

**RAJASTHAN STATE INDUSTRIAL DEVELOPMENT
& INVESTMENT CORPORATION LIMITED
UDYOG BHAWAN: TILAK MARG: JAIPUR-5**

No.:- IPI/P-3/24(C)-3/379/2018
Date:- 27, March, 2018

C I R C U L A R

Sub:- Regarding execution and registration of duplicate Lease Agreement when original Lease Agreement is lost/missing and is not traceable and in those cases wherein issue of transfer of Lease Hold Rights in favour of the purchaser of the plot is involved and also to deal with the matters where original Registered Sale Deed is also lost/missing.

In supersession to earlier Circular No. IPI/P-3/24(C)-3/379 dated 18.08.2011 & subsequent Circular No. IPI/P-3/24(C)-3/1431 dated 14.02.2014 and another Circular No. IPI/P-3/24(C)-3/1486 dated 30.05.2016 issued by the Corporation with respect to execution of duplicate Lease Agreement executed between the Allottee and the Corporation and registration thereof, it is enjoined upon all Unit Heads that following procedure will be adopted in cases of lost/missing original Lease Agreement or registered other title documents and applicant is requesting for transfer of lease hold rights in his favour/change in constitution/name of firm and also requesting for execution of duplicate/supplementary Lease Agreement.

1. **In case, registered Lease Agreement is lost/missing from the custody of the Corporation:-**
 - (i) A search note with respect to missing Lease Agreement shall be issued by concerned Unit Office for a period of 10 days and it should be circulated to all concerned including financial institution if demised property is mortgaged as per record.
 - (ii) In case, no response is received within prescribed time about the search notice, then a notice of 30 days shall be got published in a leading news paper of having circulation in the District concerned including State concerned if allottee's last known address is out of Rajasthan regarding lost/missing of the Lease Agreement and not traceable. Vide this notice; objections will be invited from the public at large with regard to execution of duplicate Lease Agreement in favour of original allottee/applicant consequent upon lost/missing original Lease Agreement.
 - (iii) The applicant shall submit certified true copy of missing/lost registered lease agreement obtained from the office of Sub-Registrar concerned.
 - (iv) Unit Office concerned shall take appropriate legal action either lodging the FIR or mentioning report in Rojnamcha in order to protect interest of the allottee concerned and the Corporation.



- (v) Thereafter, duplicate Lease Agreement will be executed stating that this duplicate Lease Agreement is being executed in place of original Lease Agreement which has been lost/missing and is not traceable.

2. **In case, original registered Lease Agreement is lost/missing from the custody of the original Allottee:**

- (i) In case, original Lease Agreement of the demised premises is lost/missing from the custody of the original allottee, then intimation about such lost/missing of original Lease Agreement shall be given to the Unit Office concerned and simultaneously report shall be lodged either to Police Station concerned or through E FIR/Rojnamcha by the applicant.
- (ii) Such report can be lodged by:
1. Proprietor in case of proprietary firm
 2. Authorized partner/partners in case of partnership firm or LLP
 3. Authorized Director/Signatory in case of company/One Person Company (OPC).
 4. Authorized person or any other legal person in case of Trust or Society etc.
- (iii) Applicant shall furnish self attested/true copy of "**FIR or Rojnamcha/E-Rojnamcha**" as the case may be, being maintained with concerned Police Station along with an affidavit on requisite non-judicial stamp paper stating that information of missing/lost Lease Agreement has been entered by the Police in the concerned Rojnamcha and if any information with regard to lost/missing Lease Agreement would be received or lost Lease Agreement would be received at subsequent stage or in future, the applicant shall inform/submit to the Unit Office.

Provided that, in the eventuality, when any other person is claiming for execution of duplicate lease agreement and prima-facie any dispute appears to be involved with respect to demised property/lease Agreement, then FIR necessarily be lodged about such lost/missing of original Lease Agreement in the Police Station by the person concerned and thereafter, self attested copy of FIR shall be submitted in the Unit Office concerned along with Final Report of Police given in this matter.

- (iv) A notice of 30 days shall be got published in a State level leading news paper having circulation in the District concerned including State concerned if allottee's last known address is out of Rajasthan regarding lost/missing of the Lease Agreement. Vide this notice; objections will be invited from the public at large with regard to execution of duplicate Lease Agreement in favour of original allottee/applicant consequent upon lost/missing original Lease Agreement.

- (v) The applicant shall submit certified true copy of missing/lost registered lease agreement obtained from the office of Sub-Registrar concerned.
- (vi) An Indemnity cum undertaking on requisite non-judicial Stamp Paper (Presently Rs. 500/-) shall be furnished by the Proprietor of firm/ Partnership firm through all partners/authorized person of the Company/Trust/Society/LLP/One Person Company (OPC) stating as follows:-
 - (a) That they have not sold and alienated the lease hold rights of demised premises or not created any mortgage on Lease Agreement towards security of any loan which is availed from any Financing Institutions.
 - (b) That in case it is found so, they shall be fully liable jointly and severally for any liability which may arise in future and thereby undertake to indemnify the loss, if any, caused to the Corporation in this regard.
 - (c) That the original Lease Agreement is not available with them and they shall return the same to RIICO, if found in future.
- (vii) Thereafter, duplicate Lease Agreement of the plot will be executed stating that this duplicate Lease Agreement is being executed in place of original Lease Agreement which has been lost/missing and is not traceable. However, stamp duty, registration fees and other expenses shall be paid on registration of the duplicate Lease Agreement by the applicant concerned.

3. In case, original registered Sale Deed or any other title documents are available but original Lease Agreement of demised premises is lost/missing:

- (i) In such case, procedure as laid down at Point No. 2 (i) to (iii) & (v) shall be followed by the applicant.
- (ii) A notice of 30 days shall be got published in a State level leading news paper having circulation in the District concerned including State concerned if allottee's last known address is out of Rajasthan regarding lost/missing of the Lease Agreement. Vide this notice; objections will be invited from the public at large with regard to execution of supplementary Lease Agreement in favour of transferee consequent upon lost/missing original sale deed/title documents.
- (iii) Thereafter, an Indemnity cum undertaking on requisite non-judicial Stamp Paper (Presently Rs. 500/-) shall be furnished by the Proprietor of firm/ Partnership firm through all partners/authorized person of the Company/Trust/Society/LLP/One Person Company (OPC) stating as follows:-
 - (a) That as per their belief and personal knowledge, the said demised premises is not sold, alienated and not created any mortgage on



Lease Agreement towards security for the purpose of availing loan from any Financing Institutions by the earlier Lessee/Allottee.

- (b) That in case it is found so, they shall be fully liable jointly and severally for any liability which may arise in future and thereby undertake to indemnify the loss, if any, caused to the Corporation in this regard.
- (c) That the original Lease Agreement is not available with them and they shall return the same to RIICO, if found in future.
- (iv) After completing aforesaid formalities, transfer of lease hold rights of the demised premises will be allowed on the basis of such registered Sale Deed or relevant title documents, and supplementary Lease Agreement will be executed in favour of the transferee/purchaser. However, stamp duty, registration charges and all other applicable charges shall be borne by the transferee/purchaser.

4. **In case, original registered Sale Deed or any other title documents is lost/missing from the custody of the transferee/purchaser:**

- (i) In such cases, the procedure as laid down in Point No. 2(i) to (iii) shall be followed by the applicant.
- (ii) A notice of 30 days shall be got published in a State level leading news paper having circulation in the District concerned including State concerned if allottee's last known address is out of Rajasthan regarding lost/missing of the Sale Deed or any other title documents. Vide this notice; objections will be invited from the public at large with regard to execution of supplementary Lease Agreement in favour of transferee consequent upon lost/missing original sale deed/title documents.
- (iii) The applicant shall submit certified true copy of missing/lost registered sale deed or any other title documents to be obtained from the office of Sub-Registrar concerned.
- (iv) Thereafter, an Indemnity cum undertaking on requisite non-judicial Stamp Paper (Presently Rs. 500/-) shall be furnished by the Proprietor of firm/ Partnership firm through all partners/authorized person of the Company/Trust/Society/LLP/One Person Company (OPC) stating as follows:-
 - (a) That they have not created any mortgage on Lease Agreement/title documents towards security of any loan which is availed from any Financing Institutions.
 - (b) That in case such sale deed/other title document is found at subsequent stage, the same shall be deposited to the Corporation and they shall be fully liable jointly and severally for any liability which may arise in future pertaining to missing-lost period and

thereby undertake to indemnify the loss, if any, caused to the Corporation, in this regard.

- (v) After completing aforesaid formalities, transfer of lease hold rights of the demised premises will be allowed on the basis of such registered Sale Deed or relevant title documents, and supplementary Lease Agreement will be executed in favour of the transferee/purchaser. However, stamp duty, registration charges and all other applicable charges shall be borne by the transferee/purchaser.

5. **In case, original registered Lease Agreement is lost/missing and applicant seeking permission for allowing change of name or change in Constitution:**

- (i) In such cases, the procedure as laid down in Point No. 2(i) to (iii) & (v) shall be followed by the applicant.
- (ii) A notice of 30 days shall be got published in a State level leading news paper having circulation in the District concerned including State concerned if allottee's last known address is out of Rajasthan regarding lost/missing of the Lease Agreement. Vide this notice; objections will be invited from the public at large with regard to execution of supplementary Lease Agreement in favour of transferee consequent upon lost/missing original sale deed/title documents.
- (iii) Thereafter, an Indemnity cum undertaking on requisite non-judicial Stamp Paper (Presently Rs. 500/-) shall be furnished by the Proprietor of firm/ Partnership firm through all partners/authorized person of the Company/Trust/Society/LLP/One Person Company (OPC) stating as follows:-
 - (a) That they have not created any mortgage on Lease Agreement/title documents towards security of any loan which is availed from any Financing Institutions.
 - (b) That they have not made any changes in their constitution of the firm/Company/LLP etc.
- (iv) After following the procedure, permission for change in name or change in constitution (as the case may be) will be accorded by the Corporation and Supplementary Deed may be executed in favour of the applicant. However, stamp duty, registration charges and all other applicable charges shall be borne by the applicant.

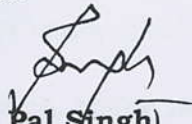
- 6. Similarly as per Circular No. IPI/PP-6/25(II)/647 dated 08.08.2003, where allottees are seeking/informing changes in constitution of firms or transfer of full plot through registered document, the Corporation after recording the changes/transfer of plot a Supplementary Deed may be executed at the option

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of the lessee/purchaser and expenses/stamp duty, if any shall be borne by the lessee purchaser.

The provisions of this Circular shall come into force with immediate effect.

This bears the approval of Managing Director.


(Vijai Pal Singh)
Advisor (Infra)

Copy to:-

1. PS to Financial Advisor/Advisor (A&M)/Advisor (Infra)
2. Secretary
3. CGM (RKG)/CGM (PK)
4. GM (Civil)
5. OSD (Land)
6. AGM (Tec.)
7. Sr. DGM (P&D) SKG/DKG/
8. Sr. DGM (Law)/M (Law)VK/PA
9. DM (Law) (AKG/SKG/NK)
10. Sr. RM (SJ)/DM (P&D) PS
11. STP
12. RM, M&C/RM (AV)
13. DGM (Computer)/Computer Cell, HO
14. All Unit Heads

Copy also to :-

1. PS to MD