

THE GANDHIDHAM CHAMBER OF COMMERCE & INDUSTRY

(ESTD. 1953)

"CHAMBER BHAVAN", Plot No. 71, Sector 8, Post Box No. 58,

GANDHIDHAM - Kachchh - 370 201.

Phone : +91-02836-220977, 220735 • Mobile : 99250 37814 • Fax : 220888

e-mail : info@gccikandla.com • Website : www.gccikandla.com

No. GCCI / 244

Date: 05.09.2017

Shri Manshukh L. Mandaviya

Minister of State

Chemicals and Fertilizers,

Shipping, Road Transport and Highways,

Transport Bhawan, Sansad Marg,

New Delhi-110001

CAMP – KANDLA PORT TRUST

**Sub: Emerging Issues of Conversion of Gandhidham – Adipur Township land
from Lease Hold to Free Hold**

Dear Sir,

We on behalf of the people of this township appreciate your timely intervention and active participation to speed-up the conversion process of Gandhidham – Adipur Township land from lease hold to free hold which has now certainly got momentum.

Sir, as reports flow around in the township, the whole process is stuck-up now as the relevant registration documents are being returned back in light of inconsistent with the rules of document registration of the state of Gujarat. We highlight the following issues which have cropped-up recently in this conversion process for your immediate attention.

- 1) As KPT prepares a deed with the title "Conveyance Deed", which results in to the classification under "Sales Deed" which necessitates photographs of the property as per guidelines of the Gujarat Government. As a matter of the fact, KPT is converting only plots and not property from lease hold to free hold.
- 2) As per rules of Stamp Duty of Gujarat Government, the stamp duty for plots and constructed premises works out differently resulting in to double financial burden to the plot holders who have constructed the house on it and presently staying there. So the question of applicability of Stamp Duty still persist.
- 3) It is suggested that let KPT documentise clearly about the status of document with reference to plot or constructed property on "Conveyance Deed" which will give clarity for Registrar to take right decision in this regard. In case of Chandigarh's scheme of free hold, the heading of deed document is as under:

"DEED OF CONVEYANCE OF BUILDING SITE UNDER AND APPURTENANT TO A DWELLING
UNIT ALLOTTED ON LEASE HOLD BY THE CHANDIGARH HOUSING BOARD CONVERTED IN
TO FREE HOLD UNDER THE SCHEME "THE CHANDIGARH CONVERSION OF RESIDENTIAL
LEASE HOLD LAND TENURE INTO FREE HOLD LAND TENURE, RULES 1996"

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Similarly, heading of deed document is suggested for conversion of lease hold to free hold with reference to the scheme applicable for this township for the better clarity to other government departments and agencies.

- 4) Lately with your active initiation, a meeting with state government's officials was held at Gandhinagar wherein the modalities and mechanism was finalized for the conversion of Lease Hold to Free Hold. We hope this will lead to clarity and speed to the whole conversion process particularly record keeping of free hold land mutation and mortgage permission, documentation with respect to subsequent sale and purchase transaction through city survey office to be established for the these purposes.
- 5) As we put it rightly, "Conversion Deed" will not attract any Stamp Duty as it merely changes the status from "Lease Hold to Free Hold" and there is no involvement of sales process. However, if stamp duty is applicable then it should be based on conversion charges as followed in case of Chandigarh and not on the basis of Jantri Charges.
- 6) We also suggest to follow the procedure to produce the original lease deed at the time of execution of the conveyance deed. An endorsement to the effect that the property has been converted into free hold is made on the same and returned along with the conveyance deed.
- 7) It has been observed that inspite of paying Stamp Duty on Jantri Rates, related documents are being sent to Dy. Collector (Stamp Duty) at Bhuj, Kachchh, Gujarat by the Sub-Registrar Office, Gandhidham, Kachchh, Gujarat for the release of document to the applicant. Due to such arrangement, the applicant has to oscillate between Gandhidham and Bhuj. Hence, we suggest that finally registered document should be released from the Office of Sub-Registrar, Gandhidham to avoid the inconvenience to the applicant.
- 8) There is a acute need to establish city survey office at Gandhidham to take care about the records of free hold documents and subsequent documentation part of sale – purchase transaction of free hold land.
- 9) We suggest to give time frame after receipt of application for the conversion.
- 10) Now it is high time that commercial land also should be made free hold and required procedure for the same should be finalised and initiated at the earliest.
- 11) In the present scenario till to date only conversion files are cleared and free hold date is not specified per application.

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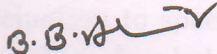
12) We also suggest to open separate cell at KPT Office to expedite the whole conversion process.

Sir, we would like to inform you that the people of this township are now in dilemma about the whole conversion process and are highly disappointed with the emerging results of prevailing current scenario.

We once again request you to please direct the concern to resolve these issues on top most priority to bring the whole matter to its logical conclusion to materialize the dream of people of this township.

Thanking you,

Yours faithfully,



Babubhai B. Humbal
President

- Copy : 1) The Chairman, Kandla Port Trust
2) Dy. Chairman, Kandla Port Trust
3) Secretary (Estate), Kandla Port Trust
4) Shri Vinod Chavda, Member of Parliament

As per the people of this township appreciate your timely intervention and active participation in up the conversion process of Gandhidham - Adipur Township land from lease hold to free hold which has now certainly got momentum.

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1) As per the rules of Gujarat Government, the stamp duty for plots and constructed premises works out differently resulting in to double financial burden to the plot holders who have constructed the house on it and presently staying there. So the question of applicability of Stamp Duty still persist.

2) It is suggested that the KPT documents clearly about the status of document with reference to plot or constructed property on "Conveyance Deed" which will give clarity for Registrar to take right decision in this regard. In case of Chandigarh's scheme of free hold, the heading of deed document is as under:
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