

# DEPARTMENT OF INDUSTRY, MINES AND GEOLOGY

## Standard Operating Procedure –AS-IS

**Name of Service** : Land Allotment & Related services in IADAs

**Sub services** : Transfer of Leasehold Rights

**Sub-service** : Transfer of Leasehold Rights

**Previous Approval** : Land Allotment (EMII/PMT/SSI PMT/DOP

**Basis for approval** : Industrial Area Development Authority Regulation, 2016

| Steps                                     | Verification | Documents/Information needed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Timelines* (Days) | Contact Person                          |
|-------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------------|
| Criteria<br>Transfer of Leasehold rights- |              | <p>i. The Chief Executive Officer of the region may consider the request of an Entrepreneur/lessee for whose unit EM-I  PMT/SS  PMT/DOP has been issued either running or sick or closed, for the transfer of leasehold rights of the schedule property in favour of a new Entrepreneur as identified by the lessee during the currency of lease, subject to the following conditions:-</p> <ul style="list-style-type: none"> <li>✓ The lessee is not holding any dues to authority and shall submit NOC from financial institutions for which Authority has accorded permission/no objection for mortgage or the lessee has pledged lease deed with any financial institution.</li> <li>✓ The new entrepreneur to whom the lessee wants to transfer the leasehold right must have available feasible/implementable project, duly approved by PCC to be executed on the available plot of land.</li> <li>✓ If at any stage, stake holding/ownership interest of proprietor/ promoter/ partners in the firm at the time of plot/land allotment as the case may be, goes down below 51% in the firm, the same shall be treated as transfer of allotted plot for the purposes of this Regulation and processing fee and land premium as mentioned in sub-clause (f) as prescribed shall be charged.</li> <li>✓ No change in Shareholding (CIS) charges will be applicable for transfer of shareholding (up to 100 %) from husband to wife, parent to children, grandfather, Grandmother, Grandchildren and/or vice versa. However, processing fee of Rs. 10,000.00 would be applicable along with application</li> <li>✓ Any change in the director who is not the shareholder of the concerned industrial unit has to be informed to the Authority in writing by the allottee/lessee within 30 days of such change, either induction or deletion of director.</li> <li>✓ The transferee must pay 15% in case of MSME or 25% in case of others of the premium of land prevailing in Jharkhand Industrial Area Development Authority at the time of seeking transfer of lease hold right. The payment at aforesaid rate shall be condition precedent for transfer of leasehold right.</li> <li>✓ In all cases of transfer, ownership change, a processing fee of Rs. 10,000.00 for plot area up to 1.00 acre and</li> </ul> |                   | Regional Director on behalf of MD JIADA |

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|                                 |  | <p>additional Rs. 2000.00 per acre for land in excess of 1.00 acre shall be charged.</p> <p>✓ The new entrepreneur or new allottee shall give undertaking to pay all dues with interest of previous entrepreneur or old allottee to statutory, legal or financial liability of government or financial institutions on a non-judicial stamp paper of Rs. 100.00 affixing self-attested photograph.</p> <p>ii. If the original lessee, to whom the land was allotted for a particular project makes a new/company / entity for a new project besides the existing company and transfers the whole or part of the allotted land to such newly formed company, this shall be treated as transfer of lease hold rights and shall be charged full land premium as per relevant clause of this regulation even if the share of the original lessee in this new company/entity does not go down below the 51% of the total share.</p> <p>iii. Under no circumstances any entrepreneur shall be entitled to transfer the lease hold right in respect of the plot allotted to him/it and hand over physical possession of the said plot to any other entrepreneur without prior written permission of the Chief Executive Officer of the region. Violation of this shall entail cancellation of allotment order, termination of lease deed, if executed and forfeiture of land premium deposited by observing the principles of natural justice.</p> <p>iv. Vacant plot or units for which EM-I /PMT/SSI PMT/DOP has not been issued, shall not be considered for transfer. The allottee shall have to surrender the allotted plot to Authority under clause 25 of this regulation or Authority shall evict the allottee after following due process under this regulation.</p> |  |                                        |
| <b>Eligibility of Applicant</b> |  | <p>✓ The applicant- should be competent to contract who may be:-</p> <p>a. Entrepreneur/lessee for whose unit EM-II/PMT/SSI PMT/DOP has been issued either running or sick or closed for transfer of lease hold rights of the schedule property in favour of a new Entrepreneur as identified by the lessee during the currency of lease.</p> <p>✓ <b>Consortium of Applicant</b></p> <p>a. All board members (in case of Pvt. Ltd. Company) or all partners (in case of partnership firm) of the consortium or proprietorship individual shall have to correspond with the Authority.</p> <p style="padding-left: 40px;">The members shall submit a declaration/affidavit/resolution/ board resolution copy in case of</p> <ul style="list-style-type: none"> <li>✓ Individual/Proprietary firm – of Proprietor-declaration</li> <li>✓ Partnership firm – of all partners declaration</li> <li>✓ Private Limited company – of all present promoters/Directors</li> <li>✓ Public Limited company – of all present promoters/Directors on Board.</li> <li>✓ Unlimited company – of all present promoters/Directors on Board.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | <b>CEO of regional office of JIADA</b> |

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|                                           |                            | <ul style="list-style-type: none"><li>✓ Hindu undivided Family (HUF) – of Karta</li><li>✓ Government undertaking/Corporation – of all present members on Board</li></ul> <p>b. Promoter/Director of proposed private/Public limited company/ Unlimited Company or any other type of company as per Company’s Act, 1956/2013 – of all proposed promoter/director. Private Ltd company or partnership firm or notarized memorandum of understanding conveying their intent to jointly make application for transfer of lease hold rights.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                 |                                 |
| Registration with Single Window Portal    | SMS and Email to Applicant | <ul style="list-style-type: none"><li>✓ <a href="http://advantage.jharkhand.gov.in/SingleWindow/">http://advantage.jharkhand.gov.in/SingleWindow/</a></li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |                                 |
| Application for NOC from JIADA            | SMS and Email to Applicant | Apply online for NOC before applying for Transfer of Lease hold right from JIADA-Regional office of JAIDA will assess and provide the NOC-if any liability will be informed to Applicant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                 | CEO of regional office of JIADA |
| Application is submitted by the applicant | SMS and Email to Applicant | <p>The applicant shall make application online Transfer of Lease hold rights, as per <b>CriteriaTransfer of Leasehold rights-</b> including uploading of following information:-</p> <ul style="list-style-type: none"><li>✓ General Information</li><li>✓ Applicant’s Information</li><li>✓ Details of payment towards processing fee</li><li>✓ Details of existing unit/s of the applicant in Industrial Area</li><li>✓ Processing fees,</li><li>✓ Declaration: Undertaking to pay all dues with interest of previous entrepreneur or old allottee to statutory, legal or financial liability of government or financial institutions including JIADA on a non-judicial stamp paper of Rs. 100.00 affixing self-attested photograph.</li><li>✓ NOCs from all financial institutions or Affidavit declaration for no liability,</li><li>✓ Project report</li><li>✓ Lease deed copy of existing unit</li><li>✓ PMT/EM Part II copy</li></ul> <p><b>Criteria to be followed during submission of documents:</b></p> <ul style="list-style-type: none"><li>✓ The lessee is not holding any dues to authority and shall submit NOC from financial institutions for which Authority has accorded permission/no objection for mortgage or the lessee has pledged lease deed with any financial institution.</li><li>✓ The new entrepreneur to whom the lessee wants to transfer the leasehold right must have available feasible/implementable project, duly approved by PCC to be executed on the available plot of land.</li><li>✓ If at any stage, stake holding/ownership interest of proprietor/ promoter/ partners in the firm at the time of plot/land allotment as the case may be, goes down below 51% in the firm, the same shall be treated as transfer of allotted plot for the purposes of this</li></ul> | CEO of regional office of JIADA |                                 |

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|                                              |  | <p>Regulation and processing fee and land premium as mentioned in sub-clause (f) as prescribed shall be charged.</p> <ul style="list-style-type: none"> <li>✓ No change in Shareholding (CIS) charges will be applicable for transfer of shareholding (up to 100 %) from husband to wife, parent to children, grandfather, Grandmother, Brand children and/or vice versa. However, processing fee of Rs. 10,000.0 would be applicable along with application</li> <li>✓ Any change in the director who is not the shareholder of the concerned industrial unit has to be informed to the Authority in writing by the allottee/lessee within 30 days of such change, either induction or deletion of director.</li> <li>✓ The transferee must pay 15% in case of MSME or 25% in case of others of the premium of land prevailing in Jharkhand Industrial Area Development Authority at the time of seeking transfer of lease hold right. The payment at aforesaid rate shall be condition precedent for transfer of lease hold right.</li> <li>✓ In all cases of transfer, ownership change, a processing fee of Rs. 10,000.00 for plot area up to 1.00 acre and additional Rs. 2000.00 per acre for land in excess of 1.00 acre shall be charged.</li> <li>✓ The new entrepreneur or new allottee shall give undertaking to pay all dues with interest of previous entrepreneur or old allottee to statutory, legal or financial liability of government or financial institutions on a non-judicial stamp paper of Rs. 100.00 affixing self-attested photograph.</li> </ul> <p><b>ii. Non submission of aforementioned documents/information shall result in non-entertainment of application by the Authority and process shall be initiated for allotment of concerned plot to another intending applicant.</b></p> <p>iii. Identity/address proof and two photographs be submitted for :-</p> <ul style="list-style-type: none"> <li>✓ Individual/Proprietary firm – of Proprietor</li> <li>✓ Partnership firm – of all partners</li> <li>✓ Private Limited company – of all present promoters/Directors</li> <li>✓ Public Limited company – of all present promoters/Directors on Board.</li> <li>✓ Unlimited company – of all present promoters/Directors on Board.</li> <li>✓ Hindu undivided Family (HUF) – of Karta</li> <li>✓ Government undertaking/Corporation – of all present members on Board</li> <li>✓ Promoter/Director of proposed private/Public limited company/ Unlimited Company or any other type of company as per Company's Act, 1956/2013 – of all proposed promoter/director.</li> </ul> |  |  |
| <b>Submission of scrutiny fee/processing</b> |  | <ul style="list-style-type: none"> <li>✓ No change in Shareholding (CIS) charges will be applicable for transfer of shareholding (up to 100 %) from husband to wife, parent to children, grandfather,</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |

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|-------------------------------------------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--|
| fee                                                                     |                            | Grandmother, Brand children and/or vice versa. However, processing fee of Rs. 10,000.m would be applicable along with application<br>✓ In all cases of transfer, ownership change, a processing fee of Rs. 10,000.00 for plot area up to 1.00 acre and additional Rs. 2000.00 per acre for land in excess of 1.00 acre shall be charged.                                                                                                                                                                                                                                                                                       |                 |  |
| Mode of deposit of scrutiny fee/processing fee                          | SMS and Email to Applicant | The scrutiny fee/processing fee as stated above shall be deposited through online payment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                 |  |
| Non-entertainment of application                                        |                            | Non submission of aforementioned documents/information shall result in non-entertainment of application by the Authority and process shall be initiated for allotment of concerned plot to another intending applicant.                                                                                                                                                                                                                                                                                                                                                                                                        |                 |  |
| Scrutiny, inspection and verification of Application, NOC and Liability |                            | <b>IADA regional office will verify the application based on following points:</b><br><br><ul style="list-style-type: none"> <li>✓ Processing Fee</li> <li>✓ Undertaking to pay all dues with interest of previous entrepreneur or old allottee to statutory, legal or financial liability of government or financial institutions on a non-judicial stamp paper of Rs. 100.00 affixing self-attested photograph.</li> <li>✓ No Dues Certificate from financial institutions, bank or declaration affidavit</li> <li>✓ Liability verification</li> <li>✓ Documents verification</li> <li>✓ Declaration verification</li> </ul> | <b>20 days</b>  |  |
| Go Ahead Confirmation-Acceptance/Rejection                              |                            | <b>Acceptance/Objection(2 times) of application-intimation (SMS &amp; Mail)-2 days</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>2 Days</b>   |  |
| Submission of Premium of Land                                           |                            | <b>Submission of premium of land (Transferee must pay 15% in case of MSME or 25% in case of others of the premium of land prevailing in IADA. The payment at aforesaid rate shall be condition precedent for transfer of lease hold right).</b>                                                                                                                                                                                                                                                                                                                                                                                | <b>6 Days</b>   |  |
| Transfer of Lease hold rights                                           |                            | <ul style="list-style-type: none"> <li>• <b>Transfer of Lease hold rights &amp; issue of certificate-2 days</b></li> </ul> <b>Final approval will be provided by the Chief Executive Officer of the reason and intimated through SMS and Email Lease Hold right certificate to be published online-with download option.</b>                                                                                                                                                                                                                                                                                                   | <b>2 Days</b>   |  |
|                                                                         |                            | <b>Total Time line</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>30 days.</b> |  |

## JIADA Transfer of Lease Hold Rights: Process flow



**Total timeline for getting NOC and approval for Transfer of lease hold rights will be of 30 days after application:**

- If applicant industrial/business unit having same project, as having for exiting unit
- If applicant having the different project from existing industrial/business unit, 30 days' time line will be counted after getting clearance from PCC.