

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

Minutes of : 1/2015– Infrastructure Development Committee

Venue : Udyog Bhawan, Jaipur.

Date : 4th August 2015

**Commencement/Completion
time of meeting** : 11.00 A.M. / 12.00 Noon

Present :

Shri C. S. Rajan	Chairman
Smt. Veenu Gupta	Managing Director
Shri Abhay Kumar	Commissioner Industries.
Shri Maneesh Chauhan	MD RFC
Dr. Samit Sharma	Commissioner Inv. & NRI

Shri D.K. Sharma, Secretary was in attendance. Shri Sanjay Solanki, Financial Advisor; Shri Lalit Kumar, Advisor (Infra.); Shri A.K. Agarwal, General Manager (Civil) and Shri S.K. Sharma, Sr. DGM (P&D) were also present.

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

The Committee noted that agenda items were circulated at a notice period of less than seven days, therefore, the Directors present in the meeting unanimously agreed to waive the minimum notice period, take up these items for consideration and approved unanimously:

Item 1: **Confirmation of minutes of the last meeting of the Board held on 30th June 2015.**

The minutes of the meeting of Board held on 30th June 2015 were confirmed.

Item 2: **Action Taken Report on the decisions of the previous meeting of the Board held on 30th June 2015.**

The Board noted the position.

Item 3: **Policy for granting time extension in the cases wherein permission was given for setting up Hotel on allotted industrial plot.**

The Committee discussed the agenda in detail and decided as follows:

- (i) Hotel activity, in cases, wherein permission was accorded without change of land use, be considered as commercial activity from 04.03.2014 for the purpose of levy of various charges such as service

charges, retention charges, etc. However, the nature of the plot will remain industrial in such cases.

(ii) Further, time extension for utilizing the plot for hotel activity in such cases be considered as per the prevailing provisions of time extension under Rule 23-C of RIICO Disposal of Land Rules, 1979. However, for computing retention charges, the rate of allotment of industrial area concerned will be considered as under:

a) Up-to 03.03.2014 – at the prevailing industrial rate of allotment of concerned industrial area on the date of granting time extension.

b) From 04.03.2014* – at 2 times of the prevailing industrial rate of allotment of concerned industrial area on the date of granting time extension.

** 04.03.2014 – date from which the hotel activity was considered as commercial and as per prevailing rules for commercial use, retention charges are leviable at 2 times of the prevailing industrial rate.*

Note: While calculating retention charges up-to 03-03-2014, if last quarter is commenced before 04.03.2014, then retention charges will be calculated for whole quarter.

(iii) In 4 cases wherein permission to set up hotel was given on vacant plot, the schedule time period for setting up hotel will be same as allowed in the allotment letter and further time extension will be granted on payment of retention charges as per para (ii) above.

(iv) In 10 cases wherein time period for setting up hotel was not mentioned, be given 2 years time period from the date of approval of building plans. However, the building plans will be got approved within 45 days from the date of intimation to the concerned allottee. In case, the allottee fails to get building plan approved within 45 days then the permission shall be withdrawn without further notice.

(v) All other cases which are not covered under above paras, shall be dealt de-novo.

Item 4: Status note along with proposal for amendment in existing policy for preferential allotment of industrial land to disabled person in industrial areas of RIICO in context of judgement and order dated 28.05.2015 of RHC, Jaipur.

The Committee discussed the agenda and decided as follows:

(i) The existing provision of reservation of 1% of total no. of plots up-to the ceiling size be applicable in all existing saturated industrial

- areas subject to availability of vacant plots up-to the ceiling size i.e. 2000 sqm. and also subject to condition that the existing limit of 1% is not exceeded so far irrespective of the fact whether industrial area declared as saturated on or before 27.03.2012.
- (ii) The existing provision of reservation of 1% of total no. of planned plot up-to ceiling size i.e.2000 sqm, be revised to 2% in new industrial areas launched after 01.08.2015 in industrial area concerned.
 - (iii) However, above mentioned 2% of total planned industrial plots up-to ceiling size of 2000 sqm., will be kept reserved for a maximum period of 2 years from the date of declaration of industrial area as saturated. Once the area is declared saturated, allotment of remaining reserved plots shall be made through auction/sealed bids among the disabled category of applicants. In case, reserve plots are not disposed of within a period of 2 years as mentioned above, the same will stand de-reserved and Corporation shall be at liberty to dispose these plots through auction/sealed bids.
 - (iv) The up-front concession in the rate of allotment to the disabled person may be reduced from 50% to 25% for the plots to be allotted henceforth in unsaturated industrial areas only.
 - (v) In special type of industrial parks/projects, this reservation policy shall not be applicable and no right shall be accrued to any disabled person on account of this policy.
 - (vi) Both the petitioners namely Shri Anil Kumar Goyal and Shri Satya Narayan Gupta be advised to apply for allotment of plot afresh whenever, RIICO starts process for allotment of industrial plots reserved for persons with disabilities in industrial areas of the Corporation including their chosen areas subject to availability of vacant plots and fulfillment of RIICO's other requisite criteria including compliance with procedures mandated to ensure transparency in allotment, such as by way of advertisement of vacant plot and inviting applications for allotment from persons with disabilities etc. Accordingly the applications of both the petitioners be disposed off and may be informed accordingly.
 - (vii) No transfer/sale of plot allotted to disabled person will be permissible upto five years from the date of commencement of production activity.
 - (viii) Unit Heads be directed to reserve the industrial plots for the disabled person as per the above scheme and thereafter start the process of allotment in-accordance with provisions of RIICO Disposal of Land Rules, 1979 read with relevant provision of Circular dated 01.03.2013.

Item 5: Case of M/s. Karam Bhoomi Estate, Jaipur pertaining to allotment of un-developed land measuring 13 acres at Industrial Area, Akera Dungar, Jaipur.

The Committee discussed the agenda in detail and noted that earlier decision of IDC taken in its meeting held on 26.2.2014 has been quashed and set aside by Hon'ble Rajasthan High Court in its judgment and order dated 3.2.2015 passed in SBCWP No.3413/2014 and consequent thereof the decision of IDC dated 5.12.2011 has come into force. It was also noted that a show cause notice dated 06.05.2015 was served upon the firm as per the judgment and order dated 3.2.2015 but the reply submitted by M/s Karam Bhoomi Estate was not accepted. After deliberations, the Committee decided to withdraw its decision dated 5.12.2011 with immediate effect and to also withdraw the allotment letter issued in favour of the firm on 14.06.2001 and also rejected the request of the firm dated 30.6.2015 for execution of lease deed of land in question on following grounds:

- i. The allotment dated 14.6.2001 was made pursuant to interim order dated 19.5.2001 passed by learned trial Court of ACJ (SD) No. 5 Jaipur City, Jaipur, which could not be concluded into a contract.
- ii. The firm had made several changes in its partnership by inclusion/exclusion of various partners from time to time, without prior approval of the Corporation which amounts to violation of provisions of RIICO Disposal of Land Rules 1979 and such changes were made even during status quo order dated 24.11.2005 was in force.

The Committee also decided that representation of the firm dated 6.7.2015 also be disposed off by a speaking order on above lines within stipulated time. It was further decided that amount deposited by the firm pursuant to letter of offer dated 13.6.2001 and subsequent letter dated 14.6.2001 be refunded with 9% simple interest per annum.

Item 6: Allotment of land to Bhagwati Products Ltd. (a company of promoter of Micromax) at Industrial Area Karoli Distt. Alwar.

The Committee discussed the agenda in details and keeping in view the fact that State Government has sanctioned a customized package to the captioned company, the Committee, in partial relaxation to the prevailing rules/policy for allotment of land, reservation of land and allotment of land on preferential basis prior to opening of an industrial area for allotment, accorded approval for allotment of 50 acre of land to the captioned company at industrial area, Karoli, Distt. Alwar. Allotment will be made at prevailing rate of allotment of the industrial area with admissible rebate,

if any, as per policy/rules. As allotment of land is made on preferential basis, therefore, an additional condition that no change of land use/sub-division/sub-lease/transfer of lease hold rights will be permitted upto 5 years from the date of commencement of production activity be imposed besides other general terms and conditions. The Company will be free to obtain financial assistance for their project from scheduled Financial Institutions as per terms and conditions mentioned in Lease Agreement.

Item 7: Case of Ridhi Sidhi Infra Project Pvt. Ltd., industrial area Silora, Kishangarh, regarding refund the amount of short area.

The Committee discussed the agenda and accorded approval for payment of interest @ 9% per annum on refund of cost of short land and restoration charges deposited by the allottee company as attributable to the short land area, looking to the fact that 14% interest was recovered by the Corporation on delayed payment from captioned company.

Item 8: Case of Victor Cables Corporation Ltd. plot No. SP4-863-864 at industrial area, Pathredi.

The Committee discussed the agenda and considered the request of the company for allotment of 20,187 sqm. land at industrial area, Pathredi on the prevailing rate of allotment of Rs.5000/- psqm. The Committee also accorded approval for allowing adjustment of Rs.1.77 crore, without interest, (deposited earlier towards 25% land cost) after deduction of dues of the Corporation such as service charges & economic rent and interest thereon and service tax, forfeited earlier against initial 25% cost of land to be now allotted. This allotment shall hereinafter be considered under general category. This allotment will be made subject to following conditions:

- i. The applicant company shall deposit 25% land cost along with security money towards allotment of 20,187 sqm.
- ii. The remaining amount towards land cost shall deposit within a period of four months from the date of allotment letter.
- iii. The applicant company shall commence commercial production within a period of six months from the date of allotment as intimated by them.
- iv. No change of land use/sub-division/sub-lease/transfer of lease hold rights will be permitted upto 5 years from the date of commencement of production activity.

The Committee also accepted the request of captioned company to surrender part 11,732 sqm. land and same shall be disposed of in accordance with prevailing rules.

Item 9: Case of M/s. Naveen Gaur and Harish Gaur, Plot No. SP2-6 (C), industrial area Neemrana Ph-I regarding permission for change in land use from industrial to commercial purpose.

The Committee discussed the agenda and observed that as per the original planning of the area 16.43% non-industrial use already exists in the industrial area, Neemrana Phase-I, therefore, the Committee rejected the request of the allottees for change of land use from industrial to commercial purpose.

Item 10: Revision in Administrative Sanction of development for Industrial Area Balotra (Phase I & II).

The Committee discussed the agenda and accorded approval for revision in Administrative Sanction for development of Industrial Area, Balotra (Phase I & II), at an estimated cost of Rs.262.80 lac, as per the details mentioned in Annexure-I of the agenda note.

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