

Government of Bihar
Office of the Principal Secretary, Department of Industries

Dated 13.12.2018

Appeal Case No – 31/2014
District – Muzaffarpur

PRESENT :- K.K. Pathak, I.A.S.,
Principal Secretary

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M/s Sai Polymers, Muzaffarpur - Appellant
Vs.
MD, BIADA - Respondent

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Appearance:

For the Appellant
For the Respondent

: LA Ranjan Kumar Singh
: LA Yashraj Bardhan

13.12.2018

This is an Appeal filed by the Appellant against the order of the MD dated 31st March 2014 vide which his allotment of plot was cancelled and his money forfeited.

The Appeal was filed in the year 2014 itself. It seems that the then Appellate Authority had condoned the delay and admitted the case for hearing. However, the matter could not be heard earlier. Finally, the matter was posted for hearing yesterday. Yesterday, the Learned Advocate of Appellant was heard in great

detail. The Learned Advocate of BIADA was also heard.

As per the learned Advocate for the Appellant, he is keen to restart his business which is of plastic poly propylene manufacturing. He said that he would be able to finish the construction in 6 months and the first production will only start after 18 months. He further mentioned that he will have to arrange the money as he does not have the money right now. As per his own admission he said that he would not be able to deposit the land cost in one instalment but will deposit the land cost only in various instalments. He cannot furnish any bank guarantee as he do not have any money right now.

The Learned Advocate of the BIADA was also heard. As per the Learned Advocate, there are pending dues of Rs.6,18,157/-. The plot was allotted to the Appellant in the year 2013 but since he was not able to deposit the land cost and submit necessary papers his plot was cancelled in March 2014. The Appellant is sitting on a prime industrial area occupying 10670 Sq ft of land in Prime locality of Muzaffarpur.

Having heard both the parties and having perused the documents available on record, I find that the Appellant although is keen to start his venture but he simply lacks the wherewithal to arrange the funds and loans necessary to start the industry of polyster pouches. Since he has already confessed that he is unable to make the payment for land cost and he presently does not have any money to start the industry, it is very apparent

that the Appellant doesn't have a clear road map of how to go about his project and how to arrange the money for the same.

That be the case, I am not inclined to consider his case favourably. Necessary precaution needs to be taken to ensure that entrepreneurs like the Appellant do not sit on the valuable land resource and do nothing on it. It must be remembered that land is a scarce resource and BIADA have many more prospective entrepreneurs waiting in que for allotment.

Therefore, it is expected of the existing allottees that they should start their business in right earnest and if they are unable to set up or continue the business, they should, in the interest of industrialisation, step aside and make way for new entrepreneurs who would bring with them fresh capital and better technology.

In view of the above, I am not inclined to interfere with the order of the MD passed on 31st March 2014 and hereby confirm the same. This Appeal therefore is dismissed and the MD is directed to take the possession of the plot immediately.

Appeal Dismissed.

Dictated & Corrected

(K.K. Pathak)

Principal Secretary,
Department of Industries,
Bihar

(K.K. Pathak)

Principal Secretary,
Department of Industries,
Bihar