

SUBJECT NO. 37

Sub :Projects wing- Lands in S.No.164/2.164/3,165 & 166 carved out from Survey No. 7 of Kommadi (V)- Extent 42.64 cts allotted to M/s L&T Vision Ventures Limited- land could not be handed over due to overlapping with the allotted lands between the Deccan Infrastructure Ltd., (DIL), Hyderabad and L& T Vision Ventures Limited-Request for alternate Land -Regarding.

AGENDA NOTE :-

The District Administration has handed over an extent of land measuring Ac.55.15 Cts. in Sy.No.1 of Vepagunta Village to Visakhapatnam Urban Development Authority for development on 30-9-2000. Basing on the above, the Visakhapatnam Urban Development Authority has entered an agreement with M/s L&T Vision Ventures Limited, Chennai for development of Housing Project. The firm has paid 10% MGA of Rs.6,24,00,000/- besides one time project development fee (Non-Refundable) of Rs.43,12,000/- on 31-3-2007 towards site for Sy.No.1 of Vepagunta measuring Ac.55.15 Cts. and Development Agreement and Power of Attorney has been executed in favor of the developer on 31-3-2007. When the Visakhapatnam Urban Development Authority officials have approached the site for formation of road, the Forest Department raised objections on the ownership of the land as the land was included in Reserve Forest Block. The Developer M/s L&T Vision Ventures Ltd., has stated that if the land in Sy.No.1 of Vepagunta Village is in dispute, an alternative suitable land may be considered for allotment before March, 2008.

The Vice Chairman, V.U.D.A. therefore requested the Government for consideration for allotment of following alternative land measuring Ac.49.33 Cts. in Kommadi Village @ Rs.1.53 crores per acre on out right sale basis in favour of M/s L&T Vision Ventures Limited, Chennai for construction of Housing units in lieu of land allotted in Sy.No.1 of Vepagunta village:-

Sl.No.	Survey No. & Village	Extent
1.	Sy.No.7 of Kommadi	Ac.33.38 Cts.
2.	Sy.No.67/p of Kommadi	Ac.8.84 Cts.
3.	Sy.No.164/p of Kommadi	Ac.7.11 Cts.
	Total	Ac.49.33 Cts.

The Government after careful examination of the matter permitted the Vice Chairman, V.U.D.A. to allot the alternative land measuring Ac.49.33 Cts. in Kommadi Village @ Rs.1.53 crores per acre on out right sale basis in favour of M/s L&T Vision Ventures Limited, Chennai in lieu of land in Sy.No.1 of Vepagunta village for construction of Housing units, with other conditions as stipulated in the Development Agreement and the Government have issued G.O.Ms.No. 729, Dated:24-10-2008 in this regard.

Vide Lr.Rc.No.9464/05/PMU dated: 26/11/2012 from the Vice Chairman, VUDA to the Principal Secretary to Government, MA&UD Department, it is brought to the kind attention of the Government that a total extent of Ac.86-15 Cts in Sy.No.7 including the carved out Sy.Nos. of 163, 164 and 165 of Kommadi village, Visakhapatnam (Rural) Mandal was handed over to VUDA by the Tahsildar, Visakhapatnam (Rural) vide Delivery Receipt No.1/2005/ Spl.R.I., dt:07 01.2005 as per the orders issued by the District Collector, Visakhapatnam vide Proceedings Rc.No.5938/2004/E2, dt: 9-12-2004. Out of the total extent of Ac.86.15 Cts in Sy.No.7 including the carved out Sy Nos., the Government has allotted an extent of Ac 42.64 Cts to the A.P Housing Board vide G.O.Ms.No 1551, dt.19.12.2007 @ Rs.1.00 Crore per acre; and in turn the A.P. Housing Board has given the land to Deccan Infrastructure Ltd., (DIL), Hyderabad for development.

The allotment made by the Government to the A.P., State Housing Board is as follows:-

Housing Board		
Lands allotted to AP Housing Board by the Revenue Department		
S.No.	Village	Ac.Cts.
164/2(carved out of Sy.No.7)	Kommadi	21.27
164/3(carved out of Sy.No.7)	Kommadi	7.11
165 (carved out of Sy.No.7)	Kommadi	7.52
	TOTAL	42.64

Sy.No.1/2 of Paradesipalem village lies adjacent and is continuous to Sy.No.7 of Kommadi village of Visakhapatnam (Rural Mandal). An extent of Ac.27.64 cts in Sy.No.1/2 of Paradesipalem was handed over to VUDA by the Tahsildar, Visakhapatnam (Rural) vide Delivery Receipt No.1/2005/Spl.R.I., dt:26.10.2007. Out of the extent of Ac.27.64 Cts, VUDA has allotted an extent of Ac.25.60 Cts covered by S.No.1/2 of Paradesipalem Village to M/s.Maytas through Bulk land auction.

The VUDA authorities and Housing (M/s Deccan Infrastructure & Land Holdings Ltd., Hyderabad) have conducted a Joint Inspection on their respective allotted lands.

It was found during the Joint Inspection that there is discrepancy in fixation of village boundary between Kommadi Survey No.7 and adjoining Sy.No. 1/2 of Paradesipalem village. As a result of such discrepancy, an extent of Ac.23.89 Cts was found to be overlapping in both the Survey Nos. i.e., Sy.No.7 of Kommadi and Sy.No.1/2 of Paradesipalem.

The Survey Officials had decided that the said extent of Ac.23.89 Cts is actually part of Sy.No.1/2 of Paradesipalem. Hence, the said extent of Ac.23.89 Cts has to be deleted from Sy.No.7 of Kommadi village. Out of the revised extent of Ac.62.26 Cts, an extent of Ac. 9.73 Cts is being claimed by the Forest Department and as such, the Forest Dept has erected boundary pillars in the said extent. Out of the balance extent of Ac.52.53 Cts, VUDA has formed Master Plan roads covered in an extent of Ac.3.90 Cts. Out of the remaining balance of Ac 48.63 Cts, the AP Housing Board is found to be in the possession of Ac.25.92 Cts. The Housing Board is in the possession of Ac.25.92 Cts against the original allotment of Ac.42.64 Cts.

The balance extent of Ac.22.71 Cts only is available with VUDA to be given to M/s. L&T Vision Ventures Ltd., as alternate land against the Government allotment of Ac 49.33 Cts, as per G.O.Ms No.729 MA & UD Dept, dated: 24.10.2008. Hence, vide reference 2nd cited, the Government is requested to issue suitable instructions in this regard.

While the matter stood thus, L&T Vision Ventures Limited issued legal notices dated 03-10-2012 and 27-11-2013 claiming damages of Rs 176,00,00,000/- (Rupees One hundred and Seventy Six Crores only) along with the damages/ compensation since the land has not been handed over to them so far. They informed that they have nominated / appointed Mr. M.N. Aditya, Advocate and former Government Pleader for Visakhapatnam District to Act as their Arbitrator, in accordance with Article 22 under the Arbitration & Conciliation Act, 1996. They called upon VUDA to nominate / appoint an Arbitrator from VUDA's end within 30 days from the date of the notice, so as to enable the Arbitrators to nominate / appoint the Presiding Arbitrator, for commencing the Arbitration proceedings in terms of the Development Agreement dated.31-03-2007.

Vide the letter No. 26754/ H2/2012, dt. 30-11-2012 the Principal Secretary to Government, MA&UD Department informed VC,VUDA that the Chief Secretary desires to hold a meeting at 10.30 A.M on 11-12-2012 with the Vice Chairman, VUDA to discuss on the issue related to allotment of unencumbered land to M/s L & T Vision Ventures Limited by VUDA, Visakhapatnam and requested the Vice Chairman to attend the meeting. The minutes of the meeting on the decision taken or directions given are yet to be communicated.

Meanwhile, vide letter dated 07-06-2013 addressed to the Vice Chairman, VUDA, L&T Vision Ventures Limited requested to allot an unencumbered land (i.e. Fifty Acres) in survey No. 07,(copy enclosed). For that, they requested the Government to allot the entire land of Ac. 49.33 in a single parcel of land, as it was allotted to L & T Vision Ventures in bits and they are ready to pay Rs. 1.53 Crores as fixed by VUDA & Government of Andhra Pradesh and withdraw all claims against VUDA. They requested the Vice Chairman, VUDA to forward the requisition to the Housing Board / DHIL. But the fact is that the said extent of the land doesn't belong to VUDA at this moment.

VUDA has addressed a letter to the Government vide Rc.No.9646/05/PMU dated. 13.06.2013 marking a copy to the VC & HC, Andhra Pradesh Housing Board for taking a decision on the request of the L & T Vision Ventures. The VC & MC. APHB vide Rc.No.9464/05/PMU dated:21/06/2013 addressed to Vice Chairman, VUDA informing that DILL Board has resolved as follows:

'The Board of Directors after examining the initial and revised site plans placed before them has accorded consent for the rearrangement of land parcel of DILL at Kommadi village into a contiguous block along with the proposed 80 ft road along the souther boundary of land parcel'.

In the instant case, a glance at the project reveals that the DILL/APHB land is not in proper shape and with that piece of land no major development is possible and in the present status it would be neither useful to DILL nor to VUDA.

In view of the facts and circumstances stated above, in principle APHB/DILL may not have any objection for handing over 25.92 Ac.cts in Sy.No. 164/2,164/3.165 & 166 of Kommadi village belonging to DILL/APHB to VUDA in exchange of an alternative contiguous land of equal value to DILL/APHB.

In view of the above, the matter is placed before the VUDA Board for taking an appropriate decision on the request of L & T Vision Ventures duly taking into account the contents in the letter of the VC & HC, APHB addressed to VUDA dt. 21-6-2013.

Sl No	Subj ect No	Subject	RESOLUTIONS
36	36	VUDA - PPP Projects - Status of PPP Projects in VUDA - for Perusal of the Board -Reg.	<p>Perused. The important yet to be commissioned PPP Projects are to be placed before the Committee headed by</p> <ul style="list-style-type: none"> • District Collector, Visakhapatnam with members viz, • Commissioner, GVMC , • Additional Secretary to Finance Department and • DTCP. <p>VC to produce necessary records before the Committee and produce the committee's recommendations in the next board meeting.</p>
37	37	Projects wing- Lands in S.No.164/2.164/3,165 & 166 carved out from Survey No. 7 of Kommadi (V)-Extent 42.64 cts allotted to M/s L&T Vision Ventures Limited- land could not be handed over due to overlapping with the allotted lands between the Deccan Infrastructure Ltd., (DIL), Hyderabad and L& T Vision Ventures Limited-Request for alternate Land -Regarding	<p>VC is directed to examine the request and come up with the necessary proposal in the next board meeting</p>


 CHAIRMAN, VUDA
