



Bihar Industrial Area Development Authority

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Order

In pursuance to clause 19.3 of the BIADA Land Allotment Policy 2022, the revised procedure for the resumption of possession of land was introduced and communicated vide Memo No. 4003/Estt. dated 28.06.2023. The policy aims to streamline and facilitate the land resumption process for all stakeholders involved.

In light of recent deliberations and suggestions, the Bihar Industrial Area Development Authority (BIADA) hereby announces modifications to the existing "Resumption of Possession Policy" as contained in Memo No. 4003/Estt. dated 28.06.2023 as approved by the Competent Authority.

In continuation of Memo No. 4003/Estt. Dated 28.06.2023, following amendments have been made in the BIADA Resumption of Possession Policy (herein after referred as "the Policy") in meeting of 91st Board of Director dated 16.03.2024 under Agenda No. 04.

1. Clause 1 of the Policy is amended as following:

"1. CASES IN WHICH THE POSSESSION SHALL RESUMED

- 1.1** The authority shall resume possession of land/shed u/s 6(2)(b) of the BIADA Act, 1974, immediately after passing of the order of cancellation of allotment of land as per procedure prescribed under clause 2 of the policy.

Provided that if any stay order issued by the Hon'ble High Court or any court of competent of jurisdiction prior to the initiation of resumption of possession, the process shall remain suspended until the date when the stay order/ no coercive action is subsequently vacated. During this period, no action shall be taken to resume possession in

adherence to the legal requirements and due process dictated by the prevailing stay/no coercive action order.”

2. Clause 2.1 of the policy is amended as following:

“2.1 If, an order of stay/order not to take any coercive steps has not been passed by any competent court of jurisdiction, the Cluster In-charge (DGM, ID) concerned shall duly serve a notice upon the allottee, allowing a period of two weeks for voluntary surrender of possession. The notice shall be delivered to the allottee or representative of the allottee at the registered address of the unit through registered post, electronic means such as email or WhatsApp. In the event that the allottee or representative is not present at the unit, and diligent efforts to serve the notice have been made, it shall be affixed to a conspicuous part of the unit's boundary or at the primary entrance gate, in the presence of two witnesses which shall be deemed as valid service of notice.”

3. Rest of content of Resumption of Possession Policy, 2023 issued vide Memo No. 4003 dated 28.06.2023 will remain as it is.

4. The above-mentioned amendments shall come into force from the date of communication of this order.

5. The contents of this order may be brought into the notice of all stakeholders for its strict adherence.

Meeting of 91st Board of Directors
Date-16.03.2024


Executive Director (Operations)
BIADA, Patna.

Memo.....2175/II/LGL/MISC/16/2024

Date...16/03/24

Copy Forwarded:-JMD, BIADA, Patna/All EDs, BIADA/All DGM, BIADA/M.D.Cell, BIADA, Patna for necessary action.


Executive Director (Operations)
BIADA, Patna.

