly affirm and declare as under:-

1. That I am the lessee/allottee in physical possession of the Industrial plot/shed (strike off whichever is not applicable) no. measuring sq.mtrs. in Block no. Pkt. in

OR

That I am in physical possession, under a valid agreement to sell dated executed in my favour in respect of the industrial plot/shed (strike off whichever is not applicable) no. measuring sq. mtrs. in Block no. Pkt. in.....

2. That the prescribed use of the aforesaid property, as per the lease of allotment is only Industrial
3. That upto date ground rent has been paid in respect of the above referred property.
4. That the contents of the accompanying application for conversion of lease hold rights into free hold rights in respect of the above referred property are true and correct and the documents annexed thereto are genuine.

DEPONENT

VERIFICATION

Verified on day of (Month) 200 that the contents of the above affidavit are correct to my knowledge and belief. Nothing contained herein is untrue and nothing material is concealed therefrom.

DEPONENT

(To be executed by the applicant on non-judicial stamp paper of Rs.100/- and to be attested by Notary Public/First Class Magistrate)

INDEMNITY BOND

Day of 200 by Sh. Smt./Km. S/o, W/o, D/o Sh. R/o hereinafter called the 'Executant' which term shall include his/her heirs, successors, executors, administrators and legal assigns in favour of President of India/Lt. Governor, Delhi (hereinafter called the 'lessor') which term shall include its heirs, successors, executors, administrators and legal assigns.

WHEREAS the Executant is the lessee/allottee in physical possession of the Industrial plot/shed) in Block No. Pkt. In

OR

WHEREAS the Executant is the duly constituted attorney of Sh./Smt./Km. in Block No. Pkt. in And is competent to seek sale permission, execute the sale deed and get it registered on behalf of the lessee/allottee.

AND WHEREAS the Executant has applied to the lessor for conversion of lease hold rights into freehold rights in respect of the above referred property.

AND WHEREAS the lessor, on the faith and representation made to it, has agreed to convert leasehold rights in respect of the above property into freehold rights subject to the Executant giving such indemnity, as is hereinafter contained and keeping the lessor harmless from any claim which anyone may, at any time, institute against the lessor in respect of the above referred property.

Now this deed witnesses that in consideration of the lessor agreeing to convert the leasehold rights in respect of the above referred property into freehold rights, the executant hereby covenants with the lessor that he will at all times indemnify and keep harmless the said lessor from all claims and demands made and all actions and proceedings taken against the said lessor by anyone in respect of the aforesaid property or any part thereof, on any ground whatsoever.

On this day of 200

Executant

Witness

1.

(ANNEXURE-"FF")

(To be executed by the person in whose favour conversion is required on non-judicial stamp paper of Rs.100/- and to be attested by Notary Public/First Class Magistrate).

INDEMNITY BOND

By Sh./Smt./Km. S/o,W/o,D/o Sh. R/o (hereinafter called the 'Executant') which term shall include his/her heirs, successors, executors, administrators and legal assigns in favour of President of India/Lt.Governor, Delhi (hereinafter called the 'lessor') which term shall include its heirs, successors, executors, administrators and legal assigns.

WHEREAS the Executant is in physical possession of the plot/shed No. Measuring sq.mtrs. a valid agreement to sell dated Executed in his/her favour.

AND WHEREAS the lessor, on the faith and representation made to it, has agreed to convert leasehold rights in respect of the above referred property into freehold rights subject to the Executant giving such indemnity, as is hereinafter contained, and keep the lessor harmless from any claim which anyone may, at any time, institute against the lessor in respect of the above referred property.

NOW THIS DEED WITNESSES that in consideration of the lessor agreeing to convert the leasehold rights in respect of the above referred property into freehold rights the executant hereby covenants with the lessor that he will at all times indemnify and keep harmless the said lessor from all claims and demands made and all actions and proceedings taken against the said lessor by anyone in respect of the aforesaid property of any part thereof, on any ground whatsoever.

Bond on this day of 200.....

Executant

Witness :

1.

2.

SPECIMEN SIGNATURES AND PASSPORT SIZE PHOTOGRAPHS OF THE PERSON IN WHOSE FAVOUR CONVERSION SOUGHT DULY ATTESTED BY NOTARY/FIRST CLASS MAGISTRATE

Name S/o, W/o Application No.
...../ Property No.
..... Colony.....

1.

(Specimen signature)

Attestation

Affix
Photograph

2.

(Specimen signature)

Attestation

Affix
Photograph

3.

(Specimen signature)

Attestation

Affix
Photograph

4.

(Specimen signature)

Attestation

Affix
Photograph

NOTE : If the applicant is allottee/lessee, then his/her photograph and in case of applicant being an attorney the photograph of person named in Column 3 of the application form are required to be submitted as above.

DETAILS OF PAYMENT OF GROUND RENT

Sl.No.	Challan No.	Date of Deposit	Amount	Period
				From To

IN CASE OF DSIDC BUILT UP PLOTGS/SHEDS

PART – I – (To be filed by the Lessee /Allottee / Applicant or Attorney

Name of the Industrial Area:

1.
 - (i) Name of the present applicant Unit:
 - (ii) Present constitute of the Unit
(Proprietary/Partnership/Private Limited Company/
Limited Company / Co-operative Society/Regd. Society/Others
 - (iii) Name(s) of the proprietor/Partners/Directors/
Managing Committee Members
2. Details of the property
 - (i) Plot No.
 - (ii) Plot Area (in sq. metre)
 - (iii) Sector/Phase No.
 - (iv) Block No.
 - (v) Pocket No.

Signature of Lessee/
Allottee/Applicant or Attorney

PART – II (To be filled by an Authorised Officer of DSIDC)

1.
 - (i) Name of the original allottee Unit
 - (ii) Constitution of the allottee unit
(Proprietary/Partnership/Private Limited Company/
Limited Company / Co-operative Society/Regd. Society/Others
 - (iii) Name(s) of the proprietor/Partners/Directors/
Managing Committee Members
2.
 - (i) Name of the Unit
(last recognized by the DSIDC)
 - (ii) Constitution of the unit (last recognized by the DSIDC)
(Proprietary/Partnership/Private Limited Company/
Limited Company / Co-operative Society/Regd. Society/Others
 - (iii) Name(s) of the proprietor/Partners/Directors/
Managing Committee Members
3. Date of physical possession
4. Whether the lease deed executed and registered
If yes, indicate

(i)	Regn.No.	
(ii)	Book No.	
(iii)	Vol. No.	
(iv)	Page From	To
(v)	Date	

5.
(i) Whether factory building has been constructed on the plot
(ii) If yes, give details of documentary evidence showing completion of the building
6.
(i) Whether use of the property is as per lease deed/allotment letter master plan
(ii) If not, the area of the portion being used for the purpose other than the prescribed use.
(iii) Type of activities being carried out in the portion referred at 8(ii) above.
7.
(i) Whether property stands mortgaged
(ii) If yes, name(s) and address(s) of the financial institutions/banks with whom mortgaged.
- 8
(i) Whether lease allotment was cancelled/property re-entered
(ii) If yes, whether restored
9. Whether there is any dispute pending in a Court of Law regarding the title of the property
10. Whether any application for Substitution /Mutation is pending
11. Whether there is any violations done by the allottee/occupant.
(i) Unauthorised construction
(ii) Unauthorised on Government Land
(iii) Unauthorised subletting
(iv) Misuse of premises
(v) Sub-division /Amalgamation of plot
(vi) Any other violation
12.
(i) Amount of yearly ground rent of plot as per allotment/demand letter
(ii) Whether upto date of ground rent alongwith interest for belated payment
(iii) Outstanding dues, if any.

Authorised Signatory of DSIDC
Name
Designation

Place
Date

Form Serial No.

ACKNOWLEDGEMENT

Office of the Commissioner of Industries
Udyog Sadan, Patparganj Industrial Area,
Delhi

Received application from
Sh./Smt./Km./-----

For conversion of Lease hold rights into
Free hold in respect of Industrial
Property ----- alongwith
documents as under:-

1. Undertaking duly attested

2. Affidavit duly attested

3. Indemnity Bond duly attested

4. Copy of POA(S) alongwith Sale
Agreement(Where application is made
by attorney), duly attested

5. Copy of Completion Certificate/"D" form
(in respect of plot) duly attested

6. Proof of Physical Possession of the
person in whose name the conversion
is sought viz., copy of possession letter
or slip/House Tax receipt/Property
Tax Receipt/Ration Card/Passport/
Driving licence/I.Card etc. duly attested

7. 4 attested passport size photographs
and 4 attested specimen signature of
the person in whose favour the
Conversion is sought.

8. Details of Payment of ground rent
in Annexure 'H'.

9. Copy of lease deed/conveyance deed/
allotment letter duly attested

10. Copy of N.O.C. from the mortgagee(s)
duly attested

11. Bank draft No. _____ Dated _____
Drawn on _____ for Rs. _____

12. For DSIDC Areas only
Certificate as per Annexure-I dated _____

13. _____

(Any other documents annexed
to be mentioned here)

Date _____ Signature of the
Receipt Clerk with seal
of the office

Form Serial No.

ACKNOWLEDGEMENT

Office of the Commissioner of Industries
Udyog Sadan, Patparganj Industrial Area
Delhi

Received application from
Sh./Smt./Km./-----

For conversion of Lease hold rights into
Free hold in respect of Industrial
Property ----- alongwith
documents as under:-

1. Undertaking duly attested

2. Affidavit duly attested

3. Indemnity Bond duly attested

4. Copy of POA(S) alongwith Sale
Agreement(Where application is made
by attorney), duly attested

5. Copy of Completion Certificate/"D" form
(in respect of plot) duly attested

6. Proof of Physical Possession of the
person in whose name the conversion
is sought viz., copy of possession letter
or slip/House Tax receipt/Property
Tax Receipt/Ration Card/Passport/
Driving licence/I.Card etc. duly
attested

7. 4 attested passport size photographs
and 4 attested specimen signature of
the person in whose favour the
Conversion is sought.

8. Details of Payment of ground rent
in Annexure 'H'.

9. Copy of lease deed/conveyance deed/
allotment letter duly attested

10. Copy of N.O.C. from the mortgagee(s)
duly attested

11. Bank draft No. _____ Dated _____
Drawn on _____ for Rs. _____

12. For DSIDC Areas only
Certificate as per Annexure-I dated _____

13. _____

(Any other document annexed
to be mentioned here)

Date _____ Signature of the
Receipt Clerk with seal
of the office

SERIAL NO.....

**OFFICE OF THE COMMISSIONER OF INDUSTRIES,
GOVT. OF N C T OF DELHI
UDYOG SADAN, PATPARGANJ INDUSTRIAL AREA
DELHI**

APPLICATION FORM FOR CONVERSION OF LEASE HOLD PROPERTY INTO FREE HOLD IN RESPECT OF BUILT UP INDUSTRIAL PLOTS/SHEDS

A

I Name of the Industrial Area II Details of the property : (a) Plot No. (b) Sector/Phase No. (c) Block No. (d) Pocket No.	Attested Passport size photograph of the applicant
---	---

1 Name of the Applicant
(if attorney)

[illegible]

Father/Husband's Name
Address

[illegible]

2.
(a) Name of the first Firm/Company allottee

[illegible]

Father/Husband's Name

[illegible]

(b) Name of the second/joint allottee

[illegible]

Father/Husband's Name
Address

[illegible]

3. If the applicant is attorney, detail of the person in whose favour the conversion is sought

(i) Name
Father/Husband's Name
Address

Pin _____

[illegible]

Pin

100	100
-----	-----

Yes	No
-----	----

Yes	No
-----	----

[illegible][illegible][illegible]

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Covered area on ground and other floors, if any

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YES	NO
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--	--	--	--	--	--

[illegible]

--	--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

[illegible]

No

--	--	--	--	--	--

Yes

No

(i) Whether property stands Mortgaged?

Yes	No
-----	----

(ii) If Yes, whether no objection certificate from the mortgagee(s) enclosed?

Yes	No
-----	----

13. i) Whether the lease/allotment was cancelled/property reentered?

Yes	No
-----	----

ii) If Yes, whether restored?

Yes	No
-----	----

14. Whether there is any dispute pending in a court of law regarding the title of the property?

Yes	No
-----	----

15. Whether any application for substitution/Mutation is pending?

Yes	No
-----	----

16. Whether there is unauthorised construction in the premises?

Yes	No
-----	----

17. (i) Amount of yearly Ground Rent of individual plot as per allotment/demand letter

Rs.

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(ii) Whether upto date ground rent alongwith interest for belated payment, if any, has been paid?

Yes	No
-----	----

18. Self Assessment of Conversion charge payable

Applicant is requested to calculate conversion charges etc. on self assessment basis in the Appendix to the application form before filling in the columns given below:

Conversion charges
(in words _____ only)

Rs.

--	--	--	--	--	--	--	--	--	--

19. Surcharges wherever prescribed if the applicant is attorney
(in words _____ only)

Rs.

--	--	--	--	--	--	--	--	--	--

20. Sum total of 19 and 20

Rs.

--	--	--	--	--	--	--	--	--	--

I/We certify that the information given above is true and correct. I/We understand that if any fact has been suppressed or misrepresented, it shall render this application invalid, and conversion null and void.

Place _____

Date _____

**Signature of Lessee/
Allottee/Attorney**

Strike out whatever is not applicable and fill in columns wherever necessary.

SELF ASSESSMENT SHEET FOR CONVERSION

1. **Application No.**

2. **DETAILS OF THE PROPERTY**

(Score off paras not applicable)

A. **For Plots**

(i) Plot area in sq.mtrs.

(ii) Locality of the plot

B. **For DSIDC BUILT UP PLOTS / SHEDS**

(i) Plot / Shed area in sq.mtrs.

(ii) Locality

3. **CONVERSION CHARGES :**

(i) (As per Annexure A & B)

(to be mentioned in Col.19 of the Application Form)

4. **SURCHARGE :**

In case the freehold rights are sought in favour of person other than the original lessee(s)/allottee(s)

Amount of surcharge @ 33-1/3% of the conversion charges mentioned in Col.3(i) above =

.....
(to be mentioned in Col.20 of the Application Form)

5. **TOTAL OF CONVERSION CHARGES & SURCHARGE**

Total of column (3) + (4) above = Rs.

(N.B. – to be mentioned in Col.21 of the Application Form)

OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
'UDYOG SADAN' 419, FIE, PATPARGANJ INDL. AREA, DELHI

No. 6(10)/Land Policy/2003/C/1218 to 317, Dated 17th September, 2007

ORDER

Instances have come to the notice of the undersigned that in some cases, applications for conversion of leasehold industrial property to freehold could not be finalized for want of policy clarification on the issue of charging of unearned increase from applicants who have applied for conversion. The issues raised from time-to-time by the Land Branch have been clarified vide note circulated by the Joint Commissioner of Industries (Land) vide L.O. note No 6(10)/Land Policy 2003/C/1320-1326 dated 5th December, 2006 (copy enclosed).

For example, the issue of charging of transfer charges /unearned increase from those applicants who have informed the Government or requested the Department in the past for change in constitution after buying the industrial plot vis-a-vis those applicants who have purchased the industrial plots but did not inform the Industries Department about this purchase was raised and discussed in the Officers Meeting held on 21.08.2007. This issue already stands clarified in the note circulated vide letter dated 5th December, 2006 as under. The relevant para of the said note is reproduced below:-

CHANGE IN CONSTITUTION/UNAUTHORISED SALE/TRANSFER

- (a) "Cases where no show cause notice has been issued against the noticed/reported violations regarding change in constitution / unauthorized sale/ transfer

Such cases may be considered for conversion subject to payment of conversion fee and surcharge and other standing dues, if any. No unearned increase shall be charged.

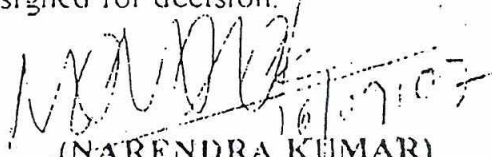
- c/sa 163 C-1
- (b) Cases where show cause notice has been issued against the above said violations but the lease has not been determined.

Show cause notice may be ignored because there is a provision in the policy guidelines that the present owner and power of attorney holders can also get industrial property converted into freehold on payment of surcharge. Therefore, such cases may be considered for conversion subject to payment of conversion fee and surcharge and other outstanding dues, if any. No unearned increase shall be charged

- (c) Cases where lease has been determined for the aforesaid violations.

Conversion shall be allowed on payment of restoration charges as per Land Management Guidelines, conversion fee and surcharge and other outstanding dues, if any."

The implementing officers are, therefore, directed not to unnecessarily delay processing of conversion cases. Only those points / issues which have not been clarified earlier be referred to the undersigned for decision.



(NARENDRA KUMAR)

SECRETARY & COMMISSIONER (INDUSTRIES)

Addl. Commissioner of Inds.

All JCLs / DCLs / ACLs

Consultant - Industries Department.

DELHI DEVELOPMENT AUTHORITY
CO-ORDINATION (LAND DISPOSAL) BRANCH

No. F. 25(6)/76/CL/ 3741

Dated: 12.05.05

CIRCULAR

Vide circular No. F. 4(14)/5/Coordn./LD dated 23-10-1996 issued by Coordination Branch of Land Disposal it was approved that in conversion cases where either the lessee / allottee have not obtained Form-D/Occupancy Certificate or the same is reportedly not traceable, the actual date of construction shall be determined on the basis of

- (i) House Tax Assessment order certifying the effective date of Property Tax.
- (ii) Letter from DESU for permanent connection of electricity.

Hon'ble Lt. Governor, Delhi vide order dated 26th July 2005 has approved for applicability of the above mentioned principle to Commercial, Industrial and Mixed Land Use premises subject to the condition that there is no encroachment on public land.

(SANJEEV KUMAR)
DY. DIRECTOR (CO.ORDN.)

1. Chief Vigilance Officer, DDA;
2. Chief Legal Advisor, DDA;
3. All Director/Directors in Commercial/Industrial Land Branch
4. PS to VC, DDA

DY. DIRECTOR (CO.ORDN.)

DD / Industries

Delhi State Industrial and Infrastructure Development Corporation Ltd.
MCD Property Tax Building, Ring Road, Laipat Nagar, New Delhi
(Industrial Estate Management Division-East)

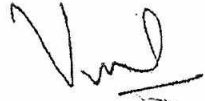
No. DSIIDC/IEM/conv. charges/2020-21/233

Dated: 18.02.2021

ORDER

The Hon'ble Supreme court in the matter of M/s Suraj Lamp & Industries Pvt. Ltd V/s State of Haryana & Anr. in SLP no 713917/2009 vide judgment dt. 11.10.2011 held that the sale agreement/ GPA/ WILL transfers do not convey any title nor can be recognized as valid mode of transfer of immoveable property and therefore henceforth the leasehold properties can be validly transferred only by way of Assignment of Lease.

In this regard, the approval of Board of Directors, DSIIDC is hereby conveyed to accept "Assignment of Lease" documents for allowing Conversion to freehold and Transfer of lease/ Mutation provided it is registered and executed in favour of the transferee/ applicant by either the original allottee or preceding GPA/ Agreement to Sell holders (executed prior to dt. 11.10.2011) and that other terms and conditions of the conversion scheme/ Land Management Guidelines are fulfilled. In conversion cases, such applicants will be considered at par with the GPA/ Agreement to Sell holders and would be liable to pay conversion charges as per prevailing policy whereas in transfer of lease/ mutation cases, the unearned increase charges, as applicable, will be levied.


(Vijit Singh)
Div. Manager (IEM) Policy

Copy to:

1. CM (REM)/CM (CWC)/CM (Relocation)
2. DM (IEM) North/ DM (IEM) South
3. CAO (IEM)/CAO (Relocation)
4. ✓ DM (IT) for uploading the order on DSIIDC website for the information of all concerned

Copy for information to:-

1. PS to MD, DSIIDC
2. PS to ED, DSIIDC
3. PS to Director Finance, DSIIDC
4. CM (IEM)

Delhi State Industrial and Infrastructure Development Corporation Ltd.

74-A, DSIIDC Office Building, Lajpat Nagar - III, New Delhi-110024

(A Government Undertaking)

(IEM DIVISION)

No. DSIIDC/IEM/Policy /2021-22/ 539

Dated: 18.09.2023

CIRCULAR

Sub:- Adoption & Implementation of following DDA Circulars in DSIIDC for the purpose of processing conversion cases in r/o Industrial Plots/Sheds under jurisdiction of DSIIDC

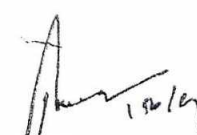
- 1) Circular No. F.2(10)2011/N&C/Pt.III/248 dated 13.04.2015
- 2) Circular No. F.1(138)2007/NOC(H)/part/155 dated 21.08.2014
- 3) Circular No. F.4(43)96/Coordn./LD dated 25.02.2003

The approval of Hon'ble Lieutenant Governor of NCT of Delhi is hereby conveyed for adoption and implementation of following DDA circulars in DSIIDC for the purpose of processing cases pertaining to conversion of leasehold rights to freehold in r/o Industrial Plots/Sheds under jurisdiction of DSIIDC.

1. Circular No. F.2(10)2011/N&C/Pt.III/248 dated 13.04.2015 regarding acceptance of unregistered ATS(s) documents executed after 24.09.2001.
2. Circular No. F.1(138)2007/NOC(H)/part/155 dated 21.08.2014 regarding acceptance of GPA(s) and ATS(s) documents executed after 11.01.2011.
3. Circular No. F.4(43)96/Coordn./LD dated 25.02.2003 regarding eligibility for filing of conversion applications in cases where GPA holder/ATS holder(s) has/have expired.

The above directions are applicable with immediate effect and are applicable to all pending/future cases.

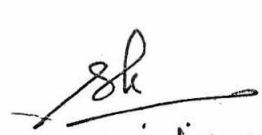
The copies of above circulars are enclosed for ready reference.


(Mudit Singhal)

Divisional Manager (IEM)

Copy to:

- 1) PS to MD for kind information
- 2) PS to ED for kind information
- 3) Chief Managers, DSIIDC
- 4) Deputy Commissioner (Industries), GNCTD
- 5) Chief Account Officer (HQ)


19/9
P.S.



DELHI DEVELOPMENT AUTHORITY
COORDINATION (HOUSING)

No. F.2 (10)2011/N&G/Pl.III/ 248

Dated: 12-4-2015

GENERAL ORDER

The Registration Act, 1908, was amended w.e.f. 24.09.2001 by the Registration and other Related Laws (Amendment) Act, 2001, thereby making the registration of documents containing contracts to transfer for consideration, any immovable property for the purpose of section 53A of the Transfer of Property Act, 1882 mandatory.

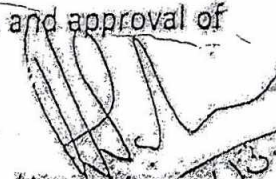
However, while processing the conversion applications it was noticed by different Lease Administration Branches that a substantial number of applications have been filed on the basis of un-registered agreement to sell though they were duly stamped after adjudication of stamp duty by the Collector of Stamps. On accounts of aforesaid statutory provision.

A number of applicants met various senior officers in the public hearing and represented that they have paid the stamp duty; therefore, conversion in their cases should be allowed. Accordingly, a reference was made to Ld. Solicitor General of India who in turn vide his opinion dated 06.09.2011 has opined that the DDA could allow the conversion from lease hold to free hold on the basis of unregistered document after 24.09.2001 but duly stamped after adjudication of stamp duty by the Collector of Stamps.

Subsequent to the opinion of the Ld. Solicitor General of India, a reference was made to the Chief Secretary, Delhi Govt. seeking their views on acceptability of unregistered agreement to sell provided they are duly stamped after adjudication of stamp duty by the Collector of Stamps. The Divisional Commissioner Cum Secretary of Govt. of Delhi vide letter dated 16.03.2015 conveyed that the conversion from lease hold to free hold is in DDA's domain, therefore, legal implication may be examined by this DDA.

In view of the foregoing and keeping in view overall public interest, It has been decided to accept unregistered agreement to sell for the purpose of processing conversion cases provided that the Agreement to Sell are duly stamped after adjudication of stamp duty by the Collector of Stamps. In case of any doubt about payment of stamp duty on any given agreement to sell, the Lease Administration Officer with prior approval of head of department may refer the same to the Collector of Stamps for verification about the payment of the stamp duty.

This Issues with the concurrence of Law Deptt. and approval of Vice Chairman, DDA.

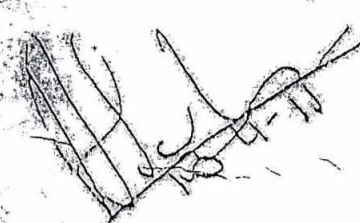


(Asma Manzoor)

Commissioner (Housing)

Copy for information to:

1. Pr. Secy. to LG., Delhi.
2. OSD to VC, DDA.
3. Finance Member, DDA.
4. Engineer Member, DDA.
- ✓ 5. Pr. Commr. (LD/H), DDA.
6. Commr. (LD), DDA.
7. OSD to VC, DDA.
8. Chief Legal Advisor, DDA.
9. All Directors of LD and Housing Deptt.
10. Guard file.



Commissioner (Housing)

DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER
(LANDS DISPOSAL)

F.1(138)2007/NOC(HYP)/153

dated: 21.08.2014

CIRCULAR

SUB: CONVERSION OF LEASEHOLD TO FREEHOLD

In suppression of earlier instructions suspending processing of conversion applications on the basis of registered Agreement to Sell and General Power of Attorney (GPA) in the wake of judgment of the Apex Court in the case of Suraj Lamp & Industries Private Limited Vs State of Haryana and Anr. decided on 11.10.2011, the competent authority after taking the opinion of Ld. Solicitor General of India vide order dated 05.08.2014 has allowed processing of conversion applications in the case of the genuine transactions.

In order to determine whether a transaction is genuine or not, the following documents shall be verified at the time of processing of conversion application:

- i) Agreement to Sell registered with Sub-Registrar of Delhi.
- ii) The said registered Agreement to Sell should contain the stipulation that the entire sale consideration has been received by the seller and the physical possession of the property has been delivered to the purchaser. In case the same is not specifically mentioned the payment receipt & documents regarding handing over/taking over of the property should be seen.
- iii) Verification of the physical possession of the purchaser/applicant who has applied for conversion of lease hold tenure into free hold by way of electricity bills/water bills/MTNL/telephone bills/ration card/passport/voter I - card/Aadhaar Card/driving license/passbook of nationalized bank with photo pasted on it/post office pass-book

On verification of the aforesaid original documents, the lease administering agencies of Land Disposal and Housing Wing are permitted to process the conversion applications subject to completion of all other codal formalities.

This issues with the approval of the Competent Authority.

(M.K. Gupta)
Commissioner (LD)

Copy for information to:-

- 1) Pr. Secretary to LG, Delhi
- 2) Finance Member, DDA
- 3) Engineer Member, DDA
- 4) Pr. Commissioner (LD)- DDA
- 5) Commissioner (Housing)
- 6) OSD to VC
- 7) Chief Legal Advisor

DELHI DEVELOPMENT AUTHORITY
COORDINATION LAND DISPOSAL

S. P. 4(43) Coordn/L.D.

Date: 21.02.01

C/407

CIRCULAR

Note: Conversion of lease hold tenure system into free hold.

In continuation of the Circulars issued with respect to the conversion of lease hold built up residential properties into free hold, it is clarified that in all such cases where the person/persons holding GPA has/have submitted their conversion application, it may be considered from the person (s) holding the agreement to sell, in case the two are different persons.

In the case of death of the GPA as well as agreement to sell holder then in such cases the applications filed by the legal heirs of the agreement to sell holder for conversion of the property from lease hold to free hold may be entertained. In these cases subsequent to the death of legal heirs of agreement to sell may be allowed and thereafter the conversion application (s) may be processed. All other formalities of conversion scheme shall be followed as usual.

This issues with the approval of the L.D. Delhi.

(Sd/-)
(KID TEDDY)
DY DIRECTOR (COORDN)/L.D

Copy forwarded for information to:-

1. Director (Lands)
2. Director (RL)
3. Director (Housing) I & II
4. OSD to L.G., Delhi
5. Dy. Director (LAB) Resd.
6. Dy. Director (LAB) Rohini
7. Dy. Director (GH/CS)
8. Dy. Director (OSB)
9. Dy. Director (LAB) Housing
10. Dy. FA (H) DDA
11. Accounts Officer (RL/CS/Rohini)
12. PS to VC, DDA
13. PS to FM, DDA
14. PS to CLD
15. PS to Pr. Commr. cum Secy.

DY DIRECTOR (COORDN)/L.D.