

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-LRGEA-POLICY-0025-2018- 4031 / R&D.M Dated 4 FEB 2019

From

Avaya Kumar Nayak, OAS (SAG),
Additional Secretary to Government

To

Commissioner- cum- Secretary to Government,
Health & FW Department

Sub- Permission to Health & Family Welfare Department to sub- lease the government land alienated to it in favour of private partners for establishment of Affordable Health Care Projects at 25 locations of the State subject to payment of concessional rate of premium as per prevailing IPR, 2015

Sir,

I am directed to say that considering the socio-economic benefits which would accrue to the State through Affordable Health Care project and also in order to promote private sector investment in the healthcare industry, the State Cabinet in its 67th meeting held on 29/01/2019 has accorded permission to Health & Family Welfare Department to sub- lease the government land alienated in its favour, in favour of private partners on Public Private Partnership (PPP) mode for establishment of such projects at 25 (twenty five) locations of the State as listed below subject to the following conditions:-

- (i) Health & FW Department may sub- lease the aforesaid government land in favour of selected Private Partner/s on execution of a Lease Deed finalized for the purpose.
- (ii) All the Stamp Duty and Registration Fees incidental to and in connection with the Lease Deed shall be borne by the private partner.
- (iii) The aforesaid sub- lease period shall be co-terminus with the Concession Agreement i.e. 32 years (extendable on mutual agreement in accordance with the terms of the Concession Agreement).
- (iv) The premium payable by the Private Partner for the land sub-leased to it shall be as per applicable IPR rate as revised from time to time. Before

execution of the sub-lease Deed, the private partner shall make one-time payment of the premium to Health & FW Department.

(v) Similarly, after execution of the Deed, the private partner shall also make payment of annual ground rent @1% of the IPR rate of premium fixed for the land and cess @75% of the ground rent so calculated, to H&FW Department.

(vi) The premium, ground rent and cess so received by H&FW Department shall be deposited as land revenue with concerned district administration in the relevant head of account of R&DM Department.

(vii) The private partner shall have the right to grant licence on the property or the built-up space constructed over the property, in favour of third parties for the purpose of ancillary facilities (as per provisions of the Concession Agreement). The private partner shall be entitled to receive and retain all revenues that may be generated from the ancillary facilities.

(viii) Subject to prior written consent of the Health & FW Department, the private partner can assign or mortgage its rights and interest under the Deed and also mortgage its rights and interests in the property and buildings, fixtures and improvements constructed thereon, in favour of senior lenders to the extent required under the Financing Agreements in accordance with the Concession Agreement read with the Substitution Agreement provided however that such mortgage or assignment shall in no event encumber the State Government's right, title or interest in the property.

(ix) In the event that the private partner is replaced in its capacity as the Concessionaire under the Concession Agreement by a nominated Company, in accordance with the terms and conditions of the Concession Agreement read with the Substitution Agreement, such nominated Company shall substitute the private partner as the new lessee and all such terms, conditions, rights, liabilities and interests applicable to the Lessee under the existing Lease Deed shall stand transferred to the new lessee in their entirety from the date of replacement thereof. For this purpose, a fresh lease deed shall be executed for the remaining period and all the Stamp Duty and Registration Fees incidental