



PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: Withdrawal of the earlier approved project proposal of M/s SSSN Projects Private Limited - reg.

- Read:**
1. SLSWCC Clearance No. KUM/SWA-236/AD/145/2003 - 04, dated 29.12.2003.
 2. SLSWCC Clearance No. KUM/SLSWCC-45/AD/145 (03-04) /2008-09, dated 23.10.2008.
 3. Government Order No. CI 186 SPI 2016, dated 20.06.2016.
 4. Government Order No. CI 186 SPI 2016, dated 31.08.2016.
 5. Government Order No. CI 186 SPI 2016, dated 25.04.2017.
 6. Government Order No. CI 186 SPI 2016, dated 27.03.2018.
 7. Government Order No. CI 186 SPI 2016, dated 24.07.2019.
 8. Government Order No. CI 228 SPI 2020, dated 22.09.2020.
 9. Proceedings of the 103rd Land Audit Committee meeting held on 04.03.2023.
 10. Proceedings of the 138th State Level Single Window Clearance Committee meeting held on 07.03.2023.

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Preamble:

The project proposal of Sri Sathya Sai Narayana Hospital Private Limited, to establish a hospital was approved in the 236th State Level Single Window Clearance Committee(SLSWCC) meeting held on 17.12.2003 and recommended to KIADB to acquire 5 acres of land as SUC for the project. KIADB was requested to help the promoters in identifying suitable land with Sy. Nos. for the project.

Subsequently in the 45th SLSWCC meeting held on 03.09.2008 approved the proposal of the company for change of activity from "Hospital" to "Multi Specialist Hospital with R&D facilities along with support services such as Hotel, Health Club, Recreation and Shopping facilities" and permission to enter in to

Joint Development agreement with M/s SJR Enterprises Private Limited to jointly develop the project.

SLSWCC in its 52nd meeting held during August 2009 approved "Convention Center" as additional activity.

SLSWCC in its 86th meeting held on 01.08.2015 approved extension of time for implementation of the project up to 01.08.2017

The SLSWCC in its 92nd meeting held on 27.05.2016 approved the company request to include 'IT Park' as additional activity subject to condition that at least 2 acre of land will be used for building Multi Specialty Hospital. Accordingly, Government Order read at (3) above was issued.

The subject was discussed again in 93rd SLSWCC meeting held on 03.08.2016 and the committee noted that the company has not taken any effective steps even after KIADB executed lease cum sale agreement on 17.09.2007 and kept the accorded approval decision of 92nd SLSWCC meeting held on 27.05.2016 in abeyance. Accordingly, Government Order read at (4) above was issued.

Further on the request of the company the subject was discussed in the 99th SLSWCC meeting held on 13.04.2017 and accorded approval as the following.

- Revoke the abeyance on the decision of 92nd SLSWCC meeting held on 27.05.2016 and restore the approval accorded for increase in investment in the project to Rs.174.70 crore from Rs 45.00 crore and to include 'IT Park' as additional activity, subject to condition that at least 2 acres of land will be used for building Multi Specialty Hospital.
- Extension of time by 2 years to implement the project.

Accordingly, Government Order read at (5) above was issued.

The SLSWCC in its 110th meeting held on 23.03.2018 approved the change of company's name from M/s Sri Sathya Sai Narayana Hospital Private Limited to M/s SSSN Projects Private Limited and in the 116th SLSWCC meeting held on 15.06.2019 approved establishment of IT Park in total area of 5 acres 7½ guntas instead of earlier proposal of 3 acres 7 ½ guntas at Bellandur Village, Bengaluru East Taluk, Bengaluru Urban District. Accordingly, Government Orders read at (6) & (7) above was issued.

Further, SLSWCC in its 120th meeting held on 19.08.2022 approved extension of time to M/s SSSN Projects Private Limited to implement the project for a period of two years with a condition that further request for extension of time will not be considered. Accordingly, Government Order read at (8) above was issued.

Now the company vide letter dated 19.09.2022, requested for extension of time to implement the project for a period of 3 years. The company has cited below reason for seeking extension of time:

1. It is informed that all along this period there were continuous court litigation and practically KIADB could never handover the physical possession of the land though the procession certificate was issued and Lease Cum Sale Agreement was also executed.
2. It is further informed that Hon'ble High Court of Karnataka in its judgment on 19.07.2022 has directed the company to implement only the Hospital Project. In observation of the order of Hon'ble High Court, company has requested KIADB for issuance of NOC for hypothecation of title deeds with the lending institution for implementation of the Hospital Project and KIADB has advised the company to approach the SLSWCC to get the approval back to Hospital Project as per High Court Direction.

Hence company has requested grant of approval to establish "Multi-Specialty Hospital" with extension of time by 3 years to implement the project.

In the 103rd Land Audit Committee (LAC) meeting held on 04.03.2023, the representative of the company appeared before the Committee through V.C and requested for extension of time by 3 years to implement the project.

CEO & EM, KIADB informed that:

- Two lease cum sale deeds were executed on 07.05.2005 & 17.09.2007 respectively. The term of the lease fixed in lease deeds are 6 years and 10 years respectively which are expired. The project proponent failed to obtain extension of lease. Hence the lease cum sale deed stands cancelled as directed in W.A. No.1735/2007 & W.P. No.11615/2020.
- The project proponent being a lessee executed a registered agreement of sale without possession on 31.5.2018 agreeing to sell the allotted lands by the Board in favour of M/s Anushka Investments (Purchaser) for total consideration amount of Rs.17.50 crore. The execution of this agreement of sale is clearly in violation of terms and conditions of the lease cum sale

agreements executed by the Board. The recitals of the agreement of sale dated 31.5.2018 discloses that M/s SSSN Hospitals Private Limited, who is referred as the vendor claiming itself that it has purchased the allotted land being Sy. No.27/1P and other Sy. Nos. situated at Bellandur Village, Bengaluru East Taluk from KIADB and offered to sell the scheduled properties for a total consideration amount of Rs.17.05 crore and received Rs.16.00 crore as a part consideration amount through various cheques as mentioned in para 3(I) to (XV) of agreement of sale. This execution of the registered agreement of sale dated 31.5.2018 is in clear violation of the terms and conditions of the lease.

The Committee noted the above and decided to recommend to SLSWCC for withdrawal of project approval.

In the 138th SLSWCC Meeting held on 07.03.2023, the Committee noted the recommendations of LAC and recommendations of CEO & EM, KIADB and after detailed discussions, decided to withdraw the project approval granted to the Company.

Government has examined the recommendations of the 138th SLSWCC meeting in all aspects.

Hence the following order.

GOVERNMENT ORDER No. CI 228 SPI 2020, BENGALURU,
DATED 23.03.2023

Government has withdrawn all the project approvals granted in favour of M/s SSSN Projects Private Limited.

By Order and in the name of the
Governor of Karnataka,

G. Nagarathnamma.
(NAGARATHNAMMA .G) 23/3/2023
Desk Officer (Technical Cell),
Commerce & Industries Department.

To,

1. Principal Accountant General (G&SSA)/(E&RSA), Karnataka, New Building, 'Audit Bhawan', Post Box No. 5398, Bengaluru.

2. Principal Accountant General (A&E), Karnataka, Park House Road, Post Box No. 5329, Bengaluru.
3. Additional Chief Secretary to Government, Finance Department, Vidhana Soudha, Bengaluru.
4. Additional Chief Secretary to Government, Energy Department, Vikasa Soudha, Bengaluru-01.
5. Additional Chief Secretary to Government, Forest, Ecology & Environment Department, M.S. Building, Bengaluru-01.
6. Additional Chief Secretary to Government, Water Resource Department, Vikasa Soudha, Bengaluru-01.
7. Principal Secretary to Govt., Revenue Department, M.S. Building, Bengaluru.
8. Commissioner for Industrial Development and Director of Industries and Commerce, Khanija Bhavan, Race Course Road, Bengaluru.
9. Commissioner of Commercial Taxes, Vanijya Therige Karyalaya, Gandhi Nagar, Bengaluru-09.
10. Managing Director, Bengaluru Electricity Supply Company Ltd.(BESCOM), Bengaluru.
11. Member Secretary, Karnataka State Pollution Control Board (KSPCB), #49, Church Street, Parisara Bhavan, Bengaluru-01.
12. Chief Executive Officer & Executive Member, Karnataka Industrial Area Development Board, Khanija Bhavan, Race Course Road, Bengaluru.
13. Director (Technical Cell), Commerce & Industries Department, Vikasa Soudha, Bengaluru.
14. Additional Director (Projects & Promotion), Directorate of Industries and Commerce, Khanija Bhavan, Race Course Road, Bengaluru.
15. Managing Director, Karnataka Udyog Mitra, Khanija Bhavan, Race Course Road, Bengaluru.
16. PS to Hon'ble Minister for Large and Medium Industries, Vidhana Soudha, Bengaluru.
17. PS to Principal Secretary to Govt., Commerce & Industries Department, Vikasa Soudha, Bengaluru.
18. M/s SSSN Projects Private Limited, No.31, 3rd Cross, 1st Block, RMV 2nd Stage, Bengaluru-94.
20. Guard File / Spare Copies.

