

Rajasthan State Industrial Development & Investment Corporation Ltd.
Udyog-Bhawan, Tilak-Marg, Jaipur-302005

No: IPI/P-6/P&D/2007/Pt-III / 359
Dt: 30 June, 2022

OFFICE ORDER (20/2022)

- Sub: I. Amendment in the existing provision of Rule 21 of RIICO Disposal of Land Rules, 1979 related to time period for commencing production activity.**
- II. Partial amendment in the existing provisions of Rule 23-C related to time extension for delay in commencement of production activity for which the plot is allotted.**
- III. Partial amendment in the existing provisions of Rule 24(3)(2) of RIICO Disposal of Land Rules, 1979 related to period for filing of application for restoration of allotment of cancelled plot.**

An agenda was placed before the IDC vide item (22) of its meeting held on 14.06.2022. The Committee has accorded approval for the following;

- I. Amendment as per Annexure-4 to the agenda note in the existing provision of Rule 21 of RIICO Disposal of Land Rules, 1979 related to time period for commencing production activity, in order to simplify the provisions of the rule. Accordingly, the amended rule 21 of RIICO Disposal of Land Rules, 1979 will be as per **Annexure-A** annexed herewith.
- II. Partial amendment in the existing provisions of Rule 23-C by way of insertion of new rule 23-C.1.2.A, related to time extension for delay in commencement of production activity for which the plot is allotted, with certain amendments, as follows:

Rule 23-C. 1.2.A :

1. *In cases of allotment of industrial plots in which due date of the commencement of the production activity falls between 13.11.2000 to 07.06.2012, wherein claim for commencement of production activity by the allottee on the basis of documents has not been considered as per prevailing rules at that time, then in such cases regularization of old delay and further extension of time maximum up to **one year** from the date of application for commencement of production activities as*

3/5

per prevailing rules on the date of commencement of production may be considered on payment of retention charges calculated @ 0.25% per quarter or part thereof with the approval of the Managing Director.

Provided that such allottee/transferee shall not be allowed to transfer their plot or part thereof till next three years from the date of commencement of activity/production.

Explanation - 1. *The condition of minimum built up area requirement for the purpose of considering commencement of production activity on the plot shall not be applicable for the plots allotted up to 02.06.2004.*

Explanation - 2. *In such cases, period during which stay of the court of law was in force, shall be excluded while computing period for regularization/time extension, irrespective of the fact, litigation with respect to cancellation of allotment was initiated on instance of either RIICO or the allottee.*

2. The cases already decided and wherein the amount of retention charges has already been deposited shall not be re-opened.

III. Partial amendment in the existing provisions of Rule 24(3)(2) of RIICO Disposal of Land Rules, 1979 related to period for filing of application for restoration of allotment of cancelled plot, the amended provisions will be as follows:

1. Application for restoration of allotment may be filed within one year from the date of issuance of cancellation order or from the date of knowledge of cancellation of allotment, whichever is later.


Provided, in case of the order in the court case or order in appeal against cancellation of allotment by Appellate authority then such application for restoration of allotment may be filed within 60 days from the date of receipt of order of the court or Appellate Authority, as the case may be.

Provided further, in case of pendency of the court case/appeal against cancellation of allotment before the Appellate Authority, application for restoration of allotment may be filed subject to commitment of withdrawal of court case/appeal within 60 days.

2. Unit Head is authorized to condone such delay in filing of application for restoration of allotment depending upon merit of



each case subject to concurrence/permission of the Managing Director


(Dr. Arun Garg)
Advisor (Infra)

Copy to:

1. FA/Advisor (A&M)
2. Secretary
3. CGM(Finance)
4. CGM (Infra/Fin/PR)/
5. GM(BP)/ GM (Civil)/GM (EM)
6. OSD (Land)
7. DGM (IT)- for uploading on website.
8. Sr. DGM (Law) /DGM (Law)
9. STP/DTP
10. All Unit Heads -----

P&D Cell Officers:

11. GM (P&D)
12. Addl. GM (P&D)
13. Sr.DGM (P&D)
14. Sr.RM (P&D)/RM (P&D)
15. Dy. Mgr (P&D)

Copy also to:

- (i) PS to Chairman, RIICO
- (ii) PS to MD, RIICO
- (iii) PS to Advisor (Infra)


General Manager (P&D)

Amended provisions

21. TIME PERIOD FOR UTILIZATION OF THE ALLOTTED PLOTS:

1. Except plots allotted under rule 3(W), a period of three years will be allowed for utilization of the allotted plot/land from the date of possession.

Provided, in case plot is allotted prior to development of the industrial area, then above period of three years would be reckoned from the date of declaring the area as developed/ semi-developed, as the case may be.

Provided further, this time period shall not be applicable to the allotment of land/plot to the khatedars in lieu of cash compensation under land acquisition. However, the transferee of the plot/land who has purchased the vacant plot/land from such khatedar will be required to utilize the plot/land within three years time period from the date of transfer of plot by the khatedar or date of declaring the area as developed/ semi developed, whichever is later.

Provided further, in cases of plot/land allotments made during 13.11.2000 to 31.03.2001, 24.11.2001 to 31.03.2002 and 24.02.2003 to 31.03.2003 wherein land allotment was made without any specific condition on the allottee for completing construction and commencing production activity on the allotted land/plot within the stipulated period, would be required to complete construction and commencing production activity within a period of 3 years in non NCR Region and within 2 years in NCR Region from 01.06.2012.

2. In the case of development of Clusters by a Private Developer, the time period for development shall be in accordance with the policy provided under Form-J appended to the Rules.
3. Minimum built up area for the purpose of considering utilization of the allotted plot/land shall be as under:

3.1 Industrial Plot:

- (A) 20% of the plot area on ground or BAR.
- (B) In case of the following industrial units, requirement of 20% built up area with roof under the rule may be assessed taking into account also the land area being utilized by the allottee as stockyard of raw material and



finished goods. In other words the land area (open or covered) being utilized by such allottees for stockyard purpose may also be included for the purpose of calculating built up area in the plot:

- (a) Stone based industries, such as, marble/granite/ kota-stone processing units.
- (b) Cement based industries, such as, PCC Poles, Hume Pipes, Concrete Blocks/Curb Stones, Cement Tiles, Cement Gamla & Jali products.
- (c) Wool Processing Industries.
- (d) Mineral Grinding Units.
- (e) Salt Grinding Units.
- (f) Fly Ash based Industry.
- (g) Bio-Mass based Power Plant.
- (h) Herbal Extract Purified Derivatives Bulk Drugs projects
- (i) Dal Mill Udyog
- (j) Pesticides formulation and ferrous sulphate units
- (k) Fabrication of towers.
- (l) Agro Fuel Coal brickets
- (m) Paper Board Industries.

(C) Milk Chilling unit will be considered in production even with the built up area less than 20% of the plot area.

Explanation 1: The relaxation in minimum 20% construction area requirement for the above type of industries will be applicable with retrospective effect. However, the cases wherein retention charges have already been deposited shall not be reopened.

2: In cases where assessment of open area being utilized for stockyard purpose to consider unit in production in back date if not established on the basis of documentary proofs as may be submitted by the allottee, in such cases fulfillment of minimum built up area requirement of 20% shall be considered on the date of issue of order for the respective product.

(D) In case of following industrial units in which substantial plot area is utilized for plant and machineries and storage tank without roof, the

3/6

requirement of minimum 20% built up area with roof may be assessed by taking also into account the area being utilized for plant and machineries and storage tank without roof:

- (i) Cement Plant
- (ii) Refinery
- (iii) LPG Bottling Plant
- (iv) RMC Plant

(E) In cases where land is specifically acquired on the direction of the State Government for a private companies and allotted to these companies on undeveloped basis for commencing specified activity then in such cases allotted land will be treated as utilized on commencement of such activity dispensing with the condition of minimum built up area requirement.

3.2 Commercial Plot:

- (A) (a) For shops/showroom plots – Area of building construction permitted as per site plan/type design.
- (b) For Weigh Bridge/Fuel Station plots – Area of building construction as prescribed in the RIICO building regulations.
- (B) 20% of the Standard/ Prescribed BAR for other categories.

3.3 Residential Plot:

- (A) For Group Housing – 20% of Standard/ Prescribed BAR.
- (B) For individual Housing -: Area of construction of a dwelling unit i.e. one room, one kitchen and one toilet.

3.4 Institutional Plot: 20% of the Standard/ Prescribed BAR.

3.5 (i) Private University:

- (a) 10,000 Sqm.
- (b) In case of land in two parts – 50,000 sqft in each part

(ii) Center for R&D/ Innovation for Automotive Plant: In case of allotment of land for Center for R&D/ Innovation for Automotive Plant with test track, requirement of minimum 20% built up area with roof may be assessed taking into account also the land area being utilized by the allottee as test track area.



3.6 **Supportive Services:**

In case of allotment of land for the following supportive services, allotted plot may be treated as utilized on commencement of activity for which plot is allotted irrespective of percentage of covered area.

- (i) Grid Sub Station/ Power Plant
- (ii) Police Out Post
- (iii) Inland Container Depot.
- (iv) Water-Supply Complex
- (v) Erection of Tower/Mast
- (vi) EV Charging station, Gas Receiving Terminal Station, Laying of Gas Pipeline.
- (vii) Common Effluent Treatment Plant (CETP)/ Sewerage Treatment Plant (STP)/ Water Treatment Plant (WTP).

3.7 **General explanations:**

- (a) Built up area would mean a building with roof and having side walls/covering as required for the nature of product/activity.
- (b) The condition of minimum built up area requirement for the purpose of considering utilization of plot shall not be applicable for the plots allotted up to 02.06.2004. However, in the case of transfer of plots, if transferee required to commence production activity for compliance of any other provision of the rule then the transferee has to complete construction as per rule prevalent on the date of issuance of transfer permission.
- (c) Fuel Station includes but not limited to Petrol, Diesel, Natural Gas, Liquid Petroleum gas or similar type of fuel station.
- (d) The provisions of rule 21.3.1.(D), Rule 21.3.1.(E), Rule 21.3.5(ii) and Rule 21.3.6 will be applicable with retrospective effect i.e. from the date of allotment in such cases. However, the cases wherein retention charges have already been deposited, shall not be re-opened.
- (e) Regarding non-industrial plots the "Utilization of non-industrial plots" means the date when allottee construct building with roof and having side walls as required for the nature of activity subject to verification as per norms prescribed in these rules by the Corporation from time to time.

2/6

4. The allottee shall intimate by **online through SSO portal w.e.f. 01.07.2022** to the Unit Head concerned about the utilization of the allotted plot. Unit Head will record the utilization of the plot if requisite minimum construction has been completed as stipulated above for the respective type of plots subject to submission of following documents:

4.1 **Industrial** : At least two out of the following documents:

- I. First Sale bill
- II. Electricity bill for the month in which date of production is claimed.
- III. GST/any other Tax deposited with the Government
- IV. Factory License;
- V. Consent to Operate by RSPCB, if applicable;
- VI. Assessment Order issued by any Govt. Authority/Agency.

4.2 **Commercial/Residential/Institutional** – Electricity bill for the month in which construction completed as per norms.

Provided, in those cases where preferential allotment has been made under Rule 3(W), 'commencement of production' will be recorded as above, only after verifying that investment of the envisaged amount as per the project submitted by the allottee at the time of approval of allotment by the constituted Committee, has been made.

Provided further, in case of any dispute arises in respect of date of utilization of the allotted plot then a committee comprising of MD, RIICO, Advisor (Infra), Financial Advisor, Concerned Officers of P&D & Legal Cell is authorized to decide the dispute in respect of date of utilization of plot on merit of each case.

