

**RAJASTHAN STATE INDUSTRIAL DEVELOPMENT AND
INVESTMENT CORPORATION LIMITED**

Minutes of :3/2021–Infrastructure Development Committee
Venue :Udyog Bhawan, Jaipur
Date :Monday, 27th September 2021
Commencement/Completion :3.00 P.M./3.45 P.M.
time of the meeting

Present :

Shri Kuldeep Ranka	Chairman RIICO
Shri Ashutosh A.T. Pednekar	Managing Director & Secretary Industries
Smt. Archana Singh	Commissioner Industries and Commissioner (Investment & NRI)
Shri Shakti Singh Rathore	Managing Director RFC

Shri D.K. Sharma, Secretary was in attendance. Smt. Rukmani Riar, Executive Director; Shri Ashok Pathak, Financial Advisor and Shri Pukhraj Sen, Advisor (Infra.) were also present.

Quorum: The Chairman was present. As the quorum was present, the meeting was called to order. Quorum was present throughout the meeting.

Item1: To note the minutes of last meeting of the Infrastructure Development Committee of the Board held on 25th August 2021.

The minutes of the last meeting of the Committee held on 25th August 2021 were confirmed.

Item 2: Action Taken Report on the decisions of the previous meeting of the Committee held on 25th August 2021.

The Committee noted the position brought out in the agenda note.

Item 3: Allotment of plot no. GO-3 measuring 1337 sqm to the District Superintendent of Police, Bhiwadi at Industrial Area Bhiwadi for office purpose.

The Committee discussed the agenda and accorded approval for allotment of plot GO-3 measuring 1337 sqm (with building) on

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lease basis in favour of District Superintendent of Police, Bhiwadi for office purposes at a token amount of Rs. 1/-, by dispensing with the existing provision under Rule 3(G)-5 of RIICO Disposal of Land Rules, 1979, as a special case being related with allotment of land to State Government Department.

Item 4: Partial amendment in the existing provisions of Rule 23-C-1.1 & 1.2 of RIICO Disposal of Land Rules 1979 related to time extension/regularization of old delay in commencement of activity for which plot is allotted.

The Committee discussed the agenda and accorded approval for partial amendment in the existing provisions of Rule 23-C-1.1 & 1.2 of RIICO Disposal of Land Rules 1979, related to time extension/regularization of old delay in commencement of activity for which plot is allotted, by inserting new proviso in these rules for granting further extension of two years at the level of Managing Director on payment of retention charges at the rate of 2.5% per quarter or part thereof, beyond the existing time extension provision. With the above amendments, Annexure-C to the agenda mentioning the amended provisions of the rule was also approved by the Committee.

Item 5: Amendment in the existing provision of Rule 17-C of RIICO Disposal of Land Rules, 1979 related to merger of allotted plots and to have provision to allow de-merger of plot which was constituted by clubbing of adjacent plots/by merging of allotted plots according to the original planning.

The Committee discussed the agenda and accorded approval for amendments in the existing provisions of Rule 17-C of RIICO Disposal of Land Rules, 1979, as follows, with certain modifications:

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Existing Rule	Amended Rule
<p>Rule: 17-C – Merger of plots</p> <p>"Merger of allotted land/plot(s) would mean merger of adjoining land/plot(s) held by same entity or by virtue of order of any Court of Law. Merger of allotted land/plot(s) will be allowed in case of both the land/plot(s) is vest with same entity either by way of sale, assignment, gift, allotment, acquisition, amalgamation or by virtue of any order of Court of Law. However, merger of allotted land/plot(s) may be allowed, without any premium/charges, wherein allottee proprietor/partners, in case of partnership firms/LLP and promoter directors, in case of the Companies including OPC of the merging land/plot(s) are either same or are in immediate blood relation or having major and controlling shares in both the merging plots/units. Further subdivision of plot constituted by merger of plots as above may also be allowed as per the provisions of subdivision of allotted land/plots as mentioned above in Rule 17 (B)".</p>	<p>Rule: 17-C – Merger/de-merger of allotted plots</p> <p>1. Allotted land/plots would be deemed to be merged by Unit Head if merging land/plots are vested with same entity either by way of sale, assignment, gift, allotment, acquisition, amalgamation or by virtue of any order of Court of Law subject to following conditions:-</p> <p>(a) Allottee shall pay lump-sum charges @ 1% of the prevailing rate of allotment of the industrial area concerned for the total area of land/plots being merged.</p> <p>(b) In case all the merging plots are vacant and having different due dates for utilization then due date of utilization of plot constituted after merger of plots may be the due date of the plot which is to be utilized at the earliest.</p> <p>(c) In case any one or more merging plots are already utilized and being merged with the vacant plot(s) then due date of utilization of plot constituted after merger of plots will be the due date of utilization of vacant plot which is to be utilized at the earliest, if the condition of minimum built up area requirement as per rule is not</p>

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getting fulfilled for the constituted plot area.

2. De-merger of allotted plot constituted by clubbing of adjacent plots/by merging of allotted plots will be allowed by the Unit Head in one go or in phases subject to the following conditions;

(a) The allottee should have already utilized the plot.

(b) De-merger of plot requested by the allottee is in accordance with the original planning of the plot existed at the time of clubbing/merger of plots.

(c) The allottee will pay de-merger charges @ 2% of the prevailing rate of allotment of the industrial area concerned, as under;

(i) On the entire plot area, if de-merging is proposed in one go.

(ii) On the area of plot(s) being de-merged, if de-merging of plot is proposed in phases.

3. In case of transfer of leasehold rights of de-merged plot(s), the de-merged plot may be allowed on payment of transfer fee on the lines of provision under rule 17-B for transfer of leasehold rights of subdivided land/plot.

	<p>4. The demerger of the merged plots will be treated at par with sub-division of plot and the demerged plot will be treated as sub-divided plot; hence, further sub-division of demerged plot will not be allowed.</p>
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As regards proposal for considering deemed merger of plot allotted for expansion of the existing unit set-up on the adjacent plot, which could not be got merged earlier, with retrospective effect on the request of the allottee, the IDC formed a sub-committee of MD RIICO, Commissioner Industries and MD RFC to examine the issue and give its recommendations.

The Committee also accorded approval for insertion of definition of de-merger of plot in Rule 2 (xli) of RIICO Disposal of Land Rules, 1979, as under:

"De-merger of plot(s) re-constituted by clubbing of adjacent plots at the time of allotment or by merging of allotted plots would mean separation of plot(s) in such shape and size as per the original planning of industrial area concerned."

Item 6: Review of decision taken by the IDC vide item 9 of its meeting held on 21.01.2021 to the extent of partial amendment in the existing provisions of Rule 3(A) of RIICO Disposal of Land Rules, 1979 related to reservation of industrial plots and upfront concession on the rate quoted by the successful bidder in e-auction of reserved industrial plots.

The Committee discussed the agenda and reviewed its earlier decision taken vide item 9 of its meeting held on 21.01.2021 and accorded approval for partial amendment in the existing provisions of the rule 3(A)(i) and 3(A)(iv).4, as under:



Rule	Existing Provision	Amended provision
3(A)(i)	<p>Reservation of industrial plots within total number of saleable industrial plots up to 5000 sqm shall be made in every industrial area to the following categories of entrepreneurs and allotted to such category of entrepreneurs in accordance with reservation, so made;</p> <p>(a) 5% plots for woman and SC/ST Category entrepreneurs</p> <p>(b) 3% plots for Persons with Benchmark Disabilities;</p> <p>(c) 2% plots for Ex-Serviceman/ Dependents of diseased armed forces service personnel/ paramilitary personnel.</p> <p>Provided that in those industrial areas, where reservation has already been made in accordance with the then prevalent policy, allotment of such reserve plots shall be made to the respective category of entrepreneurs in accordance with reservations, so made.</p>	<p>Reservation of industrial plots within total number of saleable industrial plots up to 2,000 sqm. shall be made in every new industrial areas to be opened for allotment to the following categories of entrepreneurs and allotted to such category of entrepreneurs in accordance with reservation, so made;</p> <p>(a) 5% plots for SC/ST Category entrepreneurs</p> <p>(b) 5% plots for woman entrepreneurs</p> <p>(c) 3% plots for Persons with Benchmark Disabilities</p> <p>(d) 2% plots for Ex-Serviceman</p> <p>(e) 1% plots for Dependents of deceased armed forces service personnel/ Paramilitary personnel.</p> <p>Provided that in those industrial areas, where reservation has already been made in accordance with the then prevalent policy and allotments process has been started, allotment of such reserve plots shall continue to be</p>

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				made to the respective category of entrepreneur(s) in accordance with reservations, so made.		
3(A)(iv). 4	Person with Benchmark disabilities	25 %	Certificate issued by the Certifying Authority as per Section 1® of "The Rights of Person with Disability Act, 2016" or Certificate issued by Authority under the Act of 1995 for more than 40% disability.	Person with Benchmark disabilities	50 %	Certificate issued by the Certifying Authority as per Section 1(R) of "The Rights of Person with Disability Act, 2016" or Certificate issued by Authority under the Act of 1995 for more than 40% disability.

Item 7: Partial amendment in one of the provisions of the existing policy for providing land measuring 6x6 ft. on Rent-cum-Licence basis for establishment of a Dairy Booth in the service area of RIICO Industrial Areas.

The Committee discussed the agenda and, reviewed its earlier decision taken vide Item 3 of its meeting held on 6.8.2019, accorded approval for partial amendment in claus-2(i) of the existing policy for providing land on Rent-cum-Licence basis for

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establishment of a Dairy Booth in the service area of RIICO industrial areas, as under:

Existing Provision	Amended Provision
<p>प्रत्येक औद्योगिक क्षेत्र में उपलब्ध सर्विसेज हेतु नियोजित/आरक्षित रिक्त भूमि में एक डेयरी बूथ हेतु अधिकतम 6x6 फीट का स्थान निगम मुख्यालय स्तर पर इस प्रकार से चिन्हित कर नियोजित किया जायेगा जिससे कि सर्विसेज की भूमि की उपयोगिता बाधित ना हो । एक औद्योगिक क्षेत्र में एक से अधिक डेयरी बूथ स्थान नियोजन के लिए न्यूनतम 200 मीटर रेडियस दूरी का मापदण्ड लागू होगा ।</p>	<p>प्रत्येक औद्योगिक क्षेत्र में उपलब्ध सर्विसेज हेतु नियोजित/आरक्षित रिक्त भूमि में एक सरस डेयरी बूथ हेतु अधिकतम 6x6 फीट का स्थान इकाई कार्यालय स्तर पर इस प्रकार से चिन्हित कर नियोजित किया जायेगा जिससे कि सर्विसेज की भूमि की उपयोगिता बाधित ना हो । एक औद्योगिक क्षेत्र में एक से अधिक सरस डेयरी बूथ स्थान नियोजन के लिए न्यूनतम 200 मीटर रेडियस दूरी का मापदण्ड लागू होगा</p>

Item 8: Second Appeal of Shri Dilip Kumar Agarwal in respect of Plot No. C-330 to C-333 Housing Colony Abu Road under Rule 24(2) (b) (2)(ii) of RIICO Disposal of Land Rules, 1979.

The Committee discussed the agenda. The Committee was informed that since the allottee breached the relevant Building Bylaws of the Corporation the allotment of plot was cancelled by the Unit Office on 07.07.2017, as per provisions of RIICO Disposal of Land Rules, 1979. The Appellant filed appeal as provided under the rules of 1979 being aggrieved by the cancellation of allotment before the First Appellate Authority, however, the said first appeal was dismissed by the Appellate Authority vide order dated 07.03.2018 on the grounds, inter-alia, that the appellant, instead of abiding to the undertaking given by him to the Corporation, did not remove the unauthorized construction. The second appeal filed by the Appellant before the IDC was also rejected by the Committee in its meeting held on 8th October 2018 observing that the Corporation had not adopted the Urban Area (Building Irregular Construction/

Regulation) By-laws 2014, hence, there is no provisions in RIICO Rules to regularize the unauthorized construction in set-back area of the residential plots on payment of compounding fees. Thereafter, the Appellant approached the Hon'ble Rajasthan High Court, Jodhpur by way of filing S.B. Civil Writ Petition No. 17592/2018. The Hon'ble Court vide order dated 14.12.2020 has quashed and set aside the order dated 08.10.2018 passed by the Second Appellate Authority i.e. IDC and directed to decide the appeal within a period of three months from the date of order after providing opportunity of hearing to all the parties concerned.

Shri Dilip Kumar Agarwal, the Appellant, and Shri Kuldeep Dadhich, Unit Head Abu Road joined the meeting through Video Conference. Shri Agarwal presented his case before the Committee and emphasised on grounds of appeal mentioned therein. Unit Head, Abu Road also briefed the Committee about the present status of building.

The Committee also perused the report of the constituted in-house committee who visited the site on 19.2.2021. Both the Members of the Committee who visited the site after the referred order of the Hon'ble Court, i.e. GM (Civil) and Sr. Town Planner, RIICO, were also called during discussions on this agenda item to explain the status of unauthorized construction made by the Appellant.

It was further informed that the RIICO Building Regulations-2021 has come into force wherein there is a provision for obtaining an Affidavit from the Applicant who made the unauthorized construction at site contrary to building bye-laws, to this effect that





he will remove such unauthorized construction within a period of one year failing which the Lessor is free to demolish such unauthorized construction at its own level and security money shall be forfeited or the Lessor shall be free to seize the building.

The Committee after taking into consideration the grounds mentioned in the Second Appeal filed by the Appellant, reports submitted by the Committee and referred provisions of the RIICO Building Regulations-2021, and also in light of the directives of the Hon'ble High Court, reconsidered its earlier decision taken in its meeting held on 8th October 2018 (vide Item 3) and passed following order:

1. The cancellation of allotment of plot nos. C-330 to C-333, Housing Colony Abu Road made by the Unit office Abu Road vide order dated 07.07.2017 is restored subject to furnish an affidavit by the Appellant, namely Shri Dilip Kumar Agarwal, within a period of 15 days from the date of restoration order, as provided in the RIICO Building Regulations-2021 on non-judicial stamp paper duly notarized and also subject to payment of requisite charges as provided in RIICO Disposal of Land Rules, 1979.
2. After furnishing the requisite affidavit as provided in referred regulations, the Appellant shall submit an application within a period of 30 days in the Unit Office Abu Road for regularization/compounding of unauthorized constructions, so made in plot nos. C-330 to C-333, Housing Colony Abu Road, in accordance with the RIICO Building Regulations-2021 and

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also to take action for removal of unauthorized construction which is beyond the compoundable limit as provided in RIICO Building Regulations-2021.

3. If the Appellant is failed to remove the unauthorised construction from the site, then the Corporation would be at liberty to take action as per prevalent rules/building regulations.

The Second Appeal of the Appellant is hereby disposed of. Order be issued accordingly under the signature of the Managing Director, RIICO.

Item 9: Revision in Administrative Sanction of Industrial Area Bhiwadi I-IV, Ghatal & Samtel Zone, Bhiwadi-I.

The Committee discussed the agenda and accorded approval for revision in administrative sanction for development of re- planned land of industrial area, Bhiwadi I-IV, Ghatal & Samtel Zone, Bhiwadi-I, from Rs. 14378.77 lac to Rs. 15734.59 lac, as per Annexure to the agenda note.

Item 10: Administrative Sanction for development of new Industrial Area Srinagar, Todaraisingh, District Tonk, Unit - Sawai Madhopur.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area Srinagar, Todaraisingh, District Tonk, Unit - Sawai Madhopur, at an estimated cost of Rs. 1285.24 lac, as per Annexure -A to the agenda note.

Item 11: Administrative Sanction for development of new Industrial Area Kotra (Baseri), Ph-I, Dholpur, Unit:- Bharatpur.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area Kotra (Baseri), Ph-I, Dholpur, Unit:- Bharatpur, at an estimated cost of Rs. 2456.72 lac, as per Annexure – A to the agenda note.

Item 12: Administrative Sanction for development of new Industrial Area Ralawas-Ph-I, Tehsil Rahuwas, District Dausa.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area Ralawas- Ph-I, Tehsil Rahuwas, District Dausa, at an estimated cost of Rs. 4859.59 lac, as per Annexure –A to the agenda note.

Item 13: Administrative Sanction for development of new Industrial Area Medical Devices Park, Boranada (Extn.), District Jodhpur.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area Medical Devices Park, Boranada (Extn.), District Jodhpur, at an estimated cost of Rs. 13,473.56 lac, as per Annexure –A to the agenda note.

Item 14: Administrative Sanction for development of new Industrial Area, Lohawat, District Jodhpur.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area, Lohawat, District Jodhpur, at an estimated cost of Rs. 2269.60 lac, as per Annexure –A to the agenda note.

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Item 15: Administrative Sanction for development of new Industrial Area Ramnagar (Thob) Ph-I Tehsil Pachpadra, District Barmer.

The Committee discussed the agenda and accorded approval for administrative sanction for development of new Industrial Area Ramnagar (Thob) Ph-I Tehsil Pachpadra, District Barmer, at an estimated cost of Rs. 3138.47 lac, as per Annexure –A to the agenda note.

Item 16: Policy decision for fixing rate of allotment to be considered for computation of various charges i.e. retention charges, sub division charges, transfer charges in case where land has been allotted stand alone on undeveloped basis to the Private Companies.

The Committee discussed the agenda and also perused the recommendations made by the sub-committee in its meeting held on 27.08.2021.

The Committee decided as under:

1. To accept the recommendations made by the sub-committee in respect to government land/private land owned by RIICO and thereafter allotted to entrepreneur/private companies on lease basis as standalone on undeveloped basis.
2. As regards, land parcels which were exclusively acquired for the specified companies on the basis of Cabinet Decision/directives of the State Government where RIICO has acted like an agency: the Committee remanded back the matter to the sub-group for reconsidering its recommendations and also to suggest modalities and/or options to facilitate decision making by the State Government in the matter.

Item 17: Insertion of new proviso (s) in rule 17-B of RIICO Disposal of Land Rules 1979 and clarification with regard to applicability of both the provisions of Rule 17(B) & 17(E) for sub division of plot having area 10,000 sqm and above.

The Committee discussed the agenda and also perused the recommendations made by the sub-committee in its meeting held on 27.08.2021. After discussions the Committee accorded approval to the following recommendations:

1. Sub-division of large size plots i.e. having area 10,000 and above is also permitted under Rule 17-(B).
2. Rebate given to allottee at the time of allotment for large size industrial plot should not be recovered from the allottee(s) at the time of allowing sub-division of plot under Rule 17-(B). The cases decided earlier shall not be reopened nor shall the rebate amount recovered be refunded.
3. Existing provision i.e. Rule 17-E 2(xi) related to allowing change of land use of sub-divided plot, Rule 17-(E)2(xii)(c) related to conversion charges of sub-divided plot and also Rule 17-(E)2.(xiii) related to provision of rule 17- (E) shall apply on transferee/prospective buyer of the plot should be deleted from existing provisions made under rule 17-(E).
4. In Rule 17 (E)-1 after existing provisions of (a) to (d), following may be inserted:

Explanation: The reference of unit and plot under this rule shall mean the unit and plot of the applicant lessee and reference of the allottee shall also mean the existing lessee of the Corporation.

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5. A new provision be inserted in existing rule 17-(B) as under, to **be made applicable with prospective effect:**

“Transferee of utilized industrial plots will also be required to commence production activity to qualify for sub-division of plot under this rule”.

The Committee also directed that a suitable reply be sent to AG Audit based on the above decisions.

The meeting concluded with a vote of thanks to the Chair.



CHAIRMAN