

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

Dated 30.11.2018

Appeal Case No – 17/2017
District – Buxar

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

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M/s Chandra Engineering Works, Buxar - Appellant
Vs.
MD, BIADA - Respondent

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Appearance:

For the Appellant
For the Respondent

: LA Ranjan Kumar Singh
: LA Yashraj Bardhan

30.11.2018

This is an Appeal filed by the Appellant against the order of the BIADA dated 17th December 2013 vide which the allottee was asked to deposit a transfer fee.

This is not a case of Appeal against an order of cancellation. It is a petition of a general nature where the Appellant being aggrieved of BIADAs letter dated

17.12.2013 has asked for a reduction in the transfer fee.

As a background, the Appellant had purchased unit in Buxar way back in the year 2002 from BSFC in auction. Since then he has been requesting BIADA to transfer the unit in his name. But the BIADA has been sitting over this matter. Now the BIADA is asking for the transfer of land and asking him to deposit Rs.9.29 Lakhs.

The Appellant says that he is willing to pay the dues prevailing in the year 2010 which was only Rs.20,170/-.

As per the Appellant the fault rests with BIADA for not transferring the land in time.

The BIADA has also filed a reply challenging that this application is not maintainable.

Having heard both the parties, I find that it is true that this petition is not maintainable in terms of Section 6(2) of the BIADA Act.

Accordingly this Application is disposed off the observation that the Appellant may file a representation before MD BIADA who shall look into the matter and pass an order within 15 days with regard to transferring of the unit in the name of Appellant. I do find some merit in the contention of the Appellant that if he has purchased the land in

2002, why his unit was not transferred till date. And if the BIADA is to be faulted, then the Appellant has a right to deposit a transfer at 2010 rates.

With the above observations this application is disposed off.

Dictated & Corrected



(K.K. Pathak)
Principal Secretary,
Department of Industries,
Bihar



(K.K. Pathak)
Principal Secretary,
Department of Industries,
Bihar