

ANNEX – II

Application for restoration of electricity /water connection/ desealing of premises pursuance to order dated 7th May, 2004 of Hon'ble Supreme Court in Writ Petition (Civil) No. 4677/1985 ('M.C. Mehta Vs. Union of India & Others')

1. Name of the Applicant
2. Capacity in which applying (owner) of the premises/tenant of the premises or owner as industrialists/tenant as Industrialist) or capacity of occupier.
3. Residential address of the applicant (with Phone No. /Mobile No.), if any
4. Address of the premises of which electricity and water have been disconnected or premises which have been sealed. If it is the same as the residential address furnished against (2) above, the same may be indicated.
5. Nature of the industrial activity on the date of disconnection of water and electricity and or sealing
 - (i) Item of Manufacturing
 - (ii) Category of MPD-2001:-
(Tick the Category applicable): A/ B/ C/ D/ F/ Any other
6. Indicate whether the industrial unit was being operated in rented premises or in self-owned premises
7. In case of the premises were rented, the name and residential address of the landlord and the tenant may be given
8. Reason for seeking restoration of electricity/water and /or de-sealing of premises:-
 - (i) Removal of machinery and other Related items of industrial activity Being carried out in the premises.
 - (ii) Unit was set up before 1st August, 1990

- (iii) Unit's activity falls under the household industry ('A') category as per MPD-2001).
 - (iv) Unit's name is included in the list Of industries waiting for allotment As on 7th May, 2004 i.e. the date of order of Hon'ble Supreme Court.
 - (v) It the applicant intends to use the Premises for a conforming purposes, indicated the nature of the proposed use in the form of an affidavit duly attested by Notary public.
9. Whether the applicant unit has applied for or Has been allotted and industrial plot in the NCT of Delhi under the 'Relocation Scheme' If so indicate Application No.
10. List of documents (as applicable) to be Submitted alongwith the application

Signature/T.I. of Applicant

Name of the Applicant

Address:

Phone No.:

Dated:

Place:

Note: In case the unit is seeking restoration of electricity/water and /or desealing of premises for being covered under household category industries, the following information may also be submitted:-

- (a) Item of manufacturing
- (b) No. of workers employed
- (c) Power load required /installed
- (d) Total floor space
- (e) Floor space being used for industrial activity

Documents to be submitted alongwith the application for restoration of electricity /water connection / desealing of premises

1. Application, duly signed by an authorized person, on prescribed format.
2. Affidavit, duly attested by Notary Public, on the prescribed format.
3. Copies of the following documents duly attested by the Gazetted Officer:-
 - (i) Any Government document showing establishment and continuous operation of the industry prior to 1st August, 1990. If the request for restoration of electricity/water connection and /or desealing is on the ground the unit was established prior to 1st August 1990.
 - (ii) Copy of the eligibility letter issued by the DSIDC if the applicant unit's name is included in the waiting list for allotment of industrial plot, under the Relocation Scheme, if the request is for restoration of electricity /water connection and / or desealing is on the ground that the unit's name is on the waiting list for allotment of industrial plot.
 - (iii) Copy of the order of the Enforcement Team regarding disconnection of electricity and water /sealing order whichever is applicable.
 - (iv) Copy of the permission letter, if any, to function at the existing location in the residential area.
 - (v) Affidavit of owner of the premises as required under Clause 7 of the affidavit to be submitted by the industrial unit in case of rented premises.

Undertaking of an affidavit to be furnished by the applicant unit applying for desealing of the premises of restoration of electricity/water connection in pursuance of Hon'ble Supreme Court Order dt.07-05.04 in writ petition (Civil) No. 4677/1985.

I, _____ s/o, d/o/, w/o _____
Aged _____ years r/o _____
do hereby solemnly affirm and state as under:-

1. That, I am Proprietor /partner /Director of M/s. _____ at _____ I am authorized by the said firm/company to file this affidavit.
2. That the said premises were being used for the manufacturing of _____ (Industrial activity)
3. That, the electricity/water connection was disconnected by by order of Enforcement team dt _____ headed by SDM _____ in pursuance to order of Hon'ble Supreme Court dated 7th May, 2004 in WP (Civil) No. 4677/1985.
4. That, the said premises were sealed by the Enforcement Team on _____.
5. That, I /We seek restoration of electricity /water connection /deasealing of the said premises for the pupose of:-
 - (i) Removal of Machinery and other related items of industrial activity being carried out in the premises.
 - (ii) That I will inform in writing to the DCI(Policy) in Department of Industries details of disposal of machinery with self attested documents within 7 days of desealing of my premises by the SDM .
 - (iii) I intent to shift my plant and machinery to the new place in conforming industrial area as located at _____ and a self attested photocopy of the documents as proof of ownership and rent receipt etc is enclosed.
6. That, I /We undertake not to carry out any activity in the existing premises after it desealed and this premises will be used only in a conforming manner.
7. That, I /We undertake to abide by the conditions/directions which may be prescribed by the Committee and in the event of breach of any of the conditions/directions, the premises may be sealed again and I am liable to face legal action under the law.

DEPONENT

VERIFICATION

Verified at Delhi on this _____ day of _____ 2007 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed there from.

DEPONENT

AFFIDAVIT

I, _____ s/o, d/o/, wife of _____
Aged _____ years resident of _____
do hereby solemnly affirm and state as under:-

1. That, I am Proprietor /partner /Director of M/s. _____
The said unit is tenant/owner of premises _____
and I am competent/ authorized by the said form /company to this file affidavit.
2. That, the said premises were being used for manufacturing of _____
3. That, the electricity /water connection was disconnected, vide order of Enforcement Team on _____.
4. That, the said premises were sealed by the Enforcement Team on _____.
5. That, I /We seek restoration or electricity /water connection /deasealing of the said premises pursuant to orders of Hon'ble Supreme Court dated 7th May, 2004 in W.P (civil) No. 4677/ 1985 for the purpose of :-
 - (i) Removal of Machinery and other related items of industrial activity being carried out in the premises.
 - (ii) Unit was set up before 1st August, 1990
 - (iii) Unit's activity falls under the household industry ('A' category industry as per MPD-2001). The industrial unit is functioning with the following parameters:-
 - (a) No. of workers employed
 - (b) Power load required / installed
 - (c) Total floor space
 - (d) Floor space being used for industrial activity
 - (iv) Unit's name is included in the list of industries waiting for allotment as on 7th May 2004 i.e. the date of order of Hon'ble Supreme Court.
6. That, I /We undertake not to carry out any activity in the premises which is not conformity with the law on the Master Plan of Delhi –2001 and the premises will be used only in a conforming manner.
7. That, I /We am /are also furnishing an affidavit from the landlord (in case of tenanted premise)

8. That, I /We have legal right to apply for this restoration of electricity /water /desealing removal of belongings, goods, raw material and machinery and I /We undertake to indemnify the Government for my/our acts and deeds against any future claim, in this regard.
9. That, I /We undertake to abide by the conditions/directions which may be prescribed by the Committee with regard to restoration of electricity /water connection desealing of the premises and to be subject to action thereof in the event of breach of any of the conditions/directions referred to above or of any information furnished by me /us.
10. That, all the facts mentioned in my application for restoration of electricity /water connections/ desealing are true, correct, accurate and complete and I /We have not suppressed any material information.

DEPONENT

VERIFICATION

Verified at Delhi on this _____ day of _____ 2007 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed there from.

DEPONENT

Affidavit of the owner of the Premises (in case of tenanted Premises)

I, _____ s/o,d/o,wife of _____
aged _____ years, resident of _____
_____ do hereby solemnly affirm and
declared as under:-

1. that I am the owner of premises No. _____
and M/s _____ is my tenant in the said
premises.
2. that my tenant M/s _____ has closed his
industrial activity in the aforesaid premises w.e.f. _____.
3. That I/we undertake not to carry out any activity in premises which is not
conformity with the law of the Master Plan for Delhi -2001 and the
premises will be used only in a conforming manner.

DEPONENT

VERIFICATION

Verified at Delhi on this _____ day of _____ 2007 that the
contents of the above affidavit are true and correct to the best of my knowledge and
belief and nothing has been concealed there from.

DEPONENT