

ANNEXURE-A

APPLICATION FORM FOR OBTAINING ESSENTIALITY CERTIFICATE(EC) FOR PURCHASE /TRANSFER OF PRIVATE LAND AS PER THE PROVISIONS MADE UNDER SECTION 118 OF H.P. TENANCY &LAND REFORMS ACT -1972

Name of applicants Enterprise

SR. NO.	PARTICULARS	DETAILS
	Revenue details of land as per ANNEXURE-A	
1.	<p>Purpose of purchase of land (Tick as Applicable)</p> <p>a) For setting up of new Industrial Enterprise</p> <p>b) For Expansion/Modernization of existing Industrial Enterprise.</p> <p>c) For transfer of ownership of existing Enterprises.</p> <p>d) For transfer of land existing enterprise due to Amalgamation of companies.</p> <p>e) Change of name of the company /enterprise without any change in ownership.</p> <p>f) Any other (please specify)</p>	
Information /documents to be supplied by enterprises intending to establish new enterprise or purchasing additional land for expansion /modernization.		
i)	Whether town & Country Planning Act (TCP) is applicable in the area ,if yes indicates the land use of proposed land if defined under development plan.	
ii)	Floor area ratio (FAR) applicable (for size of land proposed to be purchased)as per norms of TCP. In case TCP Act is not applicable then mention FAR applicable to nearest planning area.	
iii)	Proposed Ground coverage (both in sq. Meters and in %)	
iv)	Proposed built up area in sq.Mtrs.	
v)	Proposed land utilization map for different usages along	

	With certificate of Chartered Engineer *(Attach with Application)	
vi)	Affidavit of the authorized signatory of the enterprise in support That the enterprise will obtain the industry NOC as per Annexure-B	
	Additional Information /documents to be supplied by enterprises intending to purchase land for Expansion /Modernization of existing Enterprise.	
i)	Total land already in ownership & possession of the Enterprise. a) In Bigha/Kanal/Hectare (as per revenue record) b) In Sq.Metrs	
ii)	EC file no. & date of Existing land with the enterprise (Attach a copy).	
iii)	Letter no. & date vides which department of revenue ,Govt.of HP.	
i)	Accorded permission u/s 118 of HPT & LRA -1972 for purchase of Existing Land with Enterprise (Attach a Copy)	
iv)	Date of commencement of commercial production	
v)	Date of issuance of commencement of commercial production (COP) certificate or Acknowledgement of Entrepreneur Memorandum Part-II if any issued by Industries Department (attach a copy)	
vi)	Land utilization map of the Existing land along with the proposed Utilization map of additional land along with proposed utilization Map of additional land along with copies of tatima(existing+ proposed land	
vii)	Total ground coverage of existing land (both in Sq.Metrs and in %)	
viii)	Detail of built up area constructed by the company on the existing Land.	

ix	<p>Whether the Enterprise has fully utilized the existing land for industrial purpose by constructing the factory building as per the norms of TCP department for area/ nearest Planning area?</p> <p>Attach proof.</p>	
	<p>Information /documents to be supplied by enterprises intending to the transfer the ownership of existing enterprises.</p>	
	Agreement to cell	
	Date of commencement of commercial production	
	<p>Commencement of commercial production (COP)</p> <p>Certificate or acknowledgement of entrepreneur Memorandum Part-II if any issued by industries department (Attach a copy)</p> <p>To the selling Enterprise.</p>	
	EC file No. date of existing land will the selling enterprise.	
	<p>Letter no.& date vide with department of Revenue, Govt. OF H.P</p> <p>Accorded permission u/s 118 of HPT & LRA-1972 for purchase of Existing land with selling enterprise (Attach a copy).</p>	
	<p>Affidavit of authorized signatory of the enterprise will inform all concerned departments/organization i.e. Industries, Excise & Taxation ,TCP,IPH,HP pollution Control Board,HPSEB ltd. Local body (urban or rural as the case may be) about the change in ownership within 15 days of execution of conveyance Deed.</p>	

Information /documents to be supplied by enterprises intending to transfer the land due to Amalgamation of companies or change of name with the approval of registrar of companies in terms of Sections 21 and 23 of the companies Act ,1956 for Recommendations to be issued by Industries Department .	
i)	Whether the Existing enterprise had commenced commercial Production? If Yes, mention the date of commencement of the Commercial Production .
ii)	In case of amalgamation of companies the order of respective Court along with scheme of amalgamation & Memorandum & Articles of Association of the company in which the existing company is being amalgamated.
iii)	In case of change of name of the company the certificate of registrar of companies in terms of sanction 21 &23 of the companies Act,1956 & affidavit in support that no transaction /sale of property takes place & only change in name of the company is sought to be recorded in the revenue record only.
iv)	EC file no. & date of existing land with the enterprise (Attach a copy)
v)	Letter no. & date vide which dept. of Revenue, Govt. of Himachal Pradesh accorded permission u/s 118 of HPT & LRA - 1972. For purchase of existing land with enterprise (Attach a copy)

- ***Site plan indicating the plot area, built up area, justification detail, proposed land used for different usages. i.e. production, raw-material, finished Products, administration ,parking ,ETP etc.**
- ***Certificate of Chartered Engineer Indicating the land use form Different Usages & certifying that land Requirement is need based & proposed industrial Activity cannot Be run in lesser area.**

Signature	
Name of the applicant /authorized signatory of the Enterprise	
Name of applicant Enterprise	
Complete correspondence address	
Email Address	
Phone No.	

Place:

Date:

Advisory note to Enterprise:

- a) Carefully select the land for industrial purpose after ascertaining & satisfying itself that the proposed Enterprise can be Established on said land & infrastructure & service provisions need of the proposed enterprise would be met & would not be objected by the Department /boards /companies of the state Government & local body(urban & rural as the case may be)
- b) Carefully go through the provisions made under section 118 of the H.P. Tenancy & Land Reforms Rules Act (1972) and H.P.Tenancy & Land Reforms Rules Act (1975)(as amended from time to time)& instructions issued by the Deptt. of revenue from time to time.

ANNEXURE –A(Land Details)

SR. NO.	NAME OF THE LAND OWNER/SELLER	DATE OF EXECUTION OF AGREEMENT TO SELL(IF DONE ALREADY)	IN CASE OF NON-HIMACHALI AGRICULTURIST MENTION THE DETAIL OF PERMISSION OBTAINED (u/s) 118 of HPT/LRA	NAME OF REVENUE VILLAGE	KHEWAT & KHATONI NOS.	KHASRA NO.	AREA	
							BIGHA/KANAL /HECTARE	IN SQ MTRS.

Additional Information in case of purchase of land of Existing /closed Enterprise:

SR. NO.	PARTICULARS	DETAIL
1	Whether the enterprise in production or closed. In case of closed enterprise mention the year of closure.	
2	Whether the selling enterprise breaches any condition imposed while availing incentives & facilities of central & state Government	
3	Whether the selling enterprise has cleared all the dues of financial Institution(s), Govt. Departments /Corporation Boards? If not attach the NOC's of the concerned organizations.	
4	Reasons for sale of enterprise in brief.	

Undertaking: - I _____ of M/s _____ (selling Enterprise) hereby confirm that the information stated at Sl. No. 1 to 4 above are true & factually correct.

Name & Signature with complete present correspondence address

Note: Attach the latest copy of the Jamabandi & Tatima of land.

I, _____, S/o _____ authorized signatory of
M/s _____ (Purchaser Enterprise) do hereby solemnly affirm & state that
aforesaid land detail are correct & based on facts duly confirmed by me .

Place :

Date :

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Signature with seal

AFFIDAVIT

(By proprietor in case of proprietary concern /duly authorized person in writing by all partners in case of partnership firm /duly authorized person in writing by the Board of Directors through resolution in case of company register under companies Act-1956.

I, _____ S/o _____ age _____ years

Presently _____ of M/s _____ (Complete Address) do hereby solemnly affirm & state on behalf of M/s _____ (herein after mentioned in enterprise)as under:

1. That the enterprise has applied for the issuance of essentiality certificate for purchase of private land measuring _____ comprised in Khasra No.(s) _____ at village _____ Tehsil _____, District _____ as per the provisions made under H.P. Tenancy & Land Reforms Act- 1972 & rules made by there under & all the details furnished by the enterprise in the application form for obtaining Essentiality Certificate are correct as per the record of concerned agencies/person.
2. That I have gone through & I am aware of the provisions made under H.P. Tenancy & Land Reforms Rules (1975), as amended from time to time in generally & specifically made under section 118 of HPT & LRA- 1972 and would abide by/ comply with the same.
3. That the enterprise selected the land for Industrial Purpose at its own risk after ascertaining & satisfying itself that the proposed enterprise can be established on said land & Infrastructure and service provisions needs of the Proposed enterprise would be met and would not be objected to by any concerned departments/ boards /companies of the state Government & local body (urban & Rural) as the case may be.
4. That the enterprise has satisfied itself that it would be able to obtain subsequently all other requisite/ necessary statutory clearances /No objection Certificates from the

concerned authorities as required under various applicable State/Central Laws/Rules/Instructions etc. for the purpose of this land & for setting /running /expansion of Industrial Enterprise after obtaining the permission of the Govt. of Himachal Pradesh., Department of Revenue under Section 118 HPT &LRA-1972.

5. I fully understand that it is my sole Responsibility to give the correct information while applying for issuance of Essential Certificate & if at any point of time details so submitted are not found correct ,the essentiality Certificate & subsequently permission under HPT&LRA -1972 shall be deemed to have been withdrawn /cancelled with immediate effect & without giving any notice. In such an event, the land along with structure, if any, would stand vested in the Govt. of Himachal Pradesh free from all Encumbrances &I will peacefully surrender the possession of same.
6. Am also fully aware of the consequences that in the case of land is not put for industrial use within prescribed period in accordance with the permission to be granted by the Deptt. of Revenue ,Govt. of Himachal Pradesh, the land along with structure , if any would be vested in the Government of HP free from all encumbrances and in such an event I will peacefully surrender ownership and possession of the same .
7. That in case any dispute arises between the Enterprise and the proposed seller the state Government would not be responsible &would not be impleaded as party in the court of law by the Enterprise .

(Deponent)

Verification

That I have read the contents of para 1to 7of aforesaid affidavit, which are correct and True of best of my Knowledge & Belief.

(Deponent)