



**OMNIBUS INDUSTRIAL DEVELOPMENT CORPORATION
OF DAMAN & DIU AND DADRA and NAGAR HAVELI LTD.**

Corporate Office : Plot No.35, Somnath, Nani Daman - 396 210.

Tel: (0260) 2241120, 2241112, Fax : (0260) 2240338.

**REVISED GUIDELINES FOR SUB-LETTING / SUB-LEASE OF INDUSTRIAL PLOTS AS
PER 103RD BOARD OF DIRECTORS MEETING HELD ON 11TH JUNE 2011**

Sub-letting / Sub-lease of Industrial Plots / Sheds by lessees is to be divided into two categories as under: -

- I. Formal Nature of sub – letting/sub – lease
- II. Non – Formal nature of sub – letting/sub – lease

I Formal Nature Of Sub – Letting/Sub – Lease:

The following types of sub – letting / sub –lease can be considered to be of Formal Nature.

1. Sub – letting /Sub – lease within family of individual Lessees (provided no monetary consideration passes between the lessee and sub – lessee).

Explanation: sub-letting / sub-lease within family shall mean:-

- a.) Sub – letting /sub – lease from father to sons/ unmarried daughters/and vice versa.
 - b.) Sub – letting/sub – lease from father to deceased son's widow/son/unmarried daughter/widowed daughter and vice versa.
 - c.) Sub – letting/sub – lease from husband to wife and vice versa.
 - d.) Sub – letting/sub – lease from mother to sons/unmarried daughter and vice versa.
 - e.) Sub – letting /sub – lease between real brothers/ sister.
2. Sub-letting / sub-lease by a holding company to 100% subsidiary company or by a 100% subsidiary company to a holding and sub-letting / sub-lease by a 100% subsidiary to another 100% subsidiary, sub – letting /sub – lease involving 100% State Govt. owned companies, joint sector companies and associate companies promoted by the State Govt. / UT provided that a Chartered Accountant has given a certified to this effect.
 3. Sub-letting / sub-lease to one or more partners of the same firm as Proprietor / partner in a different firm but without admitting a new entrant in the new firm.

(2)

II NON – FORMAL NATURE OF SUB – LETTING/SUB – LEASE:

All sub-letting / sub-lease other than of Formal Nature will be considered as Non-Formal sub – letting / sub – lease.

III NORMS FOR SUB – LETTING /SUB – LEASE:

1. No sub – letting / sub – lease shall be permitted prior to execution of lease Deed.
2. Permission to sub – letting / sub – lease shall be given for a maximum period of 5 years at a time. The permission may however, be renewed on payment of such charges and subject to such conditions as the corporation may prescribe.
3. The following charges shall be paid to OI DC for obtaining permission for sub – letting / sub – lease.
 - a.) Formal sub-letting / Sub-lease - 100/- per sq. mtr. of built up area sub – let / Sub – leased.
 - b.) Non-Formal sub-letting/Sub-lease - 1000/- per sq .mtr. of built up area sub-let / sub-leased
4. The above charges shall be payable for obtaining permission for Sub – letting / sub- lease for a period of 5 years or part thereof.
5. The sub – Lettee/sub – lessee shall be bound by all conditions of lease as are to be compiled with by the lessee and such additional conditions as may be imposed by OI DC.
6. The Sub-lette/sub-lessee shall not be entitled to further sub-let / sub-lease the area sub-let/sub-leased to him.
7. In both the categories of Formal and Non – Formal sub-letting / sub-lease all outstanding dues including revenue and water charges ,etc. will be recovered first.

IV PROCEDURE FOR OBTAINING PERMISSION FOR SUB-LETTING /SUB-LEASE :

1. The application for obtaining permission for sub-letting / Sub-lease will be made in prescribed form with such fee as may be prescribed by OI DC from time to time.

(3)

2. Notwithstanding the aforesaid Guidelines O IDC reserves the right to relax, waive the terms of sub-letting / sub-lease and to permit such class or classes of sub – letting /sub-lease as the Board of O IDC in their discretion deem fit. The decision of the Board of Directors in this regard shall be final.
3. O IDC reserves the right to amend, alter, replace the Guidelines for sub-letting / sub-lease of industrial sheds and plots at any time hereinafter without assigning any reasons there for and the lessees and sub-lettees and sub-lettees / sub-lessees shall be bound by the same.

V CASES INVOLVING UNAUTHORIZED SUB-LETTING OF PLOTS

Penalty @ 20% of sub-letting charges OR 20,000, whichever is more will be charged for unauthorized sub-let / sub-lease to regularize the sub-letting / sub-lease from date of occupancy of the premises by the lessee.