

Terms & Conditions:

1. The prior permission of the Mumbai Mahanagarpalika should be obtained for the utilisation of TDR on the said property amounting to 6645.1 sq. mtrs.
2. As per the provisions of the Development Control Regulations, the benefit of TDR can be availed in respect of the aforesaid property only and the benefit cannot be utilized anywhere else.
3. As per the Government Resolution, Revenue and Forest Department bearing No. Land-2698/718/Pra. Kra.7564/29/09/2010, the stamp duty shall be calculated @ 5% of the market value of the said property for industrial area. As per the Reckoner value 2012, the market value of the property is Rs.38,200/- per sq. mtrs. accordingly, the market value of the said 6645.1 sq. mtrs. area would be Rs.25,38,42,820/- said value the TDR @ 5% comes to Rs.1,26,92,141/- (Rupees One Crore Twenty Six Lacs Ninety Two Thousand One Hundred and Forty One). The said amount of TDR shall be deposited with the office of Collector, Mumbai Suburban District by way of Pay Order within a period of 30 days.
4. The usage of TDR shall be made only for the purpose of industrial use only. In the event of change of such user, prior permission of the government/Collector will be essential.
5. In the event of any mistake is found in the calculation of the TDR value, the excess/rectified amount payable shall be paid to the



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government alongwith interest thereon after the rectification of such mistake.

6. The transfer fee shall be payable in respect of any transfers that may be effected towards sale/transfer of the galas that will be developed/constructed by virtue of the utilization of TDR as per government order dated 24/8/2004.

7. In the event of any amendment made to the provisions of the utilisation of TDR by the government, the applicant shall be bound by such changes thereto with respect to the calculation of the amount payable towards the same and the such amount shall be payable by the applicant.

8. The applicant shall be bound by any other terms and conditions that may be levied in future by the government other than the terms and conditions mentioned hereinabove and the Collector shall be at liberty to levy any additional terms and conditions from time to time in future in respect of the aforesaid.

9. The present permission for grant of TDR has been granted in the light of earlier order of the government granted.

10. An Affidavit/Declaration on stamp paper of Rs.200/- stating that above terms and conditions are acceptable to be submitted to this office.

Sd/-

Collector  
Mumbai Suburban  
District



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To:

- 1) Tahsildar, Borivali/City Survey Officer, Goregaon for their information and further necessary action.
- 2) Divisional Engineer (Building Proposal), Western Suburbs, Brihanmumbai Mahanagarपालिका for their information and further necessary action.

Number 2 above shall process the plans for TDR area. Thus, prior NOC of this Office shall be obtained before applying for completion certificate and occupation certificate in respect of the said building.

Sd/-

Collector,  
Mumbai Suburban District



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## Annexure - N



### जिल्हाधिकारी, मुंबई उपनगर जिल्हा



क्रमांक : सी/कार्या-७ब/कावि/२५/कां.ओ.व/२०१२  
दिनांक : २५/४/२०१२



विषय :- जमिन मुंबई उपनगर जिल्हा

कांदिवली औद्योगिक वसाहतीतील न.भू.क्र. ३४९, ३४९/१, ३५०, ३५०/१, ३५२, ३५२/१ वरील भूखंड क्र. ३५२, ३५२/१ वरील कब्जेहक्काने देण्यात येणाऱ्या जमिनीवरील बांधण्यात येणाऱ्या परवानीस परवानीस करणेंस परवानीस देणेंबाबत.

वाचते :-

- १] अर्जदाराचा उपरोक्त विषयांकित दि. २/४/२०१२ चा अर्ज
- २] जिल्हाधिकारी, मुंबई आदेश क्र. जि.अ.भू.अ/न.भू.सं.३ ब/क्षे/दु/ एस आर ११९५/२०११/३१७५, दि २०/८/२०११
- ३] जिल्हाधिकारी, मुंबई आदेश क्र. सी/कार्या ७ब/कावि २८७६५/ कांओव/ मेटालिक/ २०१२, दि २४/४/२०१२
- ४] शासन निर्णय क्र. एलबीएल ११००२/प्र.क्र.१५४/ज २, दि २४/४/२००९

२०१२	२४/४/२००९	२०१२
२०१२	२४/४/२००९	२०१२
२०१२	२४/४/२००९	२०१२

आदेश :

अर्जदार मेटालिक इंडस्टीज लि यांनी उपरोक्त संदर्भ क्र १ दि. २४/४/२००९ च्या अर्जाबाबत कळविले आहे की, त्यांना कब्जेहक्काने देण्यात आलेल्या न.भू.क्र ३४९, ३४९/१, ३५०, ३५०/१, ३५२, ३५२/१ वरील जमिनीवर औद्योगिक कारणासाठी गाळे बांधून गाळे विकणेचे असल्याने सदर गाळे विकण्यास परवानीस देण्यात यावी व त्यासाठी भरावी लागणारी अनर्जित रक्कम भरण्यास अर्जदार तयार आहेत

कांदिवली औद्योगिक वसाहतीतील न.भू.क्र. ३४९, ३४९/१, ३५०, ३५०/१, ३५२, ३५२/१, ३५२, ३५२/१ वरील भूखंड क्र.१३८ ते १४१ अबकड हे भूखंड मे.मेटालिका वक्स प्रा.लि.यांना या कार्यालयाकडील भाडेपट्टा करार दि.२०/११/७६ अन्वये ३० वर्षांच्या भाडेपट्टा करारावर देण्यात आली होती. तदनंतर कांदिवली औद्योगिक वसाहती मधील सर्व भूखंड उपरोक्त शासन शासन दि.२७/१२/८२

जिल्हाधिकारी, मुंबई उपनगर यांचे कार्यालय, प्रशासकिय इमारत १० वा मजला, शासकिय वसाहत, बांद्रा (पूर्व) मुंबई ५१ कार्यालय ११-२६५५६७९९/२६५५७८०७ फॅक्स २६५५६८०५ ईमेल [mumbaiurbancollector@mah.gov.in](mailto:mumbaiurbancollector@mah.gov.in)  
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अन्वये रु.६६/-प्राति चौ.मी. या दराने कब्जेहक्काने देण्यात आले होते. मे.मेटालिका वर्क्स प्रा.लि. यांनी, दि.१६/१/१९८७ रोजी त्यांच्या कंपनीचे नाव बदलुन मे.मेटालिका इंडस्ट्रीज लिमिटेड असे केले आहे. त्यास उपरोक्त संदर्भ क्र ३ आदेश क्र सी/कार्या ७ब/कावि. २८७६५/कां.औ.व/ मेटालिक /२०१३, दि.२४/४/२०१२ अन्वये याबद्दलाने आम्ही आहोते.



प्रकरणी अर्जदारांनी केलेल्या विनंतीचे अनुषंगाने अर्जदारांना कब्जेहक्काने देण्यात आलेल्या काढिवली ता.बोरीवली येथील नभूक्र. ३४९,३४९/१,३५०,३५०/१,३५१,३५१/१,३५२/१,३५३/१,३५४/१,३५५/१,३५६/१,३५७/१,३५८,१३९,१४० व १४१ चे क्षेत्र ६६४५.९९ चौ.मी. क्षेत्र रस्त्याकडे वर्ग.केल्याचे नमूद करण्यात आले व उर्वरित ५५५.० चौ.मी. क्षेत्र रस्त्याकडे वर्ग.केल्याचे नमूद करण्यात आले. रस्त्याकडील वर्ग झालेल्या क्षेत्राबाबत अर्जदार यांना मुंबई महानगरपालिकेकडे अर्ज करणे निदेशांकाचा लाभ घेता येईल. या वस्तुस्थितीचा विचार करता केवळ ६६४५.१ चौ.मी. क्षेत्रावरील गाळ शासन निर्णय क्र.एलबीएल १००२/प्र.क्र.१५४/जर दि.२४/८/२००४ नुसार खालील अटी/शर्तीवर विक्री/हस्तांतर करणेस परवानगी देण्यात येत आहे.

**अटी/शर्ती :**

- कब्जेहक्काने मंजूर केलेल्या भूखंडावरील इमारतीमधील. औद्योगिक वापरातील जागा हस्तांतरित करण्यास हस्तांतरण फी रु.५००/- प्र.चौ.फुट याप्रमाणे (६६४५.१ चौ.मी.) ७१५०१.२७ चौ.फुट करिता रु.३,५७,५०,६३५/- इतकी आहे. सदर रक्कमेचा Collector Mumbai Suiburban District यांचे नावे धनाकर्ष / पे ऑर्डर काढुन ३० दिवसाचे आत जमा करावी.
- अर्जदार यांनी उपरोक्त हस्तांतरण फी ची रक्कम शासनजमा केल्याशिवाय सदरच्या परवानगीची अंमलबजावणी होणार नाही.
- सदर परवानगीनंतर मंजूर नकाशे इकडील कार्यालयास सादर करणे बंधनकारक राहिले. मंजूर क्षेत्र उपरोक्त अट क्र. १ मधील क्षेत्रापेक्षा अधिक असल्यास अर्जदारांना फरकाची हस्तांतर फी भरणे बंधनकारक राहिले.

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जिल्हाधिकारी, मुंबई उपनगर यांचे कार्यालय, प्रशासकिय इमारत १० वा मजला, शासकिय वसाहत, बांद्रा (पूर्व) मुंबई ५९ कार्यालय ११-२६५५६७३९/२६५५७८०७ फॅक्स २६५५६८०५ इमेल mumbaiurbancollector@mah.gov.in  
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४. जमिन औद्योगिक प्रयोजनासाठी मंजूर करण्यात आली आहे. त्या प्रयोजना व्यतिरिक्त अन्य प्रयोजनासाठी अर्जदारस जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांची पूर्व परवानगी घेणे बंधनकारक आहे.

५. या परवानगीनंतर अर्जातील जमिनीवर बांधण्यात आलेल्या इमारतीमधील गाळ्यांचे प्रथम हस्तांतरण करताना खरेदीदारास हस्तांतरण फी लागू होणार नाही. मात्र त्यानंतर भविष्यात पुन्हा गाळ्यांची विक्री /हस्तांतरण केल्यास शासन निर्णय दि.२४/८/२००४ च्या तरतूदीनुसार हस्तांतरण ही /अनुज्ञप्ती वसूल करण्यात येईल.सदर जागेची शासनास आवश्यकता भासल्यास कोणतीही नुकसान भरपाई न देता प्रस्तुत जागेचा/भूखंडाचा ताबा विनाशत शासन बांधकाम विभाग, मुंबई उपनगर जिल्हाद्वारा अर्जदारास/ जिल्हाधिकारी, मुंबई उपनगर जिल्हा येथे नुकसान भरपाईची माहिती देण्यात येईल.



६. प्रश्नाधीन जागेच्या संदर्भात खरेदीदार व विक्रीदार यांचेमध्ये कोणत्याही प्रकारचा वाद अस्तित्वात नाही, किंवा नुकसान भरपाईची माहिती देण्यात येईल. सध्या त्यास हे कार्यालय जबाबदार राहणार नाही, किंवा नुकसान भरपाईची माहिती देण्यात येईल. सध्या त्याची सर्वस्वी जबाबदारी आपली राहिल,



जमिनीवर सक्षम प्राधिकार्याचे पूर्व परवानगीशिवाय हस्तांतरणीय विकास हक्क (TDR) जापरता येणार नाही. त्यासाठी शासनाच्या प्रचलित धोरणानुसार जिल्हाधिकारी याची पूर्व परवानगी घेणे आवश्यक आहे. तसेच मंजूर प्रयोजनासाठी त्याचा वापर करण्यासाठी जिल्हाधिकारी यांची पूर्व परवानगी घेणे आवश्यक आहे. तसेच मंजूर प्रयोजनासाठी त्याचा वापर करण्यासाठी जिल्हाधिकारी यांची पूर्व परवानगी घेणे आवश्यक आहे. तसेच मंजूर प्रयोजनासाठी त्याचा वापर करण्यासाठी जिल्हाधिकारी यांची पूर्व परवानगी घेणे आवश्यक आहे.

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जिल्हाधिकारी, मुंबई उपनगर जिल्हा	
मुंबई उपनगर जिल्हा	

८. जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचे पूर्वपरवानगी शिवाय जमिनीचे दानखत, गहाणखत, विक्रीखत, भाडेपट्टा खत करता येणार नाही. तसेच सदरच्या जमिनीचे अन्य कोणासही हस्तांतरण करता येणार नाही.


९. हस्तांतरण फी च्या रक्कमेची गणना करतांना चुक झालेचे निदर्शनास आल्यास, चुक दुरुस्तीनंतर जास्त होणारी रक्कम व्याजासह शासनास भरावी लागेल.

१०. वरीलप्रमाणे अटी व शर्तीचा भंग केल्यास प्रदान करण्यात आलेली जमिन त्यावरील बांधकामासह कोणतीही नुकसान भरपाई न देता शासन जमा करण्यात येईल.

११. वरील अटी व शर्ती व्यतिरिक्त भविष्यात शासनाने अन्य अटी व शर्ती लादल्यास अर्जदारावर बंधनकारक राहतील.

१२. ही परवानगी पूर्णतः अर्जदार कंपनीने पुरविलेल्या कांगदपत्रांवरून देण्यात येत आहे. सबब भविष्यात काही न्यायालयीन बाब उदभवल्यास त्याची पूर्ण जबाबदारी अर्जदार कंपनीची राहिल.
१३. विक्रीदार व खरेदीदार यांचेमध्ये होणाऱ्या करारनाम्याची प्रत या कार्यालयास सादर करावी.
१४. उपरोक्त अटी/शर्ती मान्य असलेबाबतचे रक्कम रु. २२०/- च्या स्टॅम्प पेपरवरील हमीपत्र या कार्यालयास सादर करावे.

स्थळप्रतीवर मा.जिल्हाधिकारी यांची सही असे

  
जिल्हाधिकारी

मुंबई उपनगर जिल्हाकरिता



प्रति,  
श्री. जितेंद्र आर जैन,  
सीए टु मेटालिका इंडस्ट्रीज लिमिटेड,  
भूखंड क्र. १३८ ते १४१ आबकड,  
कांदिवली औद्योगिक वसाहत, चारकोप,  
कांदिवली(प.), मुंबई - ४०० ०९५

बर्ल - ७/	
२३२१	१०१
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जिल्हाधिकारी, मुंबई उपनगर यांचे कार्यालय, प्रशासकिय इमारत १० वा.मजला, शासकिय वसाहत, बांद्रा (पूर्व) मुंबई ५१  
कार्यालय ९१-२६५५६७९९/२६५५७८०७ फॅक्स २६५५६८०५ इमेल mumbaisuburbancollector@mah.gov.in  
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ENGLISH TRANSLATION OF  
COLLECTOR ORDER Dt. 25/04/2012.

COLLECTOR, MUMBAI SUBURBAN DISTRICT



No. C/Kaarya-7B/Kaavi-780/Ka-O-Va/2012

Date:- 25/04/2012.

Subject:-

Land Mumbai Suburban District  
Permission for the sale of Gala/s to be  
constructed on the said leased property  
bearing C.T.S. Nos. 349, 349/1, 350,  
350/1, 351, 351/1, 352 and 352/1, Plot  
Nos.138 ABCD, 139 ABCD, 140 ABCD  
& 141 ABCD of Kandivali Industrial  
Estate.

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Read:-

1. Applicant's Application dated 02/04/2012 in respect of the captioned matter.
2. Order bearing No. G.A.Bhu.A/Na.Bhu.S. 3B/Shre.Du/S R 1995/2011/3175 dated 20/08/2011 passed by The Collector, MSD.
3. Order bearing No.C/Karya-7B/Kaavi-28765/Ka-O-Va/Metallica/2012 dated 24<sup>th</sup> April 2012 passed by The Collector, MSD.
4. Government Order bearing No. LBL 11002/Pra.Kra.154/J 2 dated 24/08/2004.

ORDER:-

The Applicant, M/s. Metallica Industries Ltd., vide application dated 02/04/2012 has informed that the applicant is desirous of constructing Gala/s for industrial purpose and have requested the permission for the construction and sale of the Industrial Gala/s on the said property



bearing C.T.S. Nos. 349, 349/1, 350, 350/1, 351, 351/1, 352 and 352/1 which was leased to the applicant and that the applicant is ready to make the payment of the necessary premium for the same.

This office has vide Lease Deed dated 20<sup>th</sup> November, 1976 leased the property bearing CTS Nos. 349, 349/1, 350, 350/1, 351, 351/1, 352 and 352/1 and Plot No.138 to 141 ABCD to M/s. Metallica Works Pvt. Ltd. for a period of 30 years. Thereafter, vide Government Notification dated 27/12/1982, the Occupancy rights of all the plots situated at Kandivali Industrial Estate were given at the rate of Rs.66/- per sq. mtrs. On 16/01/1987, the name of M/s. Metallica Works Pvt. Ltd. was changed to Metallica Industries Ltd. And the aforesaid has been approved vide captioned Ref. No. 3 i.e. Order bearing No. C/Karya-7B/Kaavi-28765/Ka-O-Va/Metallica/2012 dated 24/04/2012.



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And as per the request of the applicant, in reference to the said property bearing CTS Nos. 349, 349/1, 350, 350/1, 351, 351/1, 352 and 352/1 situated at Village Kandivali Taluka Borivali which was given on the Permanent Occupancy basis vide Order mentioned in Ref No. 2 above the area of the said property i.e. Plot No. 138, 139, 140 and 141 has been fixed at 6645.1 sq. mtrs and the balance area of 555.0 sq. mtrs. was allotted for road widening. The applicant can avail the benefit of FSI in respect of the said area nominated/ allotted for road widening by making necessary application to Mumbai Mahanagarpalika. In the above circumstances, as per the Government Order bearing No. LBL 11002/Pra.Kra.154/J2 dated 24/08/2004, the permission is hereby granted for sale/transfer of Gala/s to be constructed on the area of 6645.1 sq. mtrs. only subject to the following terms and conditions:-

**TERMS AND CONDITIONS:-**

1. A sum of Rs.3,57,50,635/- (Rupees Three Crore Fifty Seven Lac Fifty Thousand Six Hundred and Thirty Five Only) calculated at the rate of Rs.500/- per sq. ft. (6645.1 sq. mtrs. i.e. 71501.27 sq. ft.) shall be payable as transfer fees towards transfer of said Galas for Industrial purposes. The Demand Draft/Pay Order in favour of the "Collector, Mumbai Suburban District" for the aforesaid amount shall be deposited within a period of 30 days.



2. The implementation of the aforesaid permission shall not be made until the said transfer fee is deposited with the Government.

3. After the said permission, the approved plans shall be submitted to the said Office. The Applicant shall pay the difference transfer fee if the area exceeds the approved area as mentioned in Term No. 329 hereinabove.

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4. The said property has been approved for industrial purposes. The Applicant shall be required to obtain the prior permission of the Collector for the use of the said property for any purpose other than specified.

5. After this permission, there shall be no transfer fee payable by the Purchasers for first transfer of the Galas in the proposed building to be constructed on the said property. However for any transfer thereof, in future, transfer fees shall be recovered in respect of any further sale/transfer of the Gala/s as per the Government Resolution dated 24/08/2004. If the said property is required by the government then it shall be obligatory to handover the unconditional possession of the

said property/plot without any payment of compensation from the Government.

6. This office shall neither be responsible in way nor shall be liable to pay any compensation in the event of any dispute of any nature existing/arising between the Seller and the Purchasers with reference to the said plot in question. The entire responsibility of the same shall be of the Applicants.



7. That Transfer Development Rights (TDR) cannot be used on the said property without the prior permission of the concerned authority. And for that purpose it is necessary to obtain the prior permission of the Collector as per the prevailing regulations of the government. Similarly, the prior permission shall be essential to make said use for the approved purpose as per Corporation's requirements.

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E329	2097

8. No gift deed, mortgage Deed, Sale Deed, Lease deed, etc shall be executed in respect of the said property without the prior permission of the Collector, Mumbai Suburban District. Similarly, transfer of the said property cannot be effected with any third party.

9. In the event of any mistake is found in the calculation of the transfer fees, the excess amount payable shall be paid to the government alongwith interest thereon after the rectification of such mistake.

10. In the event of any breach of the terms and condition mentioned hereinabove, the said property along with any construction thereon shall be taken over by the government without grant of any compensation for the same.

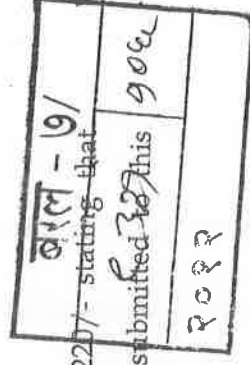
11. The applicant shall be bound by any other terms and conditions that may be levied in future by the government other than terms and conditions mentioned hereinabove.



12. This permission is granted purely on the basis of the application submitted by the applicants' company. Thus the applicants shall be solely responsible for any court matter that may arise in future.

13. A copy of the agreement to be executed between the Seller and the Purchasers shall be filed in this office.

14. An Affidavit/Declaration on stamp paper of Rs.220/- stating that above terms and conditions are acceptable to be submitted to this office.



Sd/-

Collector  
Mumbai Suburban  
District

To,  
MR. JITENDRA R. JAIN  
C.A. To Metallix Industries Ltd.  
Plot No. 138 to 141 ABCD,  
Kandivali Industrial Estate,  
Charkop, Kandivali (W),  
Mumbai 400 097.

# Annexure - O

© : 3250 3296  
© : 3246 8012



## Khandivali Co-operative Industrial Estate Ltd.

Regd. No. BOMW-RRSR/SR/1161/2002-2003 of 2002

KCIEL/138 TO 141 ABCD

June 26, 2007

Messrs. Metallica Industries Limited  
Plot No.138 to 141 ABCD  
Khandivali Co-operative Industrial Estate  
Khandivali (West)  
Mumbai 400 067



क्रमा - ७/	
९३२१	१००
२०३२	

Sub: N.O.C. for reconstruction of your building.


Dear Sirs,

Further to our letter No.KCIEL/138 to 141 /6/07/827 dated 2<sup>nd</sup> June 2007 We wish to inform you that the above subject matter was placed before the Board of Directors at its meeting held on 19<sup>th</sup> June 2007 and it was decided to give N.O.C. for reconstruction of your building.

Accordingly, we wish to state that we have no objection in your reconstructing the building subject to your getting approvals from all the department concerned in B.M.C. as also other competent authorities.

Thanking you,

Yours faithfully,

  
(Cdr. J.S. Santhru)  
Manager (Admin)

# Annexure - O-1



KAMLA CORPORATE PARK

## LETTER OF CONSENT

Date:- 31/03/2011.

To,



क्रमांक - ७/	
२३२९	१०८
२०११	

**Sub:** Gala No. \_\_\_\_\_ on the \_\_\_\_\_ Floor in the building "Kamla Industrial Park" situate at Plot No.138 to 141 ABCD of Government Industrial Estates, Kandivali Co-operative Industrial Estates, Charkop, Kandivali (West), Mumbai - 400 067.

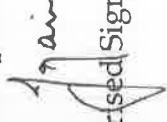
Sir / Madam,

This has reference to earlier Allotment Letter issued by us to you wherein you have been allotted the said Gala under reference in that regard we have to further inform you that we and Metallica Industries Limited have mutually cancelled the Development Agreement dated 27<sup>th</sup> October, 2007 and lieu thereof Metallica Industries Limited has taken over redevelopment of the said property. We have transferred a sum of Rs. \_\_\_\_\_/- (Rupees \_\_\_\_\_ Only) to Metallica Industries Limited, which you have paid to us till date. Therefore, henceforth all future payments shall be made directly to "Metallica Industries Limited" and Metallica Industries Limited shall be executing an Agreement for sale of the said Gala with you.

Thanking you,

Yours truly,

Kamla Corporate Park

  
Authorised Signatory

We hereby accept the aforesaid.

I/We hereby accept & confirm the aforesaid.



Purchaser/s

**Metallica Industries Ltd.**  
Authorised Signatory

## Annexure - P

VIVEK KUMAR MAURYA  
ADVOCATE



TITLE CERTIFICATE

९३२९ - ७१	
९३२९	१०९
२०१२	

TO WHOMSOEVER IT MAY CONCERN

### DESCRIPTION OF THE PROPERTY

ALL THAT PIECE OR PARCEL of land or ground together with structures standing thereon situated lying and being Plot Nos.138 to 141 ABCD of Government Industrial Estate (corresponding C.T.S. Nos.349, 349/1, 350, 350/1, 351, 351/1, 352 and 352/1) of Revenue Village Kandivali Takula Borivali, Kandivali Co-operative Industrial Estate, Charkop, Kandivali (West), Mumbai 400 067, ("the said property") admeasuring 6785 sq.mtrs or thereabouts as per the Lease Deed dated 20<sup>th</sup> November 1976 and **admeasuring 7200.1 sq.mtrs or thereabouts as per the property Card of the said property** in the Registration Sub District of Bandra, Mumbai Suburban District and bounded as follows:-

On or towards the North by : Existing road and beyond that CTS Nos.353

& 348 of the said Estate;

On or towards the South by : CTS Nos.353 and 348 (Plot Nos.140 &139) of the said Estate;

On or towards the West by : CTS Nos.359 & 358 of the said Estate;

On or towards the East by : Existing Road and beyond that CTS Nos. 342 and 353 of the said Estate.

As per instructions received from Metallica Industries Limited, I have carried out search of the records relating to the abovementioned property.

OFFICE : ANAND KANCHAN, II FLOOR, PHEROZSHAH MEHTA ROAD,  
VILE PARLE (E), MUMBAI-400 067. • TEL. 2617 2848, 2610 3899 • FAX : 2617 2858

RESIDENCE : B-23, SHANTI SADAN, OCEAN VIEW CO-OP. HSC SOCIETY LTD.,  
SAHYOG NAGAR, SHANKAR LANE, KANDIVALI (W), MUMBAI-400 067.  
MOBILE : 98690 75324, 98675 9957९ • E-mail: vivek\_maurya@hotmail.com

## SEARCH REPORT:

Government was absolutely seized, possessed and entitle to various pieces and parcels of land at Kandivali (West), Charkop and with a view to develop the same as an Industrial Zone, the Government established Industrial Estate ("Government Industrial Estate").

By a Lease Deed dated 20<sup>th</sup> November, 1976 ("Lease Deed") Government through Additional Collector of Bombay Suburban District granted lease of the said property to One Metallica Works Company duly registered under the provisions of the Indian Companies Act, 1913) therein referred to as "the Lessee" for 30 years on the terms and conditions more particularly mentioned therein.

In or about 16<sup>th</sup> January, 1987, Metallica Works Pvt. Ltd. itself into a Public Limited Company and is now known as Metallica Industries Limited".

As it was not possible for the Government to deal with all the Lessees of the Government Industrial Estate for collection of Lease rentals, administrative charges, management of the Industrial Estate, etc. and therefore, in the year, 2002 got incorporated a Society named as "Kandivali Co-operative Industrial Estate Limited" ("said Society") for the purpose of collection of rents, management and administration of the Industrial Estate.

The Government allotted the entire land of the Government Industrial Estate to the said Society, however, the Government has never executed any transfer documents in favour of the said society and has kept the ownership of the entire Industrial Estate with it and all the Lessees of the Government Industrial Estate became members of Kandivali Co-operative Industrial Estate Limited. The said Society issued to Metallica Works Pvt. Ltd. a Share





Certificate bearing Nos.771 to 780 (both inclusive) represented by Share Certificate No.248.

By a Memorandum bearing No. Land 2687/1875/ Pra.Ka.1001/2003 of the SUB-REGISTRAR BORIVALI NO.-7 (BORIVALI) (अ.प्र.क.१००१/२००३) (अ.प्र.क.१००१/२००३) dated 25<sup>th</sup> April, 2003 issued by the Revenue & Forest Department, the Government decided to transfer the Government Industrial Estate at Kandivali in favour of Maharashtra Industrial Development Corporation (MIDC) through the Industry Energy and Labour Department on the conditions mentioned in the Memorandum and to give its management to Maharashtra Industrial Development Corporation. A Copy of the Memorandum alongwith the translated copy is hereto annexed and marked as Annexure "A".



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By an Order dated 2<sup>nd</sup> July, 2003 bearing No.C/Karya-7B/62.K.I.F./Kavi-121/02, the Collector of Mumbai Suburban District transferred the industrial estate to the Maharashtra Industrial Development Corporation (MIDC) through Industry Energy and Labour Department for industrial purposes and public purpose and with encroachment as existing with liabilities of recovery of all government dues. A Copy of the said Order dated 2<sup>nd</sup> July, 2003 issued by the Office of the Collector, Mumbai Suburban District, alongwith the translated copy is hereto annexed and marked as Annexure "B".

The City Survey Officer, Borivali by a Possession Receipt dated 23<sup>rd</sup> January 2004, handed over the documentary possession of the Kandivali Industrial Estate to MIDC, Regional Officer. A copy of the Possession Receipt dated 23<sup>rd</sup> January 2004, alongwith the translated copy is hereto marked and annexed as Annexure "C".

By a Order dated 30<sup>th</sup> April, 2004, Government granted approval for transferring Government Industrial Estate, Kandivali by Maharashtra Industrial Development Corporation in favour of Kandivali Co-operative Industrial Estate Limited on the terms and conditions mentioned in the

circular dated 30<sup>th</sup> April, 2004 issued by Government. A copy of the Order dated 30<sup>th</sup> April, 2004 alongwith the translated copy is hereto marked and annexed as Annexure "D".



Maharashtra Industrial Development Corporation (MIDC) by an Order dated 10<sup>th</sup> May 2004 bearing No. MIDC/Mubhuvapua/ Kanhera I.E. Transfer/531, directed the Regional Officer, MIDC, Thane to handover the possession of the said property and the entire industrial estate to the Society. A copy of the Order dated 10<sup>th</sup> May 2004, alongwith the translated copy hereto marked and annexed as Annexure "E".

Maharashtra Industrial Development Corporation on 12<sup>th</sup> May 2004 handed over possession of the Kandivali Industrial Estate to the Society. A copy of the letter dated 12<sup>th</sup> May 2004, alongwith the translated copy is hereto marked and annexed as Annexure "F".

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The said Society has also by their letter dated 20<sup>th</sup> June, 2007 addressed to Metallica Industries Limited granted NOC for reconstruction of the said property. A copy of the said Letter dated 20<sup>th</sup> June, 2007 is hereto annexed and marked as Annexure "G";

I have taken search at various Sub Registrar Offices for the years between 1948 to 2007 (60 years) for the "the said Property". While inspecting records at Registrar of Companies at Mumbai it is revealed that Metallica Industries Limited, has mortgaged the Company's property in favour of Canara Bank by creating a first Charge on factory building and Canara Bank have vide their letter bearing No.CB/ARM/CR-173/5661/METALLICA/2007/SML dated 23<sup>rd</sup> April 2007 issued a No Dues Certificate in favour of Metallica Industries Ltd. A copy of the Letter dated 23<sup>rd</sup> April 2007 is hereto annexed and marked as Annexure "H".

PUBLIC NOTICE:

Public Notice dated 5<sup>th</sup> April 2007, was issued in Navshakti Press Journal on 9<sup>th</sup> April, 2007 inviting claims/objections in respect of the said property from members of public and no objection/claim was received in respect of the said property.



TITLE:

In view of what is stated above, I am of the opinion that Metallica Industries Limited has a clear and marketable title to the said property.

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Dated this 13<sup>th</sup> day of September, 2007.

Advocate



Annexure "A"

क्रमांक : जमीन २६८७/१८७/प्र.क्र. ३९१४/(भाग -२)/जा-  
महसूल व वन विभाग,  
मंत्रालय, मुंबई - ३२  
दिनांक :- २५.४.२००३

विषय :- जमीन व मंडई उपनगर विस्तार  
कांदिवली येथील शासकीय औद्योगिक वसाहत उद्योग  
विभागामार्फत महाराष्ट्र औद्योगिक विकास महामंडळास  
उत्तीवरील करपदावकाश.

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लाभ :- शासन शापन समक्रमांक दि. ६.१२.२००३.

शासन :-

विस्तारधिकारी मुलर उपनगर विस्ताराला विज्ञापितपूर्वक असो कळविण्यात येतो की,  
मौजे कांदिवली येथील महसूल विभागाच्या ताब्यात असलेली शासकीय औद्योगिक वसाहत  
शासन परिसमयक दिनांक १.१२.१९९२ मधील अटी व शर्तीनुसार तसेच 'खालील' अतिशिवल अटीस  
अर्धन राहून विस्तारविकायाच्या मार्फत प्रयोग विभागामार्फत उत्तीवरील करून तिथे व्यवस्थापन  
महाराष्ट्र औद्योगिक विकास महामंडळाकडे देण्यात येऊन त्या ठिकाणी औद्योगिक विकासा  
महामंडळां मार्फत वसाहतीचे विकासास सुरुवातीकरण करण्यात येईल. विभाग शासनाने घेतला

आदेश :-

१) कांदिवली औद्योगिक वसाहतीचे विकासास सुरुवातीकरण करण्यात येईल. या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल. या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल.

२) कांदिवली औद्योगिक वसाहतीचे विकासास सुरुवातीकरण करण्यात येईल. या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल. या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल.

उत्तीवरील अटीनुसार वेगवेगळ्या प्रकारचे उद्योग उभारण्यात येऊन त्या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल. या ठिकाणी औद्योगिक विकासास सुरुवातीकरण करण्यात येईल.





महाराष्ट्र औद्योगिक विकास महामंडळाकडे रक्कम जमा झाल्यानंतर सर्व रकमा  
 अ.व.माध्यमि लिमिटेडला जमा करावयात. यामुळे लष्करात लष्कर यंत्रणांनी, सध्याच्या  
 कॅम्पमध्ये कार्यरत धारीत असणाऱ्या किंवा त्यापूर्वीच्या वसोहतीची नोंद घेणे महाराष्ट्र  
 औद्योगिक विकास महामंडळाकडे करण्यास परकीत नसावी.

प्रस्तुत सोपन उद्योग विभागाच्या व वित्त विभागाच्या सरमतीने, वित्त विभागाच्या  
 अंतर्गत वित्त संदर्भ क्रमांक - प्र.क्र. ३००/०३/व्यव-९, दि. २९.३.२००३ ला अचुलपत्र नं. १९९  
 क्र. १९९ वरून घेतले.

महाराष्ट्र राज्यपाल यांच्या आदेशानुसार व नार्कॉने,

नं. १९९ - ७/	
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*(Signature)*  
 (शिवाजीरावभाकर)  
 कायदेशी व वित्त विभाग  
 महाराष्ट्र राज्यपाल विभाग

प्रति :

शिवाजीरावभाकर, मुख्य संपन्नार पत्रकार,  
 प्रशासकीय व वित्त विभाग, मुंबई.

वित्त विभाग :

१. शिवाजीरावभाकर, वित्त विभाग, कायदेशी व वित्त विभाग
२. यशवंतराव चव्हाण प्रतिष्ठान, वित्त विभाग, महाराष्ट्र राज्यपाल
३. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल
४. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल
५. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल
६. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल
७. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल
८. महाराष्ट्र राज्यपाल, महाराष्ट्र राज्यपाल



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No Land 2687/1875/Pra.Kra.2914/(Part-2)/I-3  
Revenue and Forest Department,  
Maulalaya, Mumbai 32.

Dated 25.4.2003.

Subject: Land-Mumbai Suburban District

For transferring Government  
Industrial Estate at Kandivli to  
Maharashtra Industrial Development  
Corporation through Industry  
Department.

Read: Government Memorandum of even number

Dt. 6.12.2002.

Memorandum:-

It is hereby informed to the Collector, Mumbai  
Suburban District that Government has taken decision to  
transfer Government Industrial Estate at Mauje Kandivli  
which in possession of Revenue Department, to Industry  
Department through Collector subject to terms and

conditions of Government Circular dated 1.11.1993 and



management to Maharashtra Industrial Development Corporation and thereafter to make cooperativeness of the said Estate in due course through Maharashtra Industrial Development Corporation.

Term: 1) Collector to fully recover from plot-holder an amount of all arrears in respect of revenue of questioned land and government dues.

2) Control and management of Kandivli Industrial Estate shall be with Maharashtra Industrial Development Corporation till its cooperativeness.

2. Since dues are not being recovered as per the aforesaid terms, till date no action has been taken by Collector for transferring Government Industrial Estate through Industry Department to the Maharashtra Industrial Development Corporation. Therefore, demand of Kandivli Industrial Estate Association for relaxing

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term at Serial No. 1 out of the above terms, was under Government's consideration. In this regard, now Government has taken decision to make amendment as follows in term No. 1 of original Memorandum.

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E 329	99C
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Term No. 1): By collecting all confirmed information with regard to all arrears and other government dues, Collector to transfer liability of land of all arrears amount to Industry, Energy and Labour Department by co-ordinating with Industry, Energy and Labour Department. Thereafter responsibility of recovery will be of Industry, Energy and Labour Department. It would be possible to make recovery through Maharashtra Industrial Development Corporation.

After depositing amounts with Maharashtra Industrial Development Corporation, all amounts be

deposited in Government's Treasury. Caution be taken to





above or prior to that also, there should be no objection for transferring Estate to Maharashtra Industrial Development Corporation."

This Memorandum has been issued with consent of Industry department and Finance Department with reference to Informal Reference No.Pra.Kra.300/03/Vyay-9 dt.29.3.2003 of Finance Department.

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By the name and in pursuance of Order of Governor of Maharashtra,

sd/-

(Shivaji Patankar)

Desk Officer,

Revenue & Forest Department

Collector, Mumbai Suburban District,

Administrative Building, Bandra(East), Mumbai 51.

Copy to:-

1. The Commissioner, Kankan Division, Kankan Bhavan, Navi Mumbai.



2. The Settlement Commissioner and Director, Land Record, Maharashtra State, Pune:

3. The Accountant General, Maharashtra State, Mumbai/Nagpur.

4. The Accountant General, Maharashtra State, Mumbai/Nagpur (Accounts & Entitlement),

5. The Assistant Director, Town Planning and Valuation, Mumbai.

6. Section Officer, Finance Department, Mantralaya, Mumbai-32.

7. The Section Officer, Industry, Energy and Labour Department, Mantralaya, Mumbai 32.

8. Nivad Nasti, I-3 Desk, Revenue & Forest Department.

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