

THE GANDHIDHAM CHAMBER OF COMMERCE & INDUSTRY

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President
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No. GCCI / 223

Date : 29.07.2016

The Director,
Tariff Authority of Major Ports,
Camp: Administrative Office,
Kandla Port Trust,
Gandhidham – Kachchh

**Sub:- Proposal from Kandla Port Trust for revision of Rate Structure
of Gandhidham Township of KPT**

Respected Madam,

This has reference to the captioned subject and we humbly submit in this regard as under:

- 1) According to order of Diwan Office (His Highness of Kachchh) No.H.O.19 of 1948 dated 29.01.1948, the free of charge land allotment was done as a mercy project for refugees mainly the Hindus and Shikhs from Sindh.
(Annexure – 1 attached for ready reference)
- 2) Initially when township was being established, during those days KPT used to circulate brochures for marketing of plots to general public which clearly stats "The lease will be granted in consideration of premium (payable prior to the execution of the lease). This premium represents the approximate cost of land acquisition and development and incidental expenses, fixed according to the situation, user and size of a particular plot".
(Annexure – 2 attached for ready reference)
- 3) Further we make reference of Agenda Item No. 21 of Board Meeting dated 20th October, 2014 which is self explanatory.
(Annexure – 3 attached for ready reference)
- 4) Letter No. ES/TN/1404/RTI/1174/399 dated 30.03.2009 received from Kandla Port Trust clearly saying that KPT is only administrator of land of Gandhidham Township on behalf of Union of India.
(Annexure – 4 attached for ready reference).

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- 5) As per order from Mr.S. Sathyam then Chairman of TAMP clearly stating that "There can be no levy of fee for permitting transfer / mortgage of lease hold rights and this authority does not have the jurisdiction to accord approval for levy of any such fees.
(Annexure – 5 attached for ready reference)
- 6) We quote one case which reflects proof of exorbitant transfer fee of residential area bearing Plot No.18, Sector – 1, Gandhidham, wherein as on 19th April, 2007 the transfer fee was charged Rs.3,269/- while if we compare with the proposed new transfer fee today as per your chart, it works out to Rs.45,50,000/-. The percentage works out to 1,39,186% and further it attracts review after every two years.
(Annexure – 6 attached for ready reference)
- 7) In case of one example of commercial area, bearing Plot No. 71, Sector 8, Gandhidham, wherein the holder had paid Rs.52,426/- vide receipt no.000014 dated 28th November, 2002. If the same transaction to be effected as per proposed revised transfer fee rates, it works out to Rs.1,19,25,000/-. This scenario itself reflects proposed levy of exorbitant transfer fee charges in this township.
(Annexure – 7 attached for ready reference)
- 8) Gandhidham Township has two parts of the one complex. One part i.e. **WARDS** area constructed and develop with amenities by SRC Ltd. and in this case ground rent is being collected by Gujarat Government. The second part **SECTORS** is being administered by Kandla Port Trust where KPT's contribution towards development is limited to the marking of plot area and allotment to the users. Therefore, keeping in view role played by KPT so far, do not justify the exorbitant levy of various charges by KPT in proposed Rate of Structure of Gandhidham Township.
(Annexure – 8 attached for ready reference)
- 9) As per Para No.7 of Land Policy for Major Ports – 2010, the policy is applicable for all Major Ports and Ennore Port except for land relating to Gandhidham Township of Kandla Port Trust.
- 10) As per Para No. 10 of the Land Policy Guidelines for Major Ports – 2014, the policy is applicable for all Major Port Trusts and Ennore Port Limited except for the land relating to the township area of Kandla, Mumbai and Kolkata Ports.

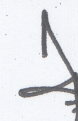
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- 11) The Draft Land Policy Guidelines for Gandhidham Township 2014 has been approved by the board and sent to ministry for Cabinet approval. Since approval of Land Policy yet not received, the hearing of TAMP shall be postponed till Gandhidham Policy is approved.
- 12) The lands in Gandhidham Township area were allotted on the basis of development charges i.e. cost of infrastructure borne by the Port Trust towards providing roads, water supply, drainage etc.
- 13) The dispute between KPT and SRC Ltd., pertaining to land allotment to SRC for various issues has been referred for adjudication by way of Arbitration and the same being pending, the present revision may please be deferred.
- 14) The Kandla Port Trust had not allotted the land since 1990s, hence considering the market rates for calculating the transfer fee, mortgage fee, etc. is not justified.
- 15) KPT has allotted plots to its employee in Shakti Nagar, Apna Nagar and Sapna Nagar to fulfil welfare objective. The transfer fee of these areas earlier worked out to average Rs.4,000/- while as per proposed revised rates it works out to average Rs.16,00,000/-. This is the gift by KPT to their employees who have put up hard work and sincerity for the development of Kandla complex. Further this proposed hike will be unbearable for the retired employee of Kandla Port Trust.

We therefore request you to please immediately scrap the proposed revised structure and continue to follow the base of development charges instead of Jantri / Market Price for transfer fee.

Thanking you,

Yours faithfully,



Dinesh Gupta
President

Encl : As Above.