

SUBJECT NO: 73

Sub: VUDA – Visakhapatnam – Allotments - Allotment of Plot No.A-22 of Adibhatlanagar layout – Allotment of additional extent – Registration- And other issues - Regarding.

Ref: 1. Representation dt.20.01.2014 of Sri. P. Appa Rao.
2. Representation dt.30.10.2013 Smt. R. Sridevi.

Agenda Note:

Sri Appa Rao Polupalli has requested that he is an NRI working in Mozambique; at the time of submission of application, since he could not sign on the application, his wife signed on the application and his wife Smt Durga Polupalli has participated in the auction and got allotted at Adhibhatla Nagar Plot. No.A-22, and paid the full cost and requested to execute the sale deed in his name is since he has paid the site cost through NRE Account SBI Gopalapatnam to claim Housing related tax deduction.

In this connection, it is to submit that Smt.Durga Polupalli has participated in the Auction held on 20-10-2013 for Plot.No.A-22, (extent of 360 Sq. Yards) of Adhibhatla Nagar layout and got confirmed in her name. The full cost of the plot is paid and the Accounts Wing has certified the payments made. The file sent for sketches to Planning Wing and the Planning Wing has furnished the sketches for an extent of 386.66. Sq.Yds.

Now, her husband Sri. Polupalli Appa Rao has requested to execute the sale deed in his name. The extent in the sketch is varied from allotment proceedings i.e. 360 Sq.yards and the planning wing certified on sketches that the extent is 386.66 Sq. yards. Thus there is an additional extent of 26.66 Sq.Yads.

There are two issues to be decided.

1. Request of the Individual to register in his name instead of his wife's name. His request dated 20.1.2014 received in this office vide Tappal No.413 along with the attestation of his wife, wherein, he claimed that at the time of application submission for bidding the Adibhatla Nagar plot, he was told to sign the application in person. Since he was residing in Mozambique, he had his wife sign the application and submitted and she, then, participated in the auction and successfully bid for the plot on 20.10.2013 for plot no.A-22 and he has requested

that he be allotted to have the registration of the plot in his name – the reason being

- a. *He has paid the entire amount from his NRE Account (SBI, Gopalapatnam branch)*
 - b. *From the legal stand point, he would like to own it*
 - c. *To help better arrange his finances*
 - d. *To secure a local and international housing loan for future development activity*
 - e. *To claim housing related tax deduction and also his wife Smt Sri Durga Polupalli has also attested the request*
2. Being a corner plot of the layout, the extent of the plot is 26.66 sq.yards higher than the notified extent ie $26.66 / 360 \times 100 = 7.41\%$ of extent is higher available during the physical verification of the plot. In this regard, there are following relevant resolutions
- a. **Res.No.10 dated 16.12.2005** – Resolved to approve the proposal of authorizing the VC, VUDA to allot odd bit with an extent of less than 50 sq.yards to the adjacent plots/house allottees as per following procedure.
 - i. In respect of Housing Schemes and sites and services where the actual extent of site is more than the allotted extent, **but within the ear marked plot**, it may be considered to fix the price arrived by adding normal interest on original land on original price fixed for that particular scheme. Period for calculating the normal interest may be taken from the date of allotment to date of allotment of additional extent
 - ii. In respect of housing scheme where there are left over vacant odd bits which cannot be put to auction as separate and which are useful only for adjacent allottees,
 1. it may be considered to allot the additional extent at the prevailing basic sub registrar value in the area
 2. If more than one adjacent allottee requests for the same land, it may be considered to allot the land whoever offers higher rate but not less than the prevailing basic value in that area
 - iii. In respect of sites and services scheme, if any of the allottee requests for allotment of additional extent which cannot be put into auction as a separate plot and it is not useful for any purpose,
 1. it may be considered to allot the land to the adjacent allottee at the basic sub registrar value or

recent auctioned rate for that area, whichever is higher

2. If more than one adjacent allottee requests for the same land, it may be considered to allot the land whoever offers higher rate but not less than the prevailing basic value in that area

b. Res No.77 dated 8.5.2012 – The Board resolved and delegated the powers to the VC, VUDA for allotment of odd and irregular bits, which cannot be sold in public auction to the adjacent plot owners by collecting average auction rate of the nearest VUDA developed layout.

- i. Such rate is applicable only if the auction for plots in the said layout was held within two years from the date of allotment and such auction is nearby to the irregular odd bit.
- ii. All other cases which cannot fit in this norm, may be placed before the VUDA Board for approval

As per above prevailing rules and regulations, the second request in this file comes under Res.No.10/ 2005 dated 16.12.2005 under clause (i). But there are not clarity on the extent, which will come out as additional extent – as this depends on different parameters like terrain, bush clearance and slope and other physical parameters combined with the competency of the planning officials to arrive at the accuracy of the extent on ground into the layout pattern plan on the paper and hence, there may be a percentage of the original extent notified – which can be fixed and this is not exceeding 50 sq.yards as decided by the Board in the resolution No.77 dated 8.5.2012. As this is the defect of the planning wing in not able to identify the exact extent on ground, the Board, then has rightly resolved in levying normal interest of the amount - arrived on the original land on original price fixed for that particular scheme for a period from the date of allotment to date of allotment of additional extent. Ie in this case, the plot is disposed at the rate of Rs.18,500/ per sq.yard. Additional extent is 26.66 sq.yards

Similarly, there are Plots which were auctioned during October,2013 and there is a variation of extent between actual ground position and extent notified in auction advertisement. The details are as follows;

1. Cyber Valley Sector -I:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.137/CV/F1	Sri. Prahlada Jaiswal	137	311.11	472.92	161.81	44.94

2. Adibatlanagar:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.A-23/AB/F1	Sri.G. Satyasai	A-23	360.00	388.90	28.9	8.02

3. Madhurawada Govt. Lands:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.74/MW/F2	Sri.S.Murali Mohan	74	234.45	239.45	5.00	1.38

Similar individuals are notices in respect of some old layouts detailed below;

1. Kapulauppada:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.B-926/KUP/F2	Sri.S.Sesha giri Rao	B-926	580.15	608.31	28.16	7.82

2. Kurmannapalem:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.53-A/KP/F1	Smt. Lakshmi Chaya	53-A	272.81	278.55	5.74	1.59

3. Pedagantyada:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent in Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.MIG-93/PG – III/F4	Sri.S.P.Mukarjee	MIG-93	408.00	408.53	0.53	0.14

4. M.V.P Layout:

Sl. No.	File Rc.No.	Name of the allottee	Plot No.	Extent for the Plot No.35 (in Sq.Yds)	Additional extent in allotment Proceedings (in Sq.Yds)	Extent in sketches (in Sq.Yds)	Difference extent (in Sq.Yds)	% of excess (in Sq.Yds)
1	Rc.P.No.36/Sec-6/MVP/F1	Sri.P. Narayanna Swamy Naidu, Ex-MLA	36	385	41.16	44.14	2.98	0.82

Similarly, one Kum. R. Sridevi has participated in the auction held on 20.10.2013 and purchased a Plot No.65 of Godavari Town Ships Pvt. Ltd., layout at Narava with an extent of 240 Sq.Yds @ Rs.5450/- and paid the full site cost of Rs.13,08,000/-.

The allottee in her letter dt.30.10.2013 has requested that she and Sri.Gotteti Vikram individually applied for Plot in Godavari Town Ships Pvt. Ltd., layout at Narava for Plot Nos.65, 74,116, 66, 114, 115 with a plan to take 167 Sq.Yds bit. The small bits were succeeded by others for higher bid amount and she has requested for permission to grant to include the name Sri. G. Vikram in the allotment so as to obtain loan from their bankers and register the Plot jointly i.e., Kum. R. Sridevi and Sri.Gotteti Vikram so as to construct the building in the above Plot.

Hence, the matter is placed before the VUDA Board to take a decision on-

- A.** The request of Sri. Polipalli Appa Rao & Kumari. Reddy Sridevi to get the Plots allotted to them by VUDA, registered in their names/jointly against one application made.
- B.** The excess areas arrived at the notified Plots lands on the materials put up above.

Sl. No.	Subject No.	Subject	Resolutions
72	71	VUDA- Allotment Wing - Collection of final cost in various layouts Developed by VUDA - Certain representations from the allottees or waival of penal interest on the differential cost for the Plots-Submitted - Reg.	In the circumstances explained, the request of waiver is considered.
73	72	VUDA- Allotment Wing - Allotment of Plot Nos.1 & 2 in Sy.No.6/p of Madhavadhara Layout - Allotted in the open spaces - Clarification from GVMC - Furnishing of facts - Reg	Allotment of plots in notified open space of the layouts cannot be agreed upon. Follow the government instructions in this regard.
74	73	VUDA - Visakhapatnam - Allotments - Allotment of Plot No.A-22 of Adibhatlanagar layout - Allotment of additional extent - Registration- And other issues - Regarding.	<ol style="list-style-type: none"> 1. As the wife has agreed in writing, the request for registration in the name of Sri Appa Rao is considered as the amount is deposited from his account 2. The Request for joint registration is not agreed upon 3. It is reaffirmed to follow the decision of Res.no.10 dated 16.12.2005 w.r.t extent of excess extent within the ear marked plot for only less than 50 sq.yds.