

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

Minutes of : 7/2017 – Infrastructure Development Committee
Venue : Udyog Bhawan, Jaipur
Date : 8th December 2017
Commencement/Completion time of meeting : 12.30 P.M. / 2.00 P.M.

Present :

Shri Rajeeva Swarup	Chairman & MD
Shri Kunji Lal Meena	Commissioner Industries
Dr. Tina Soni	Commissioner (Inv. & NRI)
Shri Anoop Khinchi	MD, RFC

All the above directors were present throughout the meeting.

Shri D.K.Sharma, Secretary was in attendance. Shri Vijai Pal Singh, Advisor (Infra.) and Shri D.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.

Item 1: Partial amendment in the provision of Rule 24(2)(b) related to Appeal against the cancellation order under the RIICO Disposal of Land Rules, 1979.

The Committee discussed the agenda and accorded approval for the partial amendment in the existing provisions of Rule 24(2)(b) pertaining to 'Appeal', as under:-

Existing provisions	Amended provisions
(1) If any person is aggrieved by any order passed by any competent authority of the Corporation pertaining to cancellation order under the RIICO Disposal of Land Rules 1979, he may file an appeal before the Appellate Authority.	(1) If any person is aggrieved by any order passed by any competent authority of the Corporation pertaining to cancellation order under the RIICO Disposal of Land Rules 1979, he may file an appeal before the Appellate Authority. (No change)

<p>2. (i) All appeals shall lie to Managing Director of the Corporation against the order passed by concerned unit head or any other subordinate officer of the Corporation authorized on this behalf.</p> <p>(ii) Appeals against the cancellation of allotments, in case of allotment made under Rule 3(W), shall lie to Chairman, RIICO.</p> <p>3. Such appeal shall lie before Appellate authority in following conditions;</p> <p>i. Any review/restoration application is rejected by the competent authority; and/or;</p> <p>ii. The party did not prefer the review /restoration application against the cancellation order; and/or;</p> <p>iii. If case is not covered under the restoration policy.</p> <p>Provided the plot for which appeal is being filed, is still not re-allotted.</p>	<p>2. The Appellate Authority for hearing the First Appeal/ Second Appeal shall be as follows:</p> <p>(i) In case the cancellation order is issued by the Unit Head concerned at his level, without consultation with head office – Managing Director. Second Appeal shall lie before the Chairman.</p> <p>(ii) In case the cancellation order is issued by the Unit Head concerned on the directions of the head office – Chairman.</p> <p>Second Appeal shall lie before the Infrastructure Development Committee (IDC) of the Board of Directors, provided that it can be established in the plea that there is error apparent on the face of the record that has not been taken into consideration by the cancellation and appellate authority.</p> <p>3. Such appeal shall lie before Appellate authority in following conditions:</p> <p>i. Any review/restoration application is rejected by the competent authority; and/or;</p> <p>ii. The party did not prefer the review/restoration application against the cancellation order; and/or;</p> <p>iii. If case is not covered under the restoration policy.</p> <p>iv. If Appellant prefers to file second Appeal against order passed in first Appeal.</p>
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<p>4. The aforesaid appeal should be filed within a period of four months from the receipt of the cancellation order or 2 months from the date of order passed in review application. However, if the appeal is not filed within prescribed time limit, the appellate authority shall have powers to condone the delay on the grounds to be recorded in writing while considering such appeals.</p> <p>5. No application fee would be payable for filing of Appeal.</p>	<p>Provided that the plot for which appeal is being filed, is still not re-allotted.</p> <p>4. (i) The first appeal should be filed within a period of two months from the date of receipt of the cancellation order or within a period of one month from the date of receipt of order passed in review application.</p> <p>(ii) The second appeal should be filed within a period of one month from the date of receipt of order passed in first appeal.</p> <p>However, if the appeal is not filed within prescribed time limit, the respective Appellate Authority shall have powers to condone the delay on the grounds to be recorded in writing while considering such appeals.</p> <p>5. No application fee would be payable for filing of Appeal(s).</p>
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The Committee also accorded approval for the following procedure for filing of First/Second Appeal before the Appellate Authority:

- (a) First or Second Appeal, as the case may be, should be fair typed and contents of the Appeal should be verified and signed by Appellant himself or authorized person in this behalf and all supporting documents should be legible, and if not legible then these documents should be typed and copy of such documents should be enclosed with such appeals.
- (b) Appellant should affix/provide strict proof relating to receipt of order against which appeal is being filed.
- (c) In case appeal is filed by duly authorized person or Power of Attorney, attested copy of such authorization or power of attorney, as the case may be, should be enclosed with such appeal.

- (d) In case appeal is filed before the Managing Director or Chairman, as the case may be, such Memo of Appeal should be filed in their respective Secretariat in two sets but in case of filing of appeal before the Infrastructure Development Committee of the Board of Directors of RIICO, then such appeal should be filed before the Secretary, RIICO in seven sets.
- (e) All such appeal shall be processed by Legal Cell for needful action.

Item 2: Review of the existing policy for allotment of industrial plots pertaining to "First Come First Serve" basis linking it to investment & project criteria in unsaturated industrial areas.

The Committee discussed the agenda in detail and observed that the present system of allotment of plots by draw of lots is being done away and henceforth allotment will be made on first come first come basis. Opening of industrial areas on First Come First Serves basis will continue to be done in phases/zones, as may be decided by the management from time to time, till the area attains saturation. The Committee after detailed discussions accorded approval for revised procedure for making normal allotment of industrial plots through online system, as under:

Stage-1

- (a) After getting approval from the Management of the Corporation for opening of new industrial area, unit office will prepare a list of all sizes of planned industrial plots including corner plots along with marking on the lay-out plan of the industrial area.
- (b) The said list along with lay-out plan will be uploaded on RIICO website.

Stage-2

- (a) The total number of industrial plots up to 2000 sqm. to be reserved for entrepreneurs from different categories (SC/ST/Women/Ex-Serviceman/War widow/Disabled person) as per rules will be worked out by Unit Head concerned.
- (b) To earmark the above reserved plots (having specific plot number), draw of lots for each size of plot and for respective **category of** entrepreneurs as per rules, will be conducted in presence of the constituted Field Level Committee having representative of the Collector (not below the rank of SDM), GM (DIC), Officer from RFC and Unit Head of RIICO.
- (c) The list of such earmarked plots along with their numbers so decided will be uploaded on RIICO website.

Stage-3

- (a) Unit head concerned will prepare two separate plot allotment plans for allotment through online system. One for reserved plots up to 2000 sqm. as listed as per Stage-2 and other for plots remained after excluding the above reserved plots from the list prepared as per Stage-1.
- (b) An advertisement will be issued in two State Level News Papers and in one National Level (Delhi edition) News Paper for informing the public at large that allotment of industrial plots will be started on "First Come First Serve" basis through online system w.e.f. particular date. This date of start of receiving online application should be at least 7 days beyond the date of issue of advertisement in the news papers so that applicant(s) may have sufficient time to prepare himself for applying online. The plots reserved for different category of entrepreneurs will necessarily be indicated in the advertisement.

Stage-4

- (a) After receiving online application on "First come First serve" basis, the application received will be examined and scrutinized at unit level and if it is found that application is complete in all respect and eligible for allotment of land in that industrial area, then Unit Head will issue online allotment letter. This entire process of allotment will be completed within 30 days from the date of receiving application as per mandate given in Single Window Clearance System (SWCS).
- (b) At any point of time, if it is observed that plots of sizes in demand are not available vacant but other sizes of plots are available then online system of allotment at this stage may be stopped with the approval of Managing Director and after reconstitution and re-planning of the available plots, a revised plot allotment plan will be prepared. Thereafter, again advertisements will be issued in the news papers for information of public at large on the same lines as mentioned in Stage-3 and so on. The list prepared as per Stage-1 and uploaded on website will also be updated immediately with the revised list.

Stage-5

At any point of time, if applications up to the saturation level are received, then the allotment of plots on 'First come First serve' basis will be stopped and an office order declaring industrial area as saturated will be issued after completion of allotment process up to the level of saturation by the Unit Head concerned.

After declaration of the industrial area as saturated; allotment of remaining industrial plots in the industrial area concerned will be made by way of auction as per procedure prescribed by the Corporation from time to time. However, preferential allotment of industrial land will also be considered as per provisions under Rule 3(W) of RIICO Disposal of Land Rules, 1979 before and after the industrial area is declared as saturated.

The Committee directed that Computer Cell to take up development of software for online land allotment system and making required modification in the existing software as per the above revised procedure of plot allotment.

Item 3: Regularization of rented industrial shed in transferred industrial area in favor of tenant on outright sale basis (Case of Dawson India Corporation Ltd., allottee of shed no. B-9, industrial area Rani Bazar, Bikaner).

The Committee discussed the agenda and accorded approval for regularization of shed no. B-9, industrial area Rani Bazar, Bikaner, on the following conditions:

- a. The Company will pay outstanding rent of the shed with interest till the date of issuance of allotment letter of shed on outright sale basis.
- b. The Company will pay the cost of shed based on the valuation as per the relevant standing order of PWD and the cost of the land attached to the shed/building as per the prevailing rate of allotment of the area.

Item 4: Policy decision to insert new provisions in RIICO Disposal of Land Rules, 1979 regarding transfer fee, compliance of minimum built up area requirement and utilization of the allotted institutional plots at the time of permission for transfer of the plots to Private University established by virtue of Act of Private University passed by Legislative Assembly .

The Committee discussed the agenda and accorded approval for insertion of the following new proviso as Rule 3(X-1) after Rule 3-X (related to allotment of land for setting up of Private Universities in RIICO Industrial Areas) in RIICO Disposal of Land Rules, 1979:

Rule 3 (X-1) – Private University to be set up on the allotted educational institution land/plots:

Consequent upon approval of the State Government to set up Private University on the allotted Educational Institution land/plots through Act

passed by the Legislative Assembly, following will be the modalities to allow Private University on allotted educational institution land/plots.

(a) Reconstitution of plots:

- i. In case different plots are allotted to sponsoring body for the purpose of establishment of different institutions and if they are contiguous, then they may be treated as one unit for the purpose of Private University.
- ii. In case allotted different plots are not contiguous but in a close vicinity, hence, to comply with the requirement of minimum 30 acres of land, if the sponsoring body is allotted additional land by RIICO/acquires additional land by way of transfer, then such different plots/additional land may be treated as one unit for the purpose of calculation of 30 acres of land required for establishment of Private University.
- iii. The land area of right of way of the existing road between the adjacent plots of Sponsoring Body may also be considered for allotment with a view to provide contiguity, provided that either other plots are not affected or alternate access by way of road is available, without adversely affecting the easement rights of other plot holders. The rate of allotment of land area of right of way of road will be the prevailing rate of allotment of the industrial area concerned, i.e. the rate of allotment applicable for educational institution plots.

(b) Minimum Built up area requirement:

For Private University, the requirement of minimum built up area will be as provided in Rule 21-3.

Following new provision in this Rule be inserted at Sr. No. 5, as under:

S.No.	Use of Plot	Minimum Built up area
5	Private University	A. 10,000 sqm. B. In case of land in two parts – 50,000 sqft. in each part.

(c) Retention Charges:

- i. The retention charges applicable on the plots concerned till the date Letter of Intent is issued by the State Government to the Sponsoring Body shall be as specified for the individual plots.
- ii. Thereafter, the retention charges shall be kept on hold up to the period of validity period of the LoI.
- iii. Upon approval of the Private University, on the allotted Educational Institution land/plots, through Act passed by the

Legislative Assembly, the retention charges shall not be levied from the date of the issue of LoI, since the construction of the minimum built up area, as specified in Rule 21-3 (serial no. 5) is a pre-requisite for such sanction.

- iv. However, in case the Sponsoring Body fails to get final permission for setting up of the University, the retention charges shall be leviable as per individual plots, and with effect from the original date specified earlier for each individual plot.

(d) **Transfer fee:**

The following new Rule 18 (b) (i-a) be inserted in RIICO Disposal of Land Rules, 1979:

Rule 18 (b) (i-a): In case of transfer of land/plots from Sponsoring Body to the Private University, transfer fee will be as under:

Category of Industrial Area	Rate of Transfer Fee
Unsaturated	0.20% of the prevailing rate of allotment of the industrial area concerned
Saturated	0.40% of the prevailing rate of allotment of the industrial area concerned.

Item 5: Ex-post-facto approval of the decision taken by the management to extend the period of ‘Special Drive’ up-to 29.12.2017 and delegation of powers to unit heads for disposal of pending matters during the extended period of ‘Special Drive’.

The Committee discussed the agenda and accorded ex-post-facto approval of the decision taken by the Management for extending the period of ‘Special Drive’ up to 29.12.2017 and delegation of powers to unit heads for disposal of pending matters during the extended period of ‘Special Drive’. An office order no. IPI/P.5/52/2016-17/1426 dated 01.12.2017 issued in this regard stand approved.

The following agenda items, which were taken up with the permission of the Chair, and the unanimous consent of directors present in the meeting, were approved unanimously:

Item 6: To apprise the IDC regarding some amendments approved by the Management of the Corporation in Annexure-A, Annexure-B & Annexure-C of the procedure for issue of NOC under the provisions 1C(i) & 1C(ii) of CMJAY-2015 as laid down in Form-‘M’ & ‘N’ appended to the RIICO Disposal of Land Rules, 1979.

The Committee discussed the agenda and accorded ex-post-facto approval for the minor changes made in the procedures for issue of NOC under provisions 1C (i) & 1C (ii), as under:

- i. Annexure-A – Additional one point at Sr. No. 3 as ‘Whether proposed land is in Urban Area with documentary proof.’
- ii. Annexure-B – Additional one point at Sr. No. 4 as ‘Verification of proposed land in Urban Area.’
- iii. Annexure- C –
 - a. For existing lines in approved Annexure –C (Format of NoC under provision 1C(i)) “Unit set up on the proposed plot is a sick industrial unit which is not operational for atleast last 3 years”, replacement by “**scheme proposed on plot of sick industrial unit which is not operational for at least last 3 years and unutilized even after transfer to other owner**”.
 - b. For existing lines in approved Annexure –C (Format of NoC under provision 1C(ii)) “Unit set up on the proposed land is a sick industrial unit which is not operational for atleast last 3 years”, replacement by “**scheme proposed on land of sick industrial unit which is not operational for at least last 3 years and unutilized even after transfer to other owner**”.

Accordingly, the office order no. IPI/P-5/2014/61/1291 dated 13th November 2017 stand approved.

The Committee authorized the Managing Director to make changes, if any, in the approved Annexure-A, B & C of form M&N appended to the RIICO Disposal of Land Rule 1979.

Item 7: Minutes of the last meeting of the Infrastructure Development Committee held on 24th November 2017.

The minutes of the last meeting of Infrastructure Development Committee held on 24th November 2017 were noted.

Item 8: To note three Resolutions passed by circulation by the Committee.

The Committee discussed the agenda and noted the following three Resolutions passed by circulation which shall be deemed to have been passed on 28th October 2017 and 14th November 2017:

RESOLUTION - 2/2017 (passed on 28th October 2017)

Reg: Approval of Bid for Supply, Installation, Testing & Commissioning of LED lights in place of conventional lights (Retrofit) at I/A Kherani, Bhiwadi.

"RESOLVED that approval be and is hereby accorded to the tender for Supply, Installation, Testing & Commissioning of LED lights in place of conventional lights (Retrofit) at I/A Kherani, Bhiwadi, in favour of L-1 bidder, M/s. Jagdamba Electricals, Jaipur at bid amounting to Rs.81,01,215.35."

RESOLUTION - 3/2017 (passed on 28th October 2017)

Reg: Approval of Bid for Supply, Installation, Testing & Commissioning of LED lights in place of conventional lights at industrial areas Bhiwadi (Phase-I to IV).

"RESOLVED that approval be and is hereby accorded to the tender for Supply, Installation, Testing & Commissioning of LED lights in place of conventional lights (Retrofit) at I/A Bhiwadi (Phase-I to IV), in favour of L-1 bidder, M/s. Sawhney Electrical Works, Jaipur at bid amounting to Rs.3,25,24,725.36."

RESOLUTION - 4/2017 (passed on 14th November 2017).

Reg: Approval of tender for Operation and Maintenance of street light with material at Bhiwadi-I (Zone 2).

"RESOLVED that approval be and is hereby accorded to the proposal for approval of tender for Operation and Maintenance of street light with material at Bhiwadi-I (Zone 2) in favor of L-1 bidder M/s. S.R. Enterprises against bid amounting to Rs.4,99,968/-

GENERAL OBSERVATION:

1. The Committee observed that as per the existing Rules, in case of an industrial area, maximum land area for non-industrial use may not be more than 15% of total scheme area of the industrial area concerned. It was also observed that with the development and growth of urban areas, some of the industrial areas have come within the agglomeration limits of cities and issues of pollution

have also become critical. Accordingly, the demand for the land for non-industrial use has also increased over the years. Moreover, under the GST regime, revenue realizations of the State Government are based on consumption (SGST) than production. Further, with economic recession, off-take of developed land has been slow which has adversely affected revenue and profitability of the Corporation. In order to meet the additional fund requirement, the Corporation has to evolve new strategies to increase in its revenue.

Given the background, the Committee directed that the issue of increasing permissible land area beyond 15% may be discussed in-house and an agenda be placed before the Board in its next meeting for wider discussion and decision.

2. Commissioner Industries and Commissioner (Inv. & NRIs) informed the Committee that they are in receipt of numerous reminders from those allottees who have leased their portion of industrial plot to nationalized/private banks after obtaining NOC from RIICO. Although, there was no limitation as regards to period of lease, however, the Corporation unilaterally decided to stop further renewal or extension of period for sub-letting in favour of allottees of industrial plots who have already obtained permission from the Corporation.

In view of the representations from the affected allottees, the Committee directed that the issue be examined and if it is considered appropriate to review the earlier decision of the Committee, an agenda be placed before IDC in its next meeting. In case, the review is not desirable, then the same be informed to the Committee in ATR.

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

CHAIRMAN

Place: Jaipur

Date: