THE ANDHRA PRADESH GOVERNMENT PROPERTY (PRESERVATION, PROTECTION AND RESUMPTION) ACT, 2007

(ACT NO. 11 OF 2007)

ARRANGEMENT OF SECTIONS

SECTIONS

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Schedule -II

THE ANDHRA PRADESH GOVERNMENT PROPERTY (PRESERVATION, PROTECTION AND RESUMPTION) ACT, 2007

ACT NO. 11 OF 2007

[11th April, 2007]

AN ACT TO PRESERVE, PROTECT AND RESUME CERTAIN PROPERTY OF THE STATE IN PUBLIC INTEREST AND ANNUL THE TRANSACTIONS ADVERSELY AFFECTING THE TITLE AND INTEREST OF THE STATE THEREIN.

Whereas, valuable pieces of land and stadia belonging to Government of Andhra Pradesh have been either transferred or agreed to be transferred to a private party in a non-transparent manner at abnormally low prices and on such terms and conditions which are unconscionable and not in public interest;

forming the basis of such transactions except for paying the unconscionable low price;

And whereas, the land though given in possession of the transferees remain as they were without anything done or raised thereon;

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-Eighth Year of the Republic of India as follows:-

1. Short title, extent and commencement - (1) This Act may be called the Andhra Pradesh Government Property (Preservation, Protection and Resumption) Act, 2007.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall be deemed to have come into force with effect on and from the 20th November, 2006.

2. Annulment of certain transactions - With effect from the date of coming into force of this Act, the following consequences shall follow: -

(a) the transactions as enumerated in Schedule-I and any instrument including a deed of sale, memorandum of

understanding and agreement relating to property enumerated in Schedule-II entered into by or on behalf of the State of Andhra Pradesh in exercise of its executive power and which have the effect of transferring or agreeing to transfer by way of sale, lease or otherwise, the State ownership or interest
therein to any private party shall stand annulled and be deemed to be void from the date on which they were entered into or executed as being unconscionable and not in public interest;

(b) any arbitration clause forming part of any agreement being a part of such instrument as is referred to in clause (a) shall also stand annulled and be deemed to be void from its inception;

(c) possession over property enumerated in Schedule-II shall forthwith stand resumed and restored to the Government of Andhra Pradesh;

(d) all rights and liabilities arising out of or incidental to the said transaction or instrument shall cease and determine except for payment of compensation as provided by Section 3.

3. Payment of compensation - (1) Consequent upon the annulment of transactions and instruments under Section 2, the transferee shall be entitled to be paid a reasonable compensation by the Government of Andhra Pradesh.

(2) The amount of consideration recited in any instrument enumerated in Schedule 1 with interest calculated at the rate of 12% per annum shall be deemed to be the reasonable compensation within the meaning of sub-section (1).

4. Overriding effect - The provisions of this Act shall be given effect to notwithstanding anything contained in any instrument or enactment for the time being in force.

5. Repeal of Ordinance No. 12 of 2006 - The Andhra Pradesh Government Property (Preservation, Protection and Resumption) Ordinance, 2006 is hereby repealed.

SCHEDULE-I

(*See* Section 2)

Transactions of property entered into by State of Andhra Pradesh annulled hereby:-

1. Memorandum of Understanding entered into on August 9, 2003 between Government of Andhra Pradesh represented by Miss Chandana Khan, Principal Secretary to Government of Andhra Pradesh for Sports, Youth Affairs, Tourism and Cultural Affairs.

And

IMG Academies Bharatha Private Limited, a company incorporated under the provisions of the Companies Act, 1956 claiming to be 100% subsidiary of IMG Academies East Limited and a part of IMG World Wide with headquarter located in Florida, USA represented by Mr. Andrew J. Krieger, Chairman, IMGB.

2. Deed of Sale executed on February 10, 2004 and registered on the same day between the Government of Andhra Pradesh represented by Vice-Chairman and Managing Director, Sports Authority of Andhra Pradesh and M/s. IMG Academies Bharatha Pvt. Ltd, in respect of 400 acres of land in Survey No. 25 situate at Kancha Gachibowli village, Serilingampally Mandal, Rangareddy District more specifically described in Schedule of Property

forming part of the sale deed.

3. Agreement to sell in respect of 450 acres of land situate in Survey No. 99/1 of Mamidipally village, Rangareddy District near new International Airport.

4. Agreement to sell one to five acres of land in the area on the main road from Banjara Bills, Hyderabad to Shilparamam, Madhapur, Rangareddy District.

5. Agreement to lease with right to purchase the land and buildings and equipments comprised in stadia and agreement to manage and utilize SAAP facilities and share revenues.

SCHEDULE -II

(*See* Section 2)

Description of property transferred or agreed to be transferred through transactions annulled hereby:-

1. 400 acres of land in Survey No. 25 situate at Kancha Gachibowli Village, Serilingampally Mandal, Ranga Reddy District.;

2. 450 acres of land in Survey No. 99/1 of Mamidipally village, Ranga Reddy District, near new International Airport.

3. Stadia situate in the city of Hyderabad which include GMC Balayogi Sports Complex, Gachibowli, Indoor standium Gachibowli, Acquatics Stadium Gachibowli, KVB Reddy Indoor Standium Yousufguda, Hockey Stadium Gachibowli, Indoor Stadium Saroornagar, SAAP Veldrome Osmania University, L.B. Stadium Tennis Complex and Indoor Stadium, Shooting Range, University of Hyderabad etc.

4. One to five acres of land in the area on main road from Banjara Hills, Hyderabad to Shilparamam, Madhapur, Ranga Reddy District.

T. MADAN MOHAN REDDY,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.