

**Rajasthan State Industrial Development & Investment Corporation
Limited, Udyog-Bhawan, Tilak-Marg, Jaipur-302005**

No: IPI/P.5/171/2018/1212

Date: 29, Sept., 2023

OFFICE ORDER (23/2023)

Sub: Amendment in the existing provisions of Rule 18 (f-ii) related to exchange of allotted industrial plot with vacant plot in industrial areas with a view to resolve dispute and to take decision on the issue of exchange of allotted industrial plots with alternative plot at I/A Palsana, Phase-II.

An agenda item (24) was placed before the IDC in its meeting held on 21.09.2023. The Committee has accorded approval for partial amendment in the existing provisions of Rule 18 (f-ii) along with proposal to delete the existing provisions of rule 18 (f-iii) & (f-iv) as follows:

Rule	Existing Provisions	Amended provisions
18(f-ii)	<p>Exchange of allotted industrial plot with vacant plot in the industrial area with a view to resolve the dispute:</p> <p>a. In case of plot allotted through normal procedure and the plot allottee is not in position to commence activities due to land dispute, then equivalent size vacant plot may be allotted on original allotment rate in the same area provided the area is non-saturated industrial area and if no such plot is available in the said industrial area, then he may be given an option to take a plot in other non-saturated industrial area.</p> <p>b. In case of plot allotted in auction or under TBAY goes</p>	<p>Exchange of allotted plot with vacant plot:</p> <p>1. Managing Director of the Corporation may approve the exchange of allotted industrial plot with an alternative industrial plot in the same industrial area irrespective of allotment through e-Auction process subject to fulfilment of following stipulations:</p> <p>(a) Physical possession of the allotted plot could not be taken by the allottee free from encumbrances due to the following reasons:</p> <p>(i) Plot (fully/partly) planned on the land of left out khasra or land is not belonging to RIICO.</p> <p>(ii) Stay by Court</p>

Cont

under dispute then plot will not be exchanged and the deposited money can be refunded to the party along with interest with the approval of CMD. In saturated industrial areas plots are auctioned after fixing the reserve price depending upon the location of plot and the plot is auctioned on 'as is where is' basis. However, on their request of party for allotment of alternate plot in other non-saturated industrial area, plot may be allotted on the rate of development charges prevailing in the area and the money deposited against the disputed plot would be adjusted against the new plot.

c. In case of plot allotted through normal procedure but at the time of resolving the dispute the industrial area becomes saturated, in such cases plot will not be exchanged in the same area and deposited money will be refunded with interest with CMD approval. However, on the request of party for allotment of alternate plot in other non-saturated industrial area, plot may be allotted on the rate of allotment prevailing in the area and the money deposited against the disputed plot will be adjusted against the new plot.

d. In this policy, only those plots

- (iii) Plot planned on type of land falling under restricted category.
- (iv) Approach road not available.
- (v) Plot is lying below HT power line corridor area which cannot be shifted and the plot is also not utilized for want of exchange.

2. In case plot of equivalent area is not available for exchange then the allottee may be given offer for exchange with available vacant plot which may be either bigger or smaller in area as comparison to the allotted plot. In this situation, the allottee shall be required to pay premium for excess land/strip of land as per rules and in case of short area, premium of short area shall be refunded to the allottee as per rules.

3. In case vacant planned plot of size as per sub-rule (2) above is either not available or cannot be made available by re-planning in the same industrial area then exchange of allotted plot will not be considered in other industrial area and in such cases deposited money shall be refunded to the party along with interest as per rules.

4. Effective date of allotment of plot in such cases of exchange of plot shall be

will be considered under dispute wherein competent court has granted stay or there is trespass of religious nature due to which the allottee is not able to carry out the activities in the plot.

- e. The cut-off date for seeking there life will be two years from the date of execution of lease deed or the date of plot possession taken, whichever be earlier. In case of delay, only deposited money will be refunded considering the plot allotment as cancelled or surrendered.
- f. In case area of the offered plot in the same area is more than the area of plot allotted earlier then cost of land for the excess area will be levied at the prevailing rate of allotment in the area. However, in case of deficit, in the area of offered plot, cost of land for the deficit area will be returned at the original rate of allotment along with interest as per the Corporation policy.
- g. In case the rate of allotment of the plot offered in exchange in other area is more than the rate of allotment of original plot then the allottee will pay the difference in cost of land, however, in case the rate of allotment is less, then the Corporation would refund the amount at the original rate of allotment along within the rest

reckoned from the date of handing over the possession of exchanged plot.

- 5. Service charges in such cases shall be leviable from the effective date of allotment as per rules. However, service charges deposited earlier up to the date of handing over possession of exchanged plot shall not be refunded/adjusted. Further, the allottee shall pay economic rent as per rules.
- 6. The allottee shall bear the expenses towards stamp duty and registration charges if payable for execution of deed for cancellation of earlier executed lease agreement/for new lease agreement and for supplementary exchange deed, if any, as the case may be.
- 7. In cases where there are outstanding dues towards premium of land then same shall have to be deposited with interest prior to exchange of plot.

Part

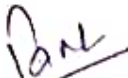
	as per the policy. (Inserted as per decision taken by IDCon27.12.2004)	
18(f-iii)	<p>Exchange of Plots Allotted in Business Campaigns :</p> <p>Plots allotted in Business Campaigns may be allowed for exchange by the unit head with vacant plot in the unsaturated industrial area on payment of a fee @5/-per sqm provided the rate of allotment in the area is unchanged.</p>	deleted
	<p>Note: If the request for exchange of plot in the same area is accepted then the allottee shall not be charged on account of service charges and economic rent for the financial year during which the plot exchange has been allowed, for the exchanged plot if economic rent and service charges have been paid for the earlier plot. In case of allotted plot under depression or near to polluting unit, plot exchange will be permitted at the level of Executive Director subject to payment of fee @ Rs. 5 per sqm. All the cases of exchange of plot relating to industrial areas Bhiwadi, Chopanki and Khuskhera will be decided at HO Level.</p> <p>(Inserted as per decision taken by IDC on 12.8.2005)</p>	deleted
18(f-iv)	<p>Exchange of Plots in Saturated areas:</p> <p>As per authorization by the IDC, the Managing Director of the</p>	deleted

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	<p>Corporation can approve the exchange of allotted plot with an alternative plot in saturated industrial areas where handing over possession of the allotted plot was not possible, free from encumbrances, due to dispute by Khatedar/plot planned on the land of left out khasra etc.</p> <p>(Amended as per item 21 of the meeting held on 4.1.2013)</p>	
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The Committee further deliberated the issue and accorded approval to exchange the allotted 16 number of plots (i.e. Plot No. G1-228, G1-229, G1-235, G1-236, G1-237, G1-238, G1-240, G1-241, G1-242, G1-243, G1-244, G1-245, G1-246, G1-247, G1-248, G1-249), with the alternative plots already planned in industrial area Palsana, Phase-II, through draw of lots in order to resolve long pending matter.

The Committee further directed to issue direction to the all Unit Offices to prepare complete details of all such cases in which allotments have been made but peaceful possession free from all encumbrances could not be given to the allottees and chalk out a plan so that a special drive can be made for removal of encroachment from RIICO's land.


Advisor (Infra)