



RIICO DISPOSAL OF LAND RULES, 1979

(As Amended up to 30 November, 2016)

Application Form Attached



RIICO DISPOSAL OF LAND RULES, 1979

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RAJASTHAN STATE INDUSTRIAL DEVELOPMENT & INVESTMENT CORPORATION LIMITED

RIICO DISPOSAL OF LAND RULES, 1979

(As amended up to 31st January, 2016)

In exercise of the powers conferred by Article 93 (xv) of the Articles of Association, the Rajasthan State Industrial Development & Investment Corporation Limited (RIICO) hereby makes the following rules, namely:

1. SHORT TITLE COMMENCEMENT AND APPLICATION

- (a) These rules may be called "RIICO Disposal of Land Rules, 1979".
- (b) They shall come into force with effect from 1st May, 1979.
- (c) They shall apply to all the lands transferred to or placed at the disposal of RIICO by the State Government and lands purchased or acquired or otherwise held by RIICO.

2. DEFINITIONS

- (i) "Blood relation" means husband, wife, father, mother, father's father, father's mother, son, daughter, son's son, daughter's son, daughter's daughter, son's daughter, brother, sister.
Note: Son's wife & son's son's wife will be treated at par with blood relative for the purpose of these rules.
- (ii) "Board" means Board of Directors of the Corporation.
- (iii) "Building" means any structure or part thereof meant to be used for industrial, residential, commercial, institutional or any other purpose for which land has been allotted.
- (iv) "Buildings Regulations" means the regulations framed/adopted by the Corporation for purpose of regulating the construction of building on land allotted by the Corporation.
- (v) "Commencement of production" means the date on which an Industrial Enterprise actually commences Industrial Production subject to verification as per norms prescribed in these rules by the Corporation from time to time in this regard.

- (vi) Regarding non-industrial plots the "Utilization of non-industrial plots" means the date when allottee makes the building functional after construction and subject to verification as per norms prescribed in these rules by the Corporation from time to time .
- (vii) "Controlling Officer" means the controlling officer of the unit offices of the Corporation as designated by Managing Director of the Corporation.
- (viii) "Corporation" means Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO)
- (ix) "Covered area" means the area constructed just above the plinth. If the building is constructed on stilt, then the area constructed just above the stilt will be the basis for calculating the covered area.
- (x) "Economic Rent" means the economic rent fixed by the Corporation for various areas from time to time.
- (xi) Educational Institution shall be the institution which imparts primary/secondary education or degree/diploma and recognized by the State/Central Government or bodies set-up by the Central/State Governments for regulating such educational institutions under relevant law and this will also include the universities established or to be established under the relevant Act of the Central/State Government and also include those institutions/centers established or to be established for skill development/vocational training/institutes imparting certificate courses.
- Definition of 'vocational education or 'vocational education and training' (VET) for the above.
- 'vocational education or 'vocational education and training' (VET) is an education that prepares trainees for jobs or careers at various level from a trade to a craft or a position in engineering, accounting, nursing, medicine and other healing art, architecture, pharmacy, law etc. Craft vocation are usually base on manual or practical activities, traditionally non academic, related to a specific trade, occupation, or vocation. It is sometimes referred to as technical education as the trainee directly develops expertise in a particular group of techniques.
- (xii) "Executive Director" means the executive director of the Corporation as appointed by the State Government from time to time.
- (xiii) "Financial Institution" means Industrial Finance Corporation of India, Rajasthan Financial Corporation, IDBI, ICICI, L.I.C., RBI, HDFC, SIBDI,

NABARD, Exim. Bank, Corporative Banks and other public financial institutions as defined in the Public Financial Institution Act or scheduled banks or private lending agencies and will also include Corporation(s), institution(s) set up by State Government/ Central Government. Specifically to assist and extend loan to specific categories of enterprises such as women, SC's/ST's, ex-servicemen, physically handicapped or any other targeted group of persons.

- (xiv) "Fixed capital investment" means the actual investment made in land, building, plant & machinery and misc. fixed assets by an industrial enterprise in accordance with norms prescribed by the Corporation from time to time.
- (xv) "Foreign Investment Promotion Board" means a body set up by Ministry of Finance Government of India that offers a single window clearance for proposals on foreign direct investment in India.
- (xvi) "Form" means form appended to these rules.
- (xvii) "Government" means the Government of Rajasthan.
- (xviii) "Group Housing" means construction of block of flats/group of houses on such residential plot/site which has an area 5000 sq. M or more and is situated on a road 18.00 meters or more in width or the norms prescribed from time to time by the Corporation for this purpose.
- (xix) "Head of Infra Division" means the head of Industrial Infrastructure division of Corporation as designated by the Management of the Corporation.
- (xx) "Industrial Area" means an area of land transferred to or placed at disposal of the Corporation by the state Government or the land purchased, acquired or otherwise held by the Corporation or reserved or set apart or here after reserved or set apart under any law for setting up an industry or industries including essential welfare and supporting services. e.g Post Office, Labour Colony, Residential Colony/Housing Complex & Township, Educational Institutions, RSEB, Power Station and water and Sewerage facilities, Dispensary or Hospital, Police, Fire service Station, Bank, Weigh Bridge, shops and markets, Cinema, Hotel and Restaurant and Petrol pump as mentioned in Rajasthan Land Revenue (Industrial Areas Allotment) Rules, 1959.
- (xxi) "Infrastructure Development Committee (IDC)" means the Infrastructure Development Committee constituted by the Board of Directors for Infrastructure related matters.

- (xxii) "I.T Industry" shall mean and include:
- (a) "IT software industry/ ITeS industry" means development and production of computer software and IT enabled services (ITeS) such as call centres, medical transcriptions, BPOs, content development, e-commerce and other similar activities.
 - (b) "IT Hardware Industries" would mean production and assembling of computers, peripherals, computer monitors, printers, scanners, modems, hubs, switches, routers, networking equipment's, UPS, earth station, V-SAT, digital switching system, mobile phones, CDMA equipment, electronic exchanges, EPBAX, wireless equipment's, optical fiber cables, battery, use in mobile/CDMA instruments, ATM machines, LAN cable (CAT-5 etc), electronic touch screen.
 - (c) "Advance IT Institutes" would mean institutes offering exclusive courses at least of the level of MCA/BE/M.TECH (IT) / MBA/ MSC (IT) or equivalent standard as recognised by the regulatory authority appointed by Government of India or Government of Rajasthan in this regard i.e. U.G.C., A.I.C.T.E., Technical Education University.
- (xxiii) Lease Rent: As defined at serial no (x) , above
- (xxiv) "Managing Director" means Managing Director of the Corporation appointed by the Government.
- (xxv) "Micro, Small and Medium Enterprise" shall have the same meaning as defined in "**THE MICRO, SMALL AND MEDIUM ENTERPRISE DEVELOPMENT ACT, 2006**".
- a. "Micro enterprise" shall mean where the investment in plant and machinery does not exceed 25 lakh rupees where the enterprise(s) is engaged in the manufacture or production of goods and in case of enterprise engaged in providing or rendering of services the investment does not exceed 10 lakh rupees.
 - b. "Small enterprise" shall mean where the investment in plant and machinery is more than 25 lakh rupees but does not exceed 5 crore rupees where the enterprise is engaged in the manufacture or production of goods and in case of enterprise engaged in providing or rendering services the investment is more than 10 lakh rupees but does not exceed 2 crore rupees.

- c. "Medium enterprise" mean where the investment in plant and machinery is more than 5 crore rupees but does not exceed 10 crore rupees where the industry is engaged in the manufacture or production of goods and in case of enterprise engaged in providing or rendering services the investment is more than 2 crore but does not exceed 5 crore rupees.
- (xxvi) "Modern Bio Technology/ Institute" shall include
- (a) Modern Bio Technology:
- R&D and /or manufacturing activities involving recombinant DNA technology for bio pharmacy, agriculture, health and environment.
 - Areas of genomics, proteomics, bio informatics, and gene cloning.
 - Active ingredient identification and preparations of medicinal and aromatic plants and herb-bio processing.
 - Quality assurance/ quality control labs for recombinant DNA products/ GM products.
 - Production of industrial enzymes.
- (b) Advance BT Institute:
- Advance BT institute mean institutes offering M-tech, M.Sc., B.Sc. or recognized equivalent courses in this field only.
- (xxvii) "Overseas company" is a branch or subsidiary of a Company that is incorporated in a country outside the India.
- (xxviii) "Person with Disabilities" means person(s) determined as such under clause 2(i) of the persons with disabilities (Equal opportunities, protection of rights and full participation) ACT 1995 (It shall mean a person suffering from not less than forty percent of any disability as certified by a medical authority.)
- (xxix) "Plot" means a piece of land enclosed by demarcated boundaries.
- (xxx) "Reconstitution of plot" means any change in the area or dimension of two or more plots.
- (xxxi) "Retention Charges" means the retention charges fixed by the Corporation from time to time to be levied while granting time extension for commencement of construction / production /activities for which the allotment of plot is made beyond stipulated time in these rules.

- (xxxii) The premium mean the cost of land being transferred on lease basis for a certain period by the Corporation. "Allotment Rate" means the rate of allotment as may be fixed by the corporation for various industrial area from time to time.
- (xxxiii) Slow moving industrial areas", "**Normal industrial areas**" and "**Saturated industrial areas**" means the areas as categorized & declared by the Corporation from time to time. In this context saleable industrial land means the land available for sale in an area as per the original/revised planning of the industrial area. (item7 of meeting dt 5.9.2011)
- (xxxiv) "Service Charges" means the charges to defray recurring cost incurred on industrial areas towards upkeeping and maintenance which may during the term of lease be assessed, charged, levied or imposed and revised by the lessor on its lessee or its sub-lessee.
- (xxxv) "Settlement Committees" means the Committees Constituted by the Board of the Corporation for settlement of disputes arising out by allotment of land other concerned matters.
- (xxxvi) "Special Category of Entrepreneur" means entrepreneur(s) belonging to Scheduled Castes, Scheduled Tribes, Women and Persons with Disability, Ex-Serviceman and War-Widow or such class of persons included by the Corporation from time to time.
- (xxxvii) "Strip of land" means
- (a) A piece of land adjoining one or more existing plots which cannot be put to an independent use either because it cannot be planned as an independent plot in conformity with the town planning norms or because there can be no proper approach to such piece of land.
 - (b) Any land in possession of an allottee which is in excess of the land actually allotted by the Corporation shall also be deemed to be a strip of land subject to fulfillment of stipulations mentioned in clause (a) above but should not be part of road or water bodies or hills or facility/common area etc.
- (xxxviii) "Subdivision of plot" means division of a parcel or piece of land into two or more parts in accordance with provisions of relevant rules/Building regulations time being in force for this purpose as per these rules.
- (xxxix) "Transfer of land/ lease hold rights" means transfer of full plot/ part of a plot (sub-divided plot) by way of sale, lease, assignment, etc including merger,

acquisition and amalgamation of companies. It will include transfer of plot/land by an individual, firm, company or any other allottee/ lessee as the case may be.

- (xl) "Unit Head" means an officer of the corporation appointed as in charge of a unit office concerned by the Corporation and shall include an officer holding the charges of the Unit Head for the time being .
- (xli) Merger of plots: 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.
- (xlii) Sub-Letting: Sub letting means and include to let out the leasehold premises and/or part thereof by the lessee to his tenant on terms & conditions mutually agreed between them for a certain period with prior approval of the Lessors i.e. the Corporation but ownership rights shall remain with the Lessee himself.
- (xliii) Sub-Leasing: Sub leasing means and include transfer of leasehold rights of any leased property or part thereof, whatever possessed/vested with the Lessee in favour of transferee, with or without any consideration, with prior approval of the Lessor i.e. the Corporation.

Explanations:

- (1) Sub-letting or Sub-leasing shall always be inferred on submission of the instrument/indenture executed between the parties concerned and decision of the Corporation shall be final in this regard.
 - (2) Where the lease purports to be for a term in excess of twenty years or in perpetuity or where the term is not specified, the same shall be treated as transfer of leasehold rights and applicable transfer charges shall be recovered from the applicant. But merely deposition of transfer charges does not create any legal rights in favour of the parties concerned.
 - (xliv) Wherever the word CMD has been used in the RIICO Disposal of Land Rules 1969 but the position of Chief Executive Officer of the Corporation is held by the Managing Director, all the powers vested with CMD shall be exercised by MD. *(Inserted as per item no. 4 of IDC meeting held on 16.12.2010)*
 - (xlv) Effective date for a decision shall be the date of hosting of minutes of the meeting related to the decision on the RIICO website (general observations of the meeting dt. 29.5.2012)
- Note: Terms related to plots, buildings, town planning matters etc. not defined in these rules will have same meaning as contained in the building regulations, subdivision & reconstitution rules and other relevant provisions of the concern local body/ authority/ UIT.

APPLICATION FORM

Entrepreneur desirous of land allotment should apply on the prescribed Form - A, annexed, (which can be obtained from the Corporation against cash payment of ₹ 100 only), along with the following :

- (i) A copy of partnership deed in case of a partnership firm,
- (ii) Memorandum & Articles of Association in case of a Private /Public Ltd. Companies alongwith a copy of certificate of incorporation of the company & the name of the promoters,
- (iii) in case of Limited Liability Partnership (LLP), a copy of agreement alongwith certificate of incorporation and
- (iv) in case of One Person Company (OPC), a copy of certificate of incorporation, Memorandum & Article of Association, name of person to whom company devolve after death or incapacity of the person who makes that company;
 - if readily available with the applicant of above categories mentioned in (i) to (iv), otherwise the same may be given before execution of lease agreement".

(Inserted as per IDC decision taken vide item 6 on 8.1.2001).
- (v) Any other document as may be required by the Corporation.
- (vi) Application fee to be deposited for applying for land allotment for industrial or institutional purposes , which is as under:

Size of plot (Sqm)	Industrial Areas of Jaipur Distt & NCR (₹)	Other Industrial Areas (₹)
Upto 500	2000/-	1000/-
501-1000	4000/-	2000/-
1001-4000	6000/-	3000/-
4001-10000	8000/-	4000/-
10001 and above	10000/-	5000/-

Note: The application fee will be non-refundable and shall be in addition to requisite security/keenness money.

(Inserted in reference to decision of the IDC as taken vide item (6) of its meeting held on 4th February, 2014)

- (vii) Security Deposit & 25% amount of premium for the land area applied for at the prevailing rates, in cash or through Demand Draft payable to "RIICO Ltd."

However, if the applicant pays 100% amount of premium for allotment of plots in non-saturated industrial areas, a rebate of 2% in the allotment rate would be allowed as cash incentive.

- (viii) Land area requirement for the project will be assessed as per guidelines prescribed in the FORM-B-1.

(Inserted as per IDC decision vide item 8 taken on 25.04.2005. Amended as per authorization by the IDC -item 19 dated 17.6.2014)

- (ix) In case of the concessional allotments under the rule 3(A), below, a copy of the requisite certificate.
- (x) During industrial campaigns applicants may be allowed to pay 25% amount of premium in the form of cheque. However, security deposit will only be accepted either in the form of cash or demand draft.

3(A). The Corporation allows up-front concession in the rate of allotment to the following cases of industrial land allotment in unsaturated industrial areas as per details/conditions mentioned below

S.No.	Category	Ceiling of Area (In sqm.)	Concession	Copy of Certificate to be submitted alongwith land application form
1	Member of SC / ST	2000	50%	Caste Certificate issued by competent Revenue Authorities
2.	Electronic Unit	4000	20%	Certificate issued by the Director of Industries as Electronic Industry.
3.	Ex - service Man	2000	25%	Certificate of the Sainik Board.
4.	War Widow	2000	25%	Certificate of Sainik Board certifying that her husband was employee of the Indian Army/ Navy/Air Force and died in war/action.
5.	Disabled Persons	2000	25%	Certificate from the Chief Medical and Health Officer of the District certifying that applicant is a physically handicapped person.
6.	Woman Entrepreneur	2000	25%	No certificate is required. (Amended as per IDC decision taken vide item 7 on 21.2.2004)
7.	Solar Energy Unit	4000	20%	Certificate issued by the Director of Industries mentioning that the project is related to Solar-Energy.

(Inserted and amended as per IDC decision taken vide item 5 & 18 on 7.12.2000 & item 4 on 30.4.2007) Concession percentage in case of categories at 5 & 6 enhanced as per approval of BOD -item 27 of meeting dt. 31.3.2011. Further amended as per IDC decision taken as per item 4 dated 04.08.2015

Note: -

- (i) For entitlement of the concession, required documents will be submitted alongwith land application form. In case of failure, entitlement for the concession will not be considered.
- (ii) The transfer of plot from concessional category to general or other category entrepreneur shall be permitted only after 5 years from the date of commencement of commercial production otherwise the concession shall be recovered alongwith interest and transfer premium shall also be charged as per rules. However in case of allotment to Disabled persons no transfer/sale of the plot will be permissible up-to five years from the date of commencement of production activity.
- (iii) The allottee will be entitled for one category of concession only.
- (iv) The allottee will be entitled for the concession upto the plot area or the ceiling limit, whichever be less.
- (v) The concession as per above table would also be allowed in partnership firms, LLP and private limited companies including OPC where the category of partners/promoters (in case of partnership firms/LLP and private limited companies including OPC respectively), is the same and entire share/shareholding remains with the partners/promoters up-to a period of 5 years after the commencement of production in the plot. However, in case of woman entrepreneur, concession @ 25% in the allotment rate may be allowed if the majority of share/shareholding (51% or more) in Partnership Firms/LLP/Private Limited Companies including OPC remains with the women partner(s) promoter director(s) of the Firm/LLP/ Company for the said period. However, in case of One Person Company, 100% share- holding remains with woman member.
(Amended as per IDC decision taken as per item 20 dated 20.12.2014)
- (vi) Concessions for the categories specified in Rule 3 (A) are applicable for industrial plot allotments for setting up industries only. These concessions would not be applicable to the allotments made under Tatkal Plot Allotment

Scheme or Auction. (Clarified as per IDC decision taken vide item 9 on 4.7.2001)

- (vii) * (a) Reservation of 2% plots for ex-servicemen/ war widows, and 5% plots for women entrepreneurs and SC/ST category entrepreneurs (Inserted as per the Board decision taken on 16.12.2004), of total number of plots up-to ceiling sizes planned in an industrial area shall be kept till the plots up-to ceiling size are vacant. The said reservation of industrial plots for the above various categories will be maintained even after the industrial area gets saturated and allotment of these plots will be made at the prevailing rate of allotment, with the admissible upfront concessions.
- (b) Reservation of 30% plots for Micro, Small & Medium Enterprises in new industrial areas to be developed by RIICO.
- (c) Plots reservation for the Disabled persons:
- i. Reservation of 1% of total no. of plots up-to the ceiling size will be applicable on all existing saturated industrial areas subject to availability of vacant plots up-to the ceiling size i.e. 2000 sqm. provided that the reservation limit of 1% is not exceeded as on 4.8.2015.
 - ii. Reservation of 2% of total no. of planned plot up-to ceiling size i.e.2000 sqm, in new industrial areas to be launched after 01.08.2015.
 - iii. The above mentioned reservation of 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 by inviting sealed bids from the applicant of disabled category. In case, reserved plots are not disposed of within the above mentioned period of 2 years, then these reserved plots will stand de-reserved and Corporation shall be at liberty to dispose these plots through auction/sealed bids.
 - iv. In special type of industrial parks/projects, this reservation provision shall not be applicable and no right shall be accrued to any disabled person on account of this reservation provision.

- v. No transfer/sale of plot allotted to disabled person will be permissible up-to five years from the date of commencement of production activity.

(Inserted in pursuance of the provision 6.2 of the 'Policy Package for Micro, Small and Medium Enterprises, 2008', announced by the State Govt and as per approval by the IDC w.r.t. item (14) of its meeting held on 15.4.2008. Note appearing earlier at s.no (v), deleted as per approval of IDC vide item 3 of its meeting held on 18.2.11.inserted as per item 31 of the meeting held on 5.12.2011. inserted as per item 19 of the meeting 9.3.2012.Reservation of plots amended vide item 4 of the meeting held on 4.8. 2015)

- (viii) The allottee may keep registered office of the company out of Rajasthan under intimation to the Corporation. *(Decided by IDC vide item 10 on 25.3.2006)*

3 (B). Allotment of land to industry related Research and Development centers:

"Allotment of land for setting up of R&D Centres/ Laboratories, Tool rooms, prototype development centres and institutes for specific disciplines related to industries etc. will be made on prevailing rate of allotment of the industrial area concerned and no rebate in rate of allotment shall be admissible to the allottee. *(Amended vide item (3) of its meeting held on 17.06.2014)*

| Rebate @ 2% in allotment rate shall also be allowed if 100% amount of premium is paid alongwith application form. *(Policy amended as per IDC decisions taken vide item 7 on 12.10.2004).*

3 (C). Rebate on allotment of larger size industrial plot:

(Rule deleted as per decision of IDC vide item (3) of its meeting held on 17.06.2014) However the investment rebate under this rule if any already committed prior to deletion of this rule will be honored- (Item 4 of the meeting 07.10.2014)

3 (D). Allotment of land for nursing homes/hospitals:

The terms and conditions for land allotment for nursing homes / hospitals shall be as under:

1. Rate of Allotment

- (i) In slow moving industrial areas, the rate shall be industrial rate. Concession to members of SC/ST, Ex-Servicemen, War Widows,

Physically Handicapped and Women Category as applicable for industrial plot allotment as per rule 3 (A) shall also be allowed.

- (ii) In normal areas the rate shall be 1.5 times industrial rate. Concession to members of SC/ST, Ex-Servicemen, War Widows, Physically Handicapped and Women Category upto the extent of 50% of the admissible limit as per rule 3 (A) shall also be allowed.
- (iii) In saturated areas the plot shall be allotted through open auction keeping reserve price at minimum 1.5 times of the industrial rate.

2 Area requirement as per bed strength:

S. No.	Size of Nursing Homes / Hospitals (Number of beds)	Area requirement (In sqm.)
(i)	6 to 10	700 to 1 500
(ii)	11 to 20	1500 to 2 000
(iii)	21 to 30	2 000 to 3 000
(iv)	31 to 51	3 000 to 5 000

3 Procedure for allotment

- (i) Allotment in saturated industrial areas shall be made through open auction after publication of an advertisement in a popular newspaper. In other areas allotment shall be made as per normal procedure after receiving complete applications.
- (ii) Unit heads shall make allotment of plot.

4 Eligibility Criteria: Any doctor (minimum MBBS) with two years professional experience or any entrepreneur who shall recruit the qualified staff to operate the nursing home / hospital shall be eligible for land allotment.

5 Implementation Schedule: Nursing home/hospital construction shall start within one year from the allotment and the nursing homes / hospitals will come in functioning with facilities indicated below within three years from the allotment date.

6 Minimum Medical Facilities required with respect to Bed Strength:

- (i) Nursing homes / Hospitals having 6 to 10 beds capacity and set up on plot size of 700 to 1500 sqm. should essentially have an outdoor and indoor facilities. It should be equipped with equipment like ECG Machine, Sterilizers and routine examination equipment.

- (ii) Nursing Homes / Hospitals having 11 to 20 beds set up on plot size 1501 to 2000 sqm. should have regular outdoor and indoor facilities , diagnostic facility , essentially pathology lab to cater to the routine pathology examination , ECG machine and other regular medical check up equipment. The facility should be equipped with minor operation theatre and anesthesia facility.
- (iii) Nursing Homes / Hospitals having 21 to 30 beds set up on land measuring 2001 to 3000 sqm. should have indoor / outdoor facilities , diagnostic facility covering pathology for routine and special investigation and radiology . In Radiology, they should have an X - Ray machine and Ultra - Sonography Machine. Apart from these they should have other routine medical check up equipment. The pathology and radiology departments should be manned by trained manpower. The hospital should also have regular operation theatre and surgical facility and an ICU.
- (iv) Nursing Homes / Hospitals having 31 beds and above should have minimum facilities as indicated at S.no. (iii) above and should also cater to specialized treatment facility .

7. Residential Facilities: The allotted land will be exclusively used for setting up of the nursing homes / hospitals. However, permission for construction of residential accommodation within the allotted plot would be given as per the facility allowed to an industrial plot allottee.

8 Supportive Facilities: Facilities like Drug Store/Medical Shop, Godown, Diagnostic center & Food Center owned by Hospital / Nursing Home may be permitted without premium.

(Amended as per IDC decisions taken vide item 3, 8 & 18 and 8 on 21.5.1999, 8.8.2000, 16.3.2001 respectively & resolution passed by circulation on 7.4.2001, and vide item 7 on 21.3.2002).

3 (E). Allotment of land for setting up of Educational Institutes:

3(E) (i) Definition of Educational Institute:

The expression "education institution" shall be that institution which imparts primary/secondary education or degree/diploma as recognized by the State/Central Government or Agencies set up by theses Government for monitoring such educational institutions excluding Private Universities, and also those institutes/centers to be established for skill development/vocational training/institutes imparting certificate courses".

Definition of 'Vocational education or 'vocational education and training' (VET) for the above purposes:

Vocational education or vocational education and training (VET) is an education that prepares trainees for jobs or careers at various levels from a trade to a craft or a position in engineering, accounting, nursing, medicine and other healing arts, architecture, pharmacy, law etc. Craft vocations are usually based on manual or practical activities, traditionally non-academic, related to a specific trade, occupation, or vocation. It is sometimes referred to as technical education as the trainee directly develops expertise in a particular group of techniques.

(Inserted as per item 3 of the meeting dt. 29.5.2012)

3(E) (ii) Terms and conditions for land allotment are as under:

- (i) Land allotment applications would be entertained after informing the plot availability for the purpose through a press release. The allotment rate shall be the rate of allotment prevailing in the industrial area.
- (ii) The interested agency / consortium should have sufficient experience to run similar educational institution in India or abroad. Those having collaboration / franchise arrangement with the Institution of National / International repute would be given due weightage.
- (iii) The minimum level of investment in the coming five years in the plot shall be decided by the committee constituted for deciding the land allotment in consultation with the applicant.
- (iv) The implementing agency should take effective steps for commencement of construction activity within one years from the date of allotment and should start the institute in full swing within three years from the date of allotment, otherwise the allotment will be liable to be cancelled and amount equivalent to keenness money or keenness money deposited, as the case may be, would be forfeited.
- (v) The proposed Institutes should have the approval of the State Government and be got affiliated with the All India Council of Technical Education / Medical Council of India /UGC/ State-Central Education Board/University as the case may be.
- (vi) The fees pattern shall be as per guidelines of AICTE/ ICMR/ State Government/ Supreme Court Orders, State/Central Education Board.
- (vii) The Governing Council/ Board of the Institute should have one Nominee of RIICO/ State Government.

- (viii) The implementing agency/ consortium should have sufficient funds to implement the project. They shall furnish adequate evidence to this effect.
- (ix) Following amount of keeness money for different educational institutes shall be deposited alongwith the application for land allotment:
 - (a) For Schools ^ 5.00 lacs
 - (b) For other educational institute ^ 10.00 lacs

Note- *In case, the cost of land is less than ^ 5 lacs and ^ 10 lacs, for school and other educational institute respectively, then the amount of keeness money will be limited to the total cost of the land.*

(x) Refund / forfeiture of the keeness money will be done as per following procedure:

- (a) In those cases in which the State Government does not issue the NOC to the applicant within six months from the date of allotment then RIICO will refund keeness money without any deductions. The applicant will have to seek NOC within six months from the land allotment date. However, the MD may consider time extension.
 - (b) If the applicant abandons the project or surrenders the land then the amount equivalent to the keeness money will be forfeited.
 - (c) Keeness money shall be refunded after commencement of institute functioning, without interest.
 - (d) No keeness money shall be demanded from allottee institution for taking additional land for expansion of existing institution or for setting up new institution in area.
- (xi) A Committee of the following officers would approve the land allotment:
MD RIICO, Commissioner (Inv. & NRIs) and MD, RFC.
(Amended vide item 16 of the meeting dt. 09.09.2015)
- (xii) The application for land allotment shall be put up before the constituted Committee for approval. On approval, 25% amount of premium (keeness money shall not be adjusted) shall be deposited within 30 days from the date of offer issued. After payment of 25% amount of premium, allotment letter shall be issued without waiting for NOC / Permission from the State Government with the following stipulation for payment of balance amount of premium that

- (a) 75% amount shall be deposited within 60 days from the date of allotment letter issued.
- (b) Rebate @ 2% for payment of premium without availing grace period or before allotment will be allowed as applicable to industrial plots.
- (c) The allottee may opt to pay 75% amount of premium in installments alongwith interest as permitted in case of allotment of industrial plots.
- (xiii) Time extension for making payment beyond prescribed period can be granted as per policy decided for industrial plots.
- (xiv) Rate of service charges: As per the rates applicable for industrial plots.
- (xv) Payment of economic rent and service charges shall be made as per rules applicable in case of allotment of industrial plots.
- (xvi) Maximum/minimum land area to be allotted for the institutions shall be as per the norms fixed by the concerned controlling department/agencies i.e. State/Central Education Board, All India Council of Technical Education, Medical Council of India, UGC etc.

3(E) (iii) Rebate in rate of allotment:

The rebate withdrawn as per decision of IDC vide item (3) of its meeting held on 17.06.2014)

(Substituted as an amended rule, pursuant to approval by IDC vide item 4 of the meeting 4.5.2011 and further vide item 13 of the meeting 9.6.2011)

3(E-1). Land allotment for setting up of Spa Nutrition Training Institutes:

Land may be allotted for setting up of Spa Nutrition Institute as per the following guidelines:

- a) Expression of interest for setting up of Spa and Nutrition Training Institutes in RIICO Industrial Areas would be invited through press release for the plot planned for the purpose.
- b) For setting up of such institutes, the condition of approval of the State Government and affiliation with the AICTE norms would not be applicable.
- c) Reserve price for inviting applications for Spa and Nutrition Institutes would be minimum of 1.5 times of the prevailing industrial rate in the area.

- d) Applications received in response to the press release would be placed before the Committee constituted for land allotment to Technical Institutes / Training Institutes as provided in Rule 3(E) of RIICO Disposal of Land Rules, for approval of land allotment.
- e) Stipulations for land allotment to such Spa and Nutrition Training Institutes shall also be the same as applicable for Technical Institutes / Training Institutes.

(Inserted as per IDC decision taken vide item 21 on 25.3.2006)

3(F). Allotment of land for setting up of a school:

Allotment of land for setting up of a school will be made as per the provisions of the rule 3(E) i.e as per provisions as applicable to allotment of land for setting up of Educational Institutions. *(Substituted as per IDC decision taken vide item 9 on 16.3.2001. Amended as per decision of IDC w.r.t item 4 of its meeting held on 18.2.11)*

3(G). Allotment of land for supportive facilities:

Planned plots for specified supportive promotional activities may be allotted by the Unit Heads as under:

S.No.	Supportive activities / Area of land	Allotment rate
1.	State Government Departments	Prevailing industrial rate.
2.	Central Government Departments & State/Central Govt. Corporations/Undertakings	Prevailing industrial rate or as decided by the IDC on case to case basis.
3.	Individual Housing Plots	2 to 4 times of the prevailing industrial rate. Allotment at a price less than four times, the matter shall be decided by IDC.
4.	Land allotment to private developers for creating group housing facility in RIICO industrial areas.	Through inviting the seal bids (Technical and Financial bids) keeping prevailing industrial rate of the area as reserve price. Detailed policy for allotment of land for the Group Housing is appended to the rules as Form-'H' <i>(Substituted as per approval of IDC - item 12 of the meeting dated 9.6.2011)</i>

5.	<p>Power Distribution/ Transmission Companies (For GSS):</p> <p>(a) 220 KV- 60000 sqm (max.):</p> <p>(b) 132 KV - 35000 sqm.(max.):</p> <p>(c) 33 KV - 3,000 sqm. (max.):</p> <p>Note: <i>Extra land than the above size would be allotted on the prevailing rate of development charges of the industrial area concerned.</i></p>	<p>At a token rate of ^ 1/- per sqm.</p> <p>At a token rate of ^ 1/- per sqm.</p> <p>At a token rate of ^ 1/- per sqm.</p>
6.	<p>Police Outpost upto 1 acre land (with or without building)</p>	<p>At a token amount of ^ 1/-</p>
7.	<p>Industrial Training Institutes (upto 5 acres land alongwith small building shed) (details of schemes to be worked out initially at Sitapura, Neemrana, Bagru, Jodhpur, Udaipur etc.)</p>	<p>On 30 years lease basis (The lease rent and terms and conditions will be decided by IDC)</p>
8.	<p>Other supportive and promotional activities like, Telephone Exchange , Inland Container Depots (ICDs) ,Gem Bourse etc.</p>	<p>At the prevailing industrial rate.</p>
9.	<p>Flatted Factories complexes</p> <p>(i) Up-to 5% covered area would be allowed for essential common facilities like Banks, Administrative block, conference room, post office, dispensary.</p> <p>(ii) For area in excess of 5% but not more than 10% and for activities other than as mentioned above.</p>	<p>At the prevailing industrial rate.</p> <p>IDC is authorized to take decision on the rate to be charged on case to case basis.</p>

10.	P.H.E.D. for erection of Water Supply Scheme for the industrial area itself	Acquisition cost as per saleable land plus 5% overhead charges.
11.	Crèche	At the prevailing industrial rate
12.	Basic Telecom / Cellular Phone Operators (i) For erection of Tower/Mast up-to 150 sqm. (ii) For switching / service center up-to 1000 sqm	The land is allotted with 20% rebate in prevailing rate in the area where plots are not auctioned.
13.	Power plants in private sector	At the prevailing industrial rate
14.	Business Centers	Through auction keeping reserve price at 4 times of industrial rate.
15.	Kerosene Depot on recommendations of Food and Civil Supplies Department, up -to 2000 sqm. area.	At four times of prevailing industrial rate in area with an undertaking to follow precautionary measures for upkeep and safety of depots
16.	(a) Petrol pumps (retail outlet)/LPG godowns to IOC, BPCL, HPCL, private oil companies (like Reliance etc.) or licensees of these companies. (Inserted as per IDC decision vide item 5 on 4.9.2003) (b) Allotment of land measuring upto 1000 sqm. for setting up of LPG Godown, to the war widows who are having license from the oil companies. <i>(Inserted as per item 32 of the meeting 9.3.2012)</i>	(a) At four times of prevailing industrial rate (b) The allotment can be considered in both the saturated and un-saturated areas on the prevailing rate of land allotment with upfront concession @ 25%

17.	Gas authority of India Ltd. for laying of LPG pipeline	At prevailing industrial rate
18.	SPV under SITP in industrial area	With the approval of IDC. <i>(Decided vide item 7 on 21.10.2005)</i>
19.	Industries Department Rajasthan Jaipur, for setting up of calibration tower: upto 500 sqm.	Free of cost with the approval of MD. The department would pay annual economic rent. Service Charges would not be levied. <i>(Decided by IDC by circulation on 16.1.2006)</i>
20.	<p>(i) Allotment of land for CETP under the provision 3.1 of the 'Policy Package for Micro, Small and Medium Enterprises, 2008', announced by the State Govt.</p> <p>(ii) Allotment of land for CETP exclusively for Textile Industries</p>	<p>At 50% of the prevailing rate of allotment of the Industrial Area concerned. <i>(Inserted in pursuance of the decision by the IDC w.r.t. item (14) of its meeting held on 15.4.2008)</i></p> <p>Managing Director can approve allotment of land at a token price of ^ 1/-.</p> <p>Note: Allottees having allotment of land for CETP/RO plant (even on token price/concessional rate) will be allowed to mortgage the allotted land creating equitable mortgage by deposition of lease deed in favour of the financial institution for obtaining financial assistance.</p> <p><i>(Inserted as per item 5 of the meeting 24.5.2013, inserted as per item 4 of IDC meeting dtd. 12.05.2016)</i></p>

21.	Allotment of up to 350 sqm. land, to the Commissioner Industries for setting up of Weights & Measurement Laboratories, as per requirement.	Free of cost. The Department will be exempt from payment of service charges; however, it will pay economic rent (lease rent) as per rules.
22.	Allotment of land for the purpose of setting up of a Government School, if the plot is carved out in the service area (non saleable area).	Managing Director is authorized to approve the allotment of land free of cost, at an annual lease rent (economic rent) of ^ 1/-.
23.	CNG Station	Allotment of land for this purpose will be made at four times of the prevailing rate of allotment of the industrial area concerned. The Managing Director is authorized for allotment of land for this purpose to RSPCL GAIL GAS Ltd. on preferential basis.
24.	Allotment of land to GSPL India Gasnet Ltd for setting up of Receiving Terminal Station (RT Station)	On prevailing rate of allotment of the concerned industrial area. However, the land requirement shall be assessed by the Corporation and would be approved by MD.

(Inserted / Amended as per BOD decision taken vide item 2 on 6.8.98 and IDC decisions taken vide item 7, 4, 4, 14, 5&18 and 4 on 18.11.1998, 21.5.1999, 28.4.2000, 13.11.2000, 7.12.2000 and 14.2.2002 respectively. Sub- rule 3-G-5 amended as per decision by IDC vide item 32 of its meeting held on 15.4.2008 and further amended vide item 14 of the meeting held on 27.2.2009. New proviso at S.No. 21 and 22 inserted as per approval by the IDC vide item 6 & 7 of the meeting held on 15.9.2009. Amended as per item 8 of IDC meeting held on 18.10.2010)) Inserted as per approval of IDC vide item (11) of its meeting held on 17.06.2014.

3(H). Allotment of Land to State / Central Government Departments/Organizations for Residential/ Commercial use- shall be made as under:

1. At two times of the prevailing rate of allotment if the land is put to

residential purpose.

2. At four times of the prevailing rate of allotment if the land is put to commercial purpose.
3. The Managing Director shall decide the nature of activity.

(Inserted as per IDC decision taken vide item 8 on 28.6.1997.)

3(H-1) Preferential allotment of land to Departments/ Undertakings/Organizations of the Rajasthan State Government for industrial purpose.

Preferential land allotment for industrial purpose will be made to the Departments/ Undertakings/ Organizations of the Rajasthan State Government at the following rates;

- (a) Prevailing rate of allotment in unsaturated industrial areas
 - (b) On highest auction rate received for industrial purpose or prevailing rate of allotment of the concerned industrial area, whichever is higher for the saturated industrial areas.
- The Managing Director is authorized for approving the above allotments.

(Inserted as per decision taken by the IDC vide item (15) of its meeting held on 13.5.2014).

3(I-a) Allotment of land to Industries Associations in the industrial areas may be made in the following manner:

1. Land measuring up-to 500 sq. mtr. to one Industries Association in the industrial area, depending upon their representative nature, involvement in industrial development etc. may be allotted for construction of the Association building:
 - (i) At $\hat{\text{₹}}$ 1/- per sqm. if a minimum investment of $\hat{\text{₹}}$ 500 crores has been catalyzed in the area.
 - (ii) At 50% rate of allotment where $\hat{\text{₹}}$ 500 crores investment has not been catalyzed in the area.

(iii) Land over and above 500 sq.mtr. shall be allotted at full prevailing industrial rate.

2 Land for other Industrial Associations may be allotted on the prevailing rate of allotment of the industrial area.

3(I-b) Allotment of land at any single location in the State with in RIICO industrial area to PHDCCI, FICCI, CII and ASSOCEM for construction of office/association building.

Land upto 500 sqm may be allotted at a token amount of ₹ 1/-, at any single location in the State in the industrial areas to PHDCCI, FICCI, CII and ASSOCEM (the organisations presently active in the State) for construction of Association /office building . However, the land in excess of 500 sqm will be allotted at prevailing rate of allotment of the industrial area concerned. The above organisations will be exempted from payment of the service charges. Economic rent (lease rent) will be recovered as per the rules. *(Substituted as per IDC decisions taken vide item 3, 5&18 and 5 on 7.12.2000 and 8.7.2002 and item 12 of meeting dt. 28.5.2010).*

3(J). Allotment of Constructed Bank Building or Land for Bank Building Construction, to Banks shall be made on the following basis:

1. **Constructed Bank Building:** The cost of building shall be calculated on the basis of standing order No. 138 of State Public Works Department or actual expenditure made by the Corporation plus interest thereon for idle period of investment, less depreciation, whichever is higher. The premium of land shall be calculated at four times the prevailing rate of allotment of the area, or reserve price fixed by the Corporation for making auction of commercial plot, whichever is higher.

2. **Land for Bank Building construction:** Land allotment to any bank for bank building construction may be allowed by MD at the reserve price fixed for commercial plot in particular industrial area

(Inserted and substituted as per IDC decisions taken vide item 5, 12 and 4 on 4.9.1995, 22.3.2000 and 8.8.2000 respectively)

3 (K). Allotment of land to Khatedars against the land acquired from it for setting up of industrial areas:

Khatedars may opt to take allotment of developed land in lieu of cash compensation of the land acquired from these Khatedars. The developed land will be allotted to such Khatedar in accordance with the procedure/guidelines/norms etc. as may be decided by the Corporation from time to time and as prevalent at the time of declaration of the award by the Land Acquisition Officer (LAO) concerned.

3 (L). Allotment of Land to I.T. Industries in IT Parks/ designated IT Zones:

Land allotment under a special land package for setting up of various IT industries as defined below/ Institutes will be made at the rate of allotment prevailing in the area. After stipulated minimum fixed investment made by the plot allottee on the allotted plot within the period stipulated for investment in the package (*Amended as per IDC decision taken vide item 5 on 27.12.2004*), the following entitled land rebates shall be reimbursed by RIICO to the eligible allottees:

- 1. Very Prestigious Investment - in IT Software, ITES and IT Hardware -** For the industry which is set up on the allotted plot by any company with a minimum fixed investment of $\text{^} 10$ crores or by a fortune 500 company, within a period of 3 years, entitled land rebate shall be @ 60% of the plot allotment rate.
- 2. Prestigious Investment - in IT Software, ITES and IT Hardware -** For the industry which is set up on the allotted plot with a minimum fixed investment of $\text{^} 1$ crore within a period of 3 years, entitled land rebate shall be @ 50% of the allotment rate for the plot upto maximum of 5 acres area.
- 3. General Investment - in IT Software, ITES and IT Hardware -** For the industry which is set up on the allotted plot with a minimum fixed investment of about $\text{^} 10$ lacs per 500 sqm. land and $\text{^} 2$ lacs for every subsequent 100 sqm. within a period of 3 years, entitled land rebate shall be @ 25% of the allotment rate for the plot upto maximum of 2000 sqm. area.
- 4. Advanced IT Institutes-** For the institute which is set up on the allotted plot with a minimum fixed investment of $\text{^} 5$ crores within a period of 3 years, entitled land rebate shall be @ 25% of the allotment rate for the plot upto maximum of 5 acres area. Advanced IT Institutes would mean institutes offering exclusive IT courses atleast of the level of MCA /BE / M.Tech (IT) /MBA (IT) /MSC (IT) or of a recognized equivalent.
- 5. General Computer Training Institutes-** No rebate in the allotment rate shall be allowed. However, RIICO may consider land allotment upto maximum of 2000 sqm. on prevailing rate provided unit makes fixed investment of about $\text{^} 5$ lacs per 500 sqm. land within 3 years period.

Notes-

- a) Production activities will need to be started within three years from the date of possession or from the date of lease deed execution, whichever is earlier.
- b) The minimum fixed investment should be made within 3 years from the date of possession or from the date of lease deed execution, whichever is earlier.
- c) An undertaking / certificate shall also be submitted by IT unit every year for the use of land for the purpose the land is allotted.
- d) Fixed investment shall mean investment in land, building, computers, printers, scanners, plotters, licensed software's, EPABX, networking equipment, UPS, DG-Sets, CVT"s, AC, LAN Cable and other equipment and furniture.
- e) In case of failure to observe the terms and conditions regarding investment and time schedule mentioned in the package, the concessional amount shall be recovered from allottee with interest from the date on which concession amount has been reimbursed.
- f) In each case the decision of RIICO shall be final as to what qualifies as IT Industry/ Institute for the purpose of above said incentive.
- g) For reimbursement of the concessional amount, the plot allottee would be required to inform RIICO office by a registered AD letter sent prior to the scheduled date regarding the investment made on the plot. After verification by the Unit Head, the cheque or rejection letter, as the case may be, will be sent by RIICO within 30 days by registered AD letter.
- h) No other rebates / incentives shall be given to these (all above) IT industries. Land rebates as mentioned above shall not be available in institutional area within Sitapura industrial area at Jaipur.

Definitions of IT Industry

a) IT Software /ITES Industry:-

This would mean development and production of computer software and IT Enabled Services (ITES) such as Call Centres, Medical Transcriptions, BPOs, Content development, E-commerce and other similar activities.

b) IT Hardware Industry:-

IT hardware industry would mean production and assembling of computers, peripherals, Computer Monitors, Printers, Scanners, Modems, Hubs, Switches, Routers, Networking equipment's, UPS, Earth Station, V-SAT, Digital Switching

Systems, Mobile phones, CDMA equipment, Electronic Exchanges, EPABX, Wireless equipment's, Optical Fiber Cables, battery use in mobile/CDMA instruments, ATM machines, LAN Cable (CAT-5 etc.), electronic touch screen.
(Revised as per IDC decision taken vide item 5 on 12.10.2004)

Note : Upfront rebate allowed in rate of allotment to IT Units shall be recoverable on transfer of plot even transfer is taken place from IT to IT Unit irrespective of conditions mentioned in the allotment letter, in case, transfer takes place before five years from the date of commencement of production. (IDC vide item no. (10) in its meeting held on 20.12.2014)

3 (M). Allotment of land to Bio Tech and Bio Informatics Industries in BT Parks and other selected industrial areas:

Land allotment under a special land package for setting up of various Bio-Tech and Bio-Informatics industries including projects covered under Modern Bio Technology, will be made at the rate of allotment prevailing in the area. After stipulated minimum fixed investment made by the plot allottee on the allotted plot within the period stipulated for investment in the package (Amended as per IDC decision taken vide item 5 on 27.12.2004), the following entitled land rebates shall be reimbursed by RIICO to the eligible allottees:

- 1. Major Bio Technology and Bio Informatics Companies** (annual turn over of more than ₹ 100 crores in this field as per the latest audited balance sheet) - For the industry which is set up on the allotted plot with a minimum fixed investment of ₹ 10 crores within a period of 4 years from the date of allotment in a specially designated Bio Technology parks/ zones, entitled land rebate shall be @ 60% of the allotment rate for the plot upto maximum of 10 acres area.
- 2. General Bio Technology and Bio Informatics Units-** For the industry which is set up by any entrepreneur on the allotted plot in a specially designated Bio Technology parks/ zones with a minimum fixed investment of ₹ 15 lacs per 1000 sqm. within a period of 5 years, entitled land rebate shall be @ 40% of the allotment rate for the plot upto maximum of 5 acres area. Additional discount of 10% on allotment rate may also be allowed if the plot allottee commences commercial production within 3 years from the date of allotment.
- 3. Advanced Bio Technology and Bio Informatics Institutes** - For the institute which is set up on the allotted plot in a specially designated Bio Technology and Bio Informatics zones with a minimum fixed investment of ₹ 5 crores within a

period of 3 years and commences operation within 3 years from the date of possession or from the date of lease deed execution, whichever is earlier, entitled land rebate shall be @ 50% of the allotment rate for the plot upto maximum of 5 acres area.

Advanced BT Institutes would mean institutes offering M.Tech, M.Sc, B.Sc or recognized equivalent courses in this field only.

4. **General Bio Technology and Bio Informatics Training Institutes-** No rebate in the allotment rate shall be allowed. However, RIICO may consider land allotment in any industrial area on the rate prevailing in the area.
5. **Bio-Technology Industries outside the Bio-Technology Parks in Identified Industrial Areas -** For the Bio Technology industries which is proposed to be set up outside the Bio Technology Parks in the Identified Industrial Areas, entitled land rebate shall be @ 10% of the allotment rate for the plot upto maximum of 4000 sqm. area **and the amount shall be reimbursed after construction covering at least 20% plot area with roof laying within two years period.**

Land allotment for setting up a Corporate and Registered headquarter for Major Biotechnology Companies: In pursuance to State Biotech Policy 2004, land at prevailing rate in the area may be allotted for setting up of Corporate and Registered headquarters for Major Bio Technology National and Multinational companies in Rajasthan. Creation of residential accommodation upto 20% of utility area may be allowed with the approval of IDC. Land rebate @50% of the allotment rate may be reimbursed to first five companies (pioneering units) in Rajasthan, on construction of the building covering atleast 20% of the plot area with pucca structure where roof has been built up within a period of three years from the date of possession or from the date of lease deed execution, whichever is earlier. The policy related to above mentioned rebate would be reviewed after one year in case first five companies do not avail the facility by then. *(Inserted as per IDC decision taken vide item 5 on 27.12.2004)*

Notes-

- a) In case of failure to observe the terms and conditions regarding investment and time schedule mentioned in the package, the concessional amount shall be recovered from allottee with interest from the date on which concession amount has been reimbursed.
- b) In each case the decision of RIICO shall be final as to what qualifies as Bio-Tech Industry / Institute for the purpose of above said incentive.

- c) For reimbursement of the concessional amount, the plot allottee would be required to inform RIICO office by a registered AD letter sent prior to the scheduled date regarding the investment made on the plot. After verification by the Unit Head, the cheque or rejection letter, as the case may be, will be sent by RIICO within 30 days by registered AD letter.
- d) A committee of F.A., Advisor (Infra), Sr. DGM (ID-Tech) and DGM (F-IP&I) shall identify industrial areas based on pace of allotment and put up to MD for approval, so that 10% rebate on prevailing rate of allotment subject to maximum of 4000 sqm. may be allowed.
- e) No other rebates / incentives shall be applicable to these projects.
- f) Definition of Modern Bio Technology:
- R&D and /or Manufacturing activities involving recombinant DNA Technology for bio Pharma, Agriculture, Health and Environment.
 - Areas of Genomics, Proteomics, Bio-informatics and Gene-Cloning.
 - Plant Tissue Culture research and development (Land upto maximum of 4000 sqm. may be allowed).
 - Active ingredient identification and preparations of Medicinal and Aromatic Plants and Herb- Bio processing.
 - Quality Assurance/ Quality Control Labs for recombinant DNA products/ GM Products.
 - Production of Industrial Enzymes.
- g) The cases for land allotment to Bio-Technology projects in Bio-Technology Parks and Identified Industrial Areas shall be put up to the Committee of GM(BP), Advisor (Infra), F.A. and Sr. DGM(ID-Tech)- Member Secretary for view on project classification as Modern Bio-Tech or conventional Bio-Tech and to determine the permissible land rebate. MD is also authorised to review and make necessary changes in the guidelines for providing RIICO land for Modern Bio-Technology units from time to time. (*Revised as per IDC decision taken vide item 5 on 12.10.2004*)

3 (N). Allotment of land to Rajasthan Co-operative Dairy Federation:

Land allotment up-to 1000 sqm. may be made in industrial areas for development of Milk Parlours to be set-up by RCDF, on payment of premium at the prevailing rate of allotment.

(Inserted as per IDC decision taken vide item 5 on 27.12.2002).

3(O). Allotment of land for setting-up of fire fighting stations in industrial areas:

The land measuring upto 4,000 sqm. may be allotted to statutory bodies like Municipalities/Nagar Nigams etc. for setting-up of fire fighting stations in industrial areas on payment of token amount of ₹ 1/- and these bodies shall be exempted from payment of security money and annual service charges. However, land allotment measuring up-to 4000 sqm. to non-statutory bodies like Industries Association etc. for setting-up of fire fighting stations shall be made @50% of rate of allotment of the area.

(Inserted as per IDC decision taken vide item 18 on 10.12.2001 and resolution passed by circulation by IDC on 5.2.2002)

3(P). Deleted.

(As per decision by IDC- item 4 of its meeting 4.5.2011)

3(Q). Allotment of land for services in unsaturated industrial areas:

Allotment of land for establishment of services in unsaturated industrial areas shall be made at prevailing rate of allotment of the industrial area concerned and no rebate in rate of allotment shall be admissible to the allottee. The term "services" for the purpose of this rebate shall include, telephone exchange, inland container depots, offices of State/Central Government Department/ Organization, crèches etc. but shall exclude housing colonies to be developed by Rajasthan Housing Board.

(Inserted as per IDC decision vide item 16 on 18.8.2001. Amended as per item 8 of the IDC meeting held on 18.10.2010. Amended as decision of IDC vide item (3) of its meeting held on 17.06.2014)

3(R). Policy for Allotment of land for setting up of warehousing & Logistics:

1. Definition:

Warehousing and logistics mean to develop warehouses for storage of goods (Raw & finished material) and management of the flow of goods and materials, between the point of origin and the point of destination in order to meet certain requirements of the industries/customers such as integration of information flow, material handling, packaging, inventory management and transportation.

2. Rate of allotment:

Warehousing and Logistics is classified as service enterprises. Land allotment for this purpose will be made at **1.5 times** of prevailing rate of allotment of concerned industrial area in unsaturated industrial areas. However, if land allotment is being made in saturated industrial areas then the reserve rate of auction (sealed bids) will be decided by 'Reserve Price Fixing Committee headed by the Managing Director.

3. Procedure for land allotment:

(a) **In unsaturated industrial areas:-** Applications will be invited after advertising the availability of plot in the news papers. In case there being more than one applicants then allotment of plot will be made through draw

of lots.

(b) **In saturated industrial areas:**

In saturated industrial areas, allotments will be made through auction by way of inviting sealed bids, keeping the reserve rate as decided by the 'Reserve Price Fixing Committee'.

(c) **Allotment of land to Central/State Warehousing Corporations:**

Allotment of plot to Central/State Warehousing Corporations in all categories of industrial areas (unsaturated/saturated) will be made on preferential basis at **1.5 times** of prevailing rate of allotment of concerned industrial area.

4. **Planning of plots and Building Parameters:**

Suitable plot(s) for the above purpose shall be planned/earmarked on the roads having ROW 18.00 mtr and above in upcoming industrial areas as well as in existing industrial areas depending upon the demand and location of the industrial area. The building parameters will be applicable as applicable to industrial buildings in the rules. However, the area of plots allotted for warehousing and logistic use will not be included in the ceiling of 15% of non –industrial use in an industrial area.

5. **Approval of Building Plans:**

The land allottee shall be required to get the building plans approved from RIICO before commencement of construction. The Committee headed by MD and having Advisor (Infra), STP/DTP and Unit Head, concerned as members, will approve the same after examination in Town Planning Cell.

6. **Project implementation period:**

The allottee will be required to complete construction and commence the activity of warehousing and logistics within three years from the date of possession or execution of lease deed, whichever is earlier. However, in such allotments, utilization of the land would be deemed, if the construction of warehouses are completed and ready for functional use. For adjudging completion of construction, construction of warehouses in atleast 20% of the total plot area on ground or permitted FAR will be necessary and shall be verified by the Unit Head, concerned.

7. **Sub-letting of the warehouses:**

Sub-letting of the warehouse buildings by the allottee will be permitted for the same purpose without any charges/premium etc. observing the relevant Act of the State. *However, no sub-leasing of warehouse building shall be permitted.*

8. **Transfer of Plot:**

Transfer of allotted land shall not be allowed for other purpose except for '**Warehousing & Logistics**' facility and provisions of the rules as applicable for transfer of industrial plots shall be applicable for such plots.

9. **Parking of vehicles /trucks:** The allottees shall required to submit an undertaking that the vehicle/trucks transporting the material shall be parked within the parking area to be provided by the allottees within its own premises and maximum of two vehicles at a time shall be allowed to be parked for loading/unloading in front of the premises of the unit. Idle parking of truck/vehicle shall not be allowed on the road and/or in the front of the industrial plot/unit. In case of violation on this account, penalty as decided by Corporation on year to year basis, shall be payable, besides taking corrective action.

10. **General terms and conditions of the land allotment:**

Other general terms and conditions will be the same as applicable to industrial plot allottees as per rules.

(Inserted as per IDC decision vide item 15 on 18.8.2001. Amended as per item 8 of the IDC meeting held on 18.10.2010. Further, replaced with amended/ revised policy as per item 4 of the IDC meeting dt. 13.02.2016)

3(S). Policy regarding Housing facility to entrepreneurs and industrial labour in various industrial areas developed by RIICO.

The Infrastructure Development Committee of the Board of Directors vide item (3) of the meeting held on 30th April, 2007 have accorded approval to the land allotment policy related to housing facility to entrepreneurs and industrial workers (Managers / labour etc.). The aforesaid policy as approved by the IDC is as under:

- (a) While planning an industrial area, the Corporation should necessarily create a zone of residential plots which will contain residential plots for entrepreneurs / managers etc. A separate zone / block could also be created containing residential plots for group housing and for construction of LIG houses for the purpose of industrial labour residing within the industrial area.
- (b) The plots earmarked for labour housing will be allotted to the unit holders of the area particularly to the entrepreneurs who are running an industry, which is labour intensive. The land will be allotted at a fixed rate to such entrepreneurs who would create group housing or LIG houses for the labour at their cost and the premises could be used for the labour on their terms & conditions. The Corporation will decide building norms for construction of group houses or LIG houses for labour with a view to make the norms rational and supportive to the cause. The industrial plot holder should have commenced production in the industrial unit and have employed more than 20 workers in the industrial unit. The entrepreneur should have also made investment on the land as per the original project report submitted by the entrepreneur at the time of land allotment in terms of plant and machinery and building construction.

- (c) The residential plots planned by the Corporation for the purpose of entrepreneurs / managers etc. will also be allotted to the unit holders of the area at fixed rate on the following eligibility criteria / stipulations:
- i. The industrial plot holder should have commenced production in the industrial unit. The entrepreneur should have also made investment on the land as per the original project report submitted by the entrepreneur at the time of land allotment in terms of plant and machinery and building construction.
 - ii. Transfer of Lease Hold Rights of Residential plots (vacant/constructed/partly constructed) in industrial areas will be permitted in favour of any other allottee of industrial/institutional/commercial plot(s) in the same industrial area irrespective of sale/transfer of respective industrial unit by the seller. The purchaser will be allowed to use the constructed house/residential plot for his own use or for its Managers/Staff etc. as a housing facility. *(Amended as per item 9 IDC meeting dated 11.5.2015, further amended as per item 6 of IDC meeting dtd 12.05.2016)*
 - iii. In case of more than one applicants for a particular plot, preference will be given to the applicant who has employed more number of workers in its industrial unit.
- (d) Land allotment rate for residential plots is proposed to be fixed through the existing reserve price fixing Committee of the Corporation, which is headed by the MD.
- (e) The payment mode will be as per the existing norms of industrial plots i.e. 25% on application and balance 75% within 120 days of the land allotment.
- (f) Construction shall be commenced within six months and completed for use within a period of 3 years from the date of execution of lease-deed or taking possession, whichever is earlier. Delay in commencing and completing the construction activities will attract retention charges as per rule.
- (g) The scrutiny for requirement of area for housing for individual unit would be done based on strength of employees/ executives in each such unit. Priority in allotment shall be given to those entrepreneurs who have more employment in their unit.
- (h) Besides the above, provisions of RIICO Disposal of Land Rules, 1979 will be applicable to these cases also.
- (Substituted as per IDC decision taken vide item 3 on 30.4.2007. Further amended as per item 4 of the IDC meeting held on 18.10.2010)*

3S(1): Allotment of land for construction of dormitories/quarters by the allottees for its workers

- 1.1 Allotment of land for construction of dormitories/quarters by the allottees for its workers will be made in favour of those industrial plot allottees wherein the proposed/existing fixed capital investment is \geq 20 crores or more, and
- 1.2 Number of proposed/working workers is 500 or more.
- 1.3 The rate of allotment of the land will be the prevailing rate of allotment of industrial land of industrial area concerned.
- 1.4 The allotment of land will strictly be for captive use of the allottee of industrial plot. The allotment of land will be made by the unit head with the approval of the Managing Director.
- 1.5 The land area requirement for construction of dormitories/quarters will be assessed by the Appraisal Cell based on the project report submitted at the time of seeking of land by the applicant.
- 1.6 Corporation shall not provide any infrastructure for the allotted plot and the same would be provided by the allottee at his own cost.
- 1.7 Corporation will not provide any infrastructure for sewerage disposal outside the allotted plot. The allottee will have to make its own arrangement for the disposal of sewerage.
- 1.8 The allottee will start construction of dormitory/quarters building after approval of building plans by Advisor (Infra) at HO on recommendation of Town Planning Cell.
- 1.9 Sufficient number of toilets/bathrooms/drinking point should be provided by the allottee on each floor of the building according to provisions specified in National Building Code (NBC).
- 1.10 The standing committee constituted vide office order dt. 12.01.2014 will inspect the building during its construction from time to time. In case, any discrepancy is found in building parameters and terms and conditions of allotment of land, the standing committee will suggest punitive action to be taken against the defaulter allottee.
- 1.11 After completion of building, as per the approved building plans, allottee will obtain a completion certificate from the Corporation so as to ensure that requisite facilities are provided by the allottee in the dormitory/quarters buildings for the

labours. Completion certificate will be issued by the Advisor (Infra) on recommendation of the standing committee.

- 1.12 Time extension for completion of dormitory/quarters building as per prescribed building parameters will be considered as per the provisions of rule 21 of RIICO Disposal Land Rule 1979.
- 1.13 The land allotted for construction of dormitories/quarters will not be allowed for mortgage to any financial institution.
- 1.14 The allotment of land will be on non-transferrable basis. However, in case industrial unit is sold/ transferred to other company, then sale of entire land allotted for dormitories/quarters shall be made either to the purchaser company of the industrial unit or to the other existing industrial unit which requires dormitories for their workers subject to fulfillment of minimum investment and labour criteria.
- 1.15 No sub-leasing of the built up space to the general public / workers will be allowed.

2. Punitive actions on violation of terms and condition of allotment and building parameters:

- 2.1 If the dormitory/quarter buildings are not used for captive use of the allottee of industrial plot, the allotment of land allotted for dormitories/quarters will be cancelled after following due procedure for cancellation.
- 2.2 If allotted plot is lying vacant even after expiry of scheduled period/ extended period for completion of dormitory/quarter buildings then allotment of the said plot will be cancelled after following due procedure for cancellation.
- 2.3 If the building is not constructed with the capacity to accommodate number of workers as approved when the land was allotted within the scheduled /extended period, then difference of prevailing rate of allotment of the industrial area concerned - (minus) allotment rate will be recovered.
- 2.4 In case of violation of building parameters as prescribed vide office order no. 34/2011 dt. 16.12.2011 and violation of provisions specified in National Building Code (NBC), action will be taken against the allottee as suggested by the constituted standing committee or as considered appropriate by the management of the Corporation.
- 2.5 In case of any other violation related to providing minimum infrastructure within the allotted plot, action will be taken against the allottee as suggested by the

constituted standing committee or as may be considered appropriate by the management of the Corporation.

- 2.6 The standing committee comprises of (1). Concerned Unit Head - Member Secretary (2). Concerned Head of Technical Cell (3). Manager (Planning)/DTP

3. Building Regulations:

Building Regulations for this purpose shall be the same as prescribed for 'Construction of residential Flats and Group Housing' in the 'Building Regulations' of the category as is relevant to the case in context of FORM- 'E-2' of these rules.

(Item (5) of the IDC of its meeting held on 13.05.2014 and item34 of the meeting dt 29.5.2013)

3(T). Allotment of land to Rajasthan Housing Board (RHB):

Land allotment to RHB for setting up housing colonies will be made with the approval of M.D. at the rates to be decided by M.D. in consultation with Financial Advisor of the Corporation & RHB authorities. RHB has also been exempted from payment of Security Money and annual services charges. However, development and maintenance of infrastructure in the housing colonies shall be carried out by RHB. *(Inserted as per IDC decision taken vide item 4 on 14.2.2002)*

3(U). Permitting of RIICO buildings/Community Center/Parks for development and maintenance by Association/Society in RIICO industrial areas.

The policy on the captioned subject will be as under :

- 1) The title of land / building shall remain with RIICO. RIICO will not levy any charges on the land / building being used for such facilities, however, any statutory charges/fees if applicable by virtue of operation of law, shall be paid by respective Association/ Society/ Maintenance Agency.
- 2) Construction work of Recreation Club, Community Center building shall be carried out by the respective Association/ Society subject to prior approval of building map from RIICO.
- 3) The building will be used exclusively for social activities and the expenses incurred on development of the land/ construction of building shall be borne by the Association/ Society at its own level.
- 4) Management and maintenance of the building/ park will be carried out by a managing committee constituted either by respective Association/ Society or its members under their respective constitution. However, one officer from RIICO shall be a standing member of such Committee.
- 5) Activities relating to social / public interest only would be carried out in the said building/park/center.
- 6) Bar Room, Restaurant and Guest House shall not be permitted.

- 7) All other charges such as Government Taxes, Electricity Charges, Water Charges, Telephone Charges etc. shall be borne by the concerned Association/ Society and RIICO will not be liable to make payment of such charges.
- 8) The land/building shall be used only for the purpose for which it is allotted, no similar activity/identical activity shall be permissible without prior written consent of the Corporation.
- 9) Requisite licenses/permissions required for operation of activities permitted on land shall be obtained by the respective Association/ Society at its own level and RIICO will not be responsible if any condition of license / permission is breached by them.
- 10) In case of any dispute among members of the respective Association/ Society and managing committee or any outsider, RIICO will not be made a party to such disputes and also not liable for any damages/ losses.
- 11) An undertaking shall be furnished by authorized persons on behalf of respective Association/ Society to the effect that they will abide by the terms and conditions of the allotment and also liable for all type of payments towards operational and maintenance activities of such building/ park etc.
- 12) In case of any dispute between RIICO and allottee/ user/ licensee, decision of RIICO shall be binding on such allottee/ licensee/ Association/ Society and said decision cannot be referred to Civil Court.
- 13) Before permission for use of land/ building/ park for the purpose defined above, keenness money as decided by the Corporation shall be deposited by the applicant Association/Society. In case, any amount is to be paid by RIICO to any other agency towards allotted land/ premises/ park, the amount shall be adjusted from the keenness money.
- 14) The allottee shall be bound to make functional the property within stipulated time failing which the land /premises/ park allotted/ leased shall stand reverted to RIICO and the keenness money so deposited shall stand forfeited.
- 15) RIICO will be free to take over the possession of such building/ center/ park, if, any illegal activity or any contravention of agreement/lease is found to be performed/noticed or after expiry of term of allotment/ lease/ permission.
- 16) Association/Society should be of the allottees of RIICO.
- 17) RIICO will have right to withdraw the permission, if conditions mentioned above are not complied with.
- 18) The assets shall be used only for the purpose for which it is permitted.

The Managing Director is authorized to permit/allot such building/ center/park on

the above terms and conditions to Association/Society/Agency on case to case basis. *(Inserted as per IDC decision taken vide item 6 on 8.7.2002. amended as per item 15 of the meeting 26.4.2012)*

3(V). Allotment of land to Sulabh Complexes : Land may be allotted with the approval of MD on the following broad terms for creation of Sulabh Complexes and other facilities (like drinking water huts, space for garbage collection space for construction of hand pumps, playground for children and other common facilities) required in any industrial area, by any reputed NGO or industries association with its funds and are maintained by the association or NGO as the case may be:

- (i) Title of land shall remain with RIICO (it means no charges will be taken);
- (ii) Construction of the facility shall be commenced by the allottee at its cost after approval of maps from RIICO;
- (iii) Management and maintenance of the facility shall be carried out by a committee of entrepreneurs and officers of the concerned department, which shall also include the representative of RIICO;
- (iv) The constituted committee of entrepreneurs and officers shall also decide charges, rent etc. for allowing the facility to use and will take care for keeping surroundings environmental friendly;
- (v) The facility shall be used only in public interest;
- (vi) Land shall not be used for any other purpose except for the purpose it is set apart.

(Decided by IDC vide item 3 in the meeting held on 12.08 2005)

3(W). Industrial land allotment on 'on going basis' in certain special cases in all the industrial areas.

- 1 Preferential allotment of industrial land will be made in the following cases on 'on going basis' in all the Industrial Areas, dispensing-with the requirement of inviting expression of interest/applications etc. through advertisements in newspapers:
 - 1.1 The industrial projects envisaging minimum fixed capital investment of Rs. 50 crores and unit will provide direct employment to minimum 200 persons. The cost of project means investment on land, building, plant & machinery and misc. fixed assets. However, for evaluation purposes, the cost of land and building should not exceed 30% of the total cost of the project.
 - 1.2 Projects being set up by Non Resident Indians (NRIs)/ Persons of Indian Origin (PIOs), Other Corporate Body (OCB) and also for setting up of IT Industry (Manufacturing & Software Development).
 - 1.3 Projects being set up with 33% or more Foreign Direct Investment (FDI) in

total investment.

2. The land allotments to the applicants/projects as specified above, will be made as under:
 - 2.1 Any proposal under this Rule will be submitted in the prescribed manner in Land Allotment Application Form A- Pref. alongwith Form A-III appended with this Form in these Rules. A Committee headed by Managing Director and comprising following members will have discussions on the proposal directly with the representatives of the applicant company and submit its recommendations with regard to land area requirement, proposed investment and employment to be provided by the applicant company;
 - (i) Financial Advisor or its representative not below the rank of AGM
 - (ii) CGM (BP) or its representative not below the rank of AGM.
 - (iii) CGM (Investment) or its representative not below the rank of AGM.
 - (iv) Advisor (Infra)
 - (v) General Manager (Civil) or its representative not below the rank of RM.
 - (vi) OSD (EM) or its representative not below the rank of RM
 - (vii) Unit head concerned.

(Amended as per decision taken by IDC vide item (3) of its meeting dt. 16.06.2016)
 - 2.2 The proposal will be supported with project report, relevant documents and quotations etc. duly signed by authorized person and demand draft towards the requisite keeness money and processing fee.
 - 2.3 No sale, sub-division, change in land use, transfer of plot shall be permissible before commencement of commercial production and investment of the envisaged amount have been made on the plot/land , as per the project submitted by the applicant at the time of seeking allotment of land under this rule.
 - 2.4 The allotment of land will be approved by a Sub-Committee of the Board comprising of Commissioner Industries, Commissioner (BIP), and Chairman & Managing Director, RFC and Managing Director, RIICO. The quorum of this constituted committee would be three members present in person.

3 Modalities, Explanations and definitions for the purpose of allotment under Rule 3(w):

3.1 Minimum fixed capital investment limit in case of preferential allotment of land under this Rule to the projects being set-up by NRI/PIO/OCB/FDI and IT industry shall be as under:

- (a) Upto 10,000 sqm. - ^ 10.00 crores & will provide direct employment to minimum 50 persons.
- (b) 10,001 to 20,000 sqm. land - ^ 15.00 crores and will provide direct employment to minimum 75 persons.
- (c) Above 20,000 sqm. land - ^ 30.00 crores and will provide direct employment to minimum 100 persons.

3.2 Allotment of land shall be considered subject to fulfillment of other criteria and availability of land.

3.3 Definition of NRI/PIO will be as describe in the Income Tax Act (section-6) and definition of OCB will be as under :

"Overseas Corporate Body" (OCB) means a company, partnership firm, society and other corporate body owned directly or indirectly to the extent of at least sixty percent by non-resident Indian and includes overseas trust in which not less than sixty percent beneficial interest is held by non-resident Indian directly or indirectly but irrevocably and which was in existence on the date of commencement of the Foreign Exchange Management (Withdrawal of General Permission to Overseas Corporate Bodies (OCBs) Regulations, 2003 (the Regulations) and immediately prior to such commencement was eligible to undertake transactions pursuant to the general permission granted under the Regulations".

3.4 In case of NRI, PIO and OCB, the entire amount of premium has to be remitted either through NREAccount of the applicant or remittance from abroad/in foreign exchange, as the case may be.

3.5 Processing Fee - The applicant will be required to pay processing fee with the application as under:-

- (a) Having project cost upto ^ 20 Crores - ^ 10,000/-
- (b) Having project cost more than ^ 20 Crores- ^ 20,000/-

However, this process fee shall not be refunded in any case.

- 3.6 Keeness Money** - The keeness money will be the 10% amount of premium calculated at prevailing rate of allotment of the industrial area concerned. This amount will be deposited under the head of advance from the Customers in books of RIICO. In case of rejection of the application, the amount of keeness money will be refunded without any interest.
- 3.7** No allotment under this Rule will be made before the industrial area is opened/notified for general allotment.
- 3.8 Rate of allotment** - Allotment will be considered on highest auction rate received for industrial plot in the saturated industrial area concerned, in the last one year or prevailing rate of allotment of the industrial area, whichever is higher. If highest auction rate received is more than one year old but not more than 5 years, then it is to be updated by adding 14% interest per annum up to the date of allotment.

If no auction has been conducted in the industrial area or the auction was done 5 years prior to the date of receiving application, then rate of allotment shall be fixed by the Reserve Price Fixing Committee headed by MD.

In unsaturated industrial areas, rate of allotment will be the prevailing rate of allotment of the industrial area concerned.

- 3.9 Back end Subsidy/Incentives** - For the allotments made after 01.01.2014, back-end subsidy/incentive will be given to the allottee @ 25% of the total amount of premium after commencement of production activity with the proposed fixed capital investment in the scheduled time period subject to fulfillment of other terms and condition of allotment letter/lease deed.
- 3.10 Period for payment of balance 75% amount of premium** - Balance 75% amount of premium of land will be paid within 120 days from the date of issuance of allotment letter. (Facility to pay the balance 75% amount of premium in installments will not be allowed.)
- 3.11 Time extension for deposition of 75% amount of premium** - Time extension for payment beyond 120 days will be considered by the Managing Director on merit upto 180 days on payment of interest at **the applicable rate**.
- 3.12 Time extension for overdue installments in cases of old allottees which were allowed deferred payment:**
- (i) Unit head will consider regularization of delay for maximum two overdue installments with interest for the default period.

- (ii) Managing Director will have full powers to regularize the delay in payment of overdue installment(s) with interest or may grant time extension from the due date with interest depending upon the merit of the case.

3.13 Time limit for commencement of production: 3 years to be reckoned from the date of allotment and shall be specified in the letter of allotment.

3.14 Situations for time extension for commencement of production without retention charges:

Time extension will be considered by the Managing Director on merit of the case without any charges in the following situations:

- (i) Possession of plot could not be handed over by RIICO free from encumbrances.
- (ii) Delay in obtaining Environment Clearance by the Corporation for the industrial area concerned or delay in obtaining Environment Clearance by the allottee subject to condition that the allottee having fulfilled all requirements for obtaining Environment Clearance.
- (iii) Construction could not be commenced due to court stay/pending litigation.
- (iv) The plot is affected substantially due to passing of high tension power line
- (v) The plot is substantially affected due to passing of water pipe line.
- (vi) All such eventualities which prevent allottee to undertake the work on allotted plot. *(Inserted as per item 4 dated 11.5.2015)*

3.15 Time extension on payment of charges for commencement of production:

Time extension will be considered by the Managing Director, in following situations, for allotments made upto 31.12.2013, on payment of charges prescribed as under:

- (i) **Situation where in unit is in construction/production and investment is less than proposed/committed :** Time extension for a period upto 2 years from the scheduled date will be considered on payment of additional cost of land per quarter or part thereof calculated as under:

A= factor of shortfall in committed investment

B= Proposed /Committed Investment

C= investment made up-to the scheduled date.

Q= No. of quarters for which time extension is being sought or to be regularized.

A= $\frac{B-C}{Q}$

B

Additional cost of land = $A \times Q/8 \times \text{Area of plot} \times (\text{prevailing rate of allotment of the industrial area} - \text{the rate of allotment of the plot})$.

Further time extension beyond 2 years, will be considered on merit and on payment of retention charges @ 1.5% per quarter of the prevailing rate of allotment of industrial area concerned.

- (ii) **Situation where in unit is under construction but investment is more than the committed:** Time extension for commencement of production will be considered on payment of retention charges @ 0.5% per quarter of the prevailing rate of allotment of industrial area concerned.
- (iii) **For Allotments made after 01.01.2014:** Time extension for commencement of production will be considered by the Managing Director on payment of retention charges @ 1% per quarter of the prevailing industrial rate of industrial area concerned, maximum upto 1 year from the stipulated date of commencement of production. In such cases, no time extension shall be permissible beyond 1 year.

3.16 **Cancellation approving authority:** Any cancellation of allotment made under this Rule shall only be made with prior approval of the Managing Director.

3.17 **Appeal:** Appeal against cancellation shall lie before the Chairman, RIICO in accordance with Rule 24 (2) (b)

3.18 Lump sum penalty of ₹ 50,000/- per annum will be charged in cases where unit in production, investment is equal to or more than committed but water harvesting structure is not constructed:

3.19 **Change of Product:**

Managing Director is hereby authorized to approve change of product as per merit of the case after appraisal of the revised project submitted by the allottee subject to the condition that new project meets the criterion of minimum fixed capital investment limit as per the policy/norms prevalent at the time of allotment of land. Processing fees of ₹ 50,000/- will be charged for considering such request.

(Substituted as per approval of the IDC on agenda item (3) of its meeting held on 04.02.2014)

3(X). Allotment of land for setting-up of Private Universities in RIICO industrial areas.

- (i) The Town Planning Cell would plan / earmark a plot / chunk of 30 acres (minimum) of land in industrial area after assessing potential of the area

vis-a-vis setting up of private universities. Land for setting-up of university would be planned as per the availability of land and suitability of the place for the purpose. However, while planning land for University(s) it may be a guiding factor to plan land for technical and vocational institutions also nearby the university campus.

- ii) Land allotment applications from the interested sponsoring bodies would be invited after informing the plot availability in the area for the purpose, through a press release in minimum two newspapers including one newspaper of national level.
- iii) The interested sponsoring body would submit application along with keenness money of ₹ 5.00 lacs and letter of intent issued by the State Government. The keenness money would be refunded without interest after commencement of functioning of the University or the Corporation rejects application for land allotment. Otherwise the keenness money would be forfeited.
- iv) The land allotment will be made at the basic rate of the concerned industrial area, allowing 35% up-front discount on the basic rate, with a rider that the above mentioned rebate will be admissible up to 30 acres of land area, which being the minimum land area requirement for such projects. In other words, in those cases wherein land allotment is of more than 30 acres, the above rebate will not be admissible for the land area exceeding 30 acres. Moreover, no additional rebate will be admissible in such cases on any account such as large sized investment rebate, cash down payment rebate etc.
- v) Wherever, RIICO develops dedicated industrial area for institutions/universities alone without any allotment to industry in such area, land could also be allotted on undeveloped basis at price worked out as premium at current value plus 20% amount of premium at current value as administrative charges.
- vi) Applications so received would be placed before a Committee of Financial Advisor, GM (BP), Advisor (Infra) and unit head, concerned under the Chairmanship of MD for approval of allotment.
- vii) On approval of allotment, 25% amount of premium shall be deposited by the applicant within 30 days from the date of issue of offer. However, keenness money would not be adjusted. Payment of balance 75% amount of premium shall be made in the similar manner as in case of

industrial plot. Policy about time extension, levy of service charges and economic rent would be at par with the policy applicable for industrial plots.

- viii) The sponsoring body should take effective steps to the satisfaction of the State Government/RIICO within two years of allotment, otherwise land allotment would be cancelled and keenness money would be forfeited.
- ix) In the university campus residential blocks including staff quarters and hostel etc. would be allowed on the basis of actual needs.

(Inserted as per IDC decision taken vide item 20 on 30.04.2007 and further modified as per observation made by IDC vide item 2 of its meeting held on 24.7.2007 & item 7 of its meeting held on 16.11.2007)

3(Y) ALLOTMENT OF LAND TO THE PRIVATE DEVELOPERS FOR THE PURPOSE OF DEVELOPMENT OF IT COMPLEX/CAMPUS

1. IT COMPLEX / CAMPUS DEFINED:

Permissible Units/Activities in IT Complex/Campus are as under:

- (i) IT Industries, IT enabled Services (ITeS) as defined in the relevant notifications issued by the State Government/GoI.
- (ii) Robotics, Nano Technology, Mobile Computing, Mobile Communications, other frontier technologies.
- (iii) Chip Manufacturing.
- (iv) IT related Research and Development facilities.
- (v) Or any other activities as may be notified from time to time by the IT Department of GoR/GoI.

2. PRE CONDITIONS FOR LAND ALLOTMENT:

- (i) There must be an Anchor Unit.
- (ii) Minimum Land Area Requirement will be of 10 acres.

3. WHO CAN APPLY:

- (i) Individual anchor unit and/or a developer can apply for allotment of land. The minimum area requirement is of 10 acres of land.
- (ii) If a developer is seeking allotment of land to develop an IT Complex/Campus then there shall have to be an arrangement of an anchor unit coming up in the IT Complex/Campus to the satisfaction of RIICO. Such an anchor unit shall utilize at least 30% of the total constructed area of

the complex/campus for its own use as well as its vendors/subsidiaries/ancillaries. An undertaking by the anchor unit to this effect if not accompanied with the application must be submitted within 60 days of the 'in principle' approval conveyed by RIICO.

4 HOW TO APPLY:

Project proposals should specify the following:-

- (a) The area requirement and its utilization proposals i.e. indicative areas proposed to be put under different uses/components of the Complex/Campus based on the 'Concept Plan'.
- (b) Total project cost including land cost, cost of internal development of the campus, construction cost of buildings etc.
- (c) Means and modes of financing.
- (d) Time schedule of development program i.e. the development targets set to be achieved over a period of time.
- (e) Proof of financial soundness.
- (f) Experience in the field of infrastructure development or urban development projects. Details of same may be furnished.
- (g) In the case of an Anchor unit, detailed project profile and details of such projects developed elsewhere, if any and details of the vendors proposed to be brought in the complex/campus.
- (h) Details of expected generation of employment by the project.
- (i) Any other information the applicant deems relevant for the project may also be furnished..

5. PROCEDURE OF ALLOTMENT AND TERMS OF PRE-REQUISITE PAYMENTS:

- i) The land will be allotted on reserve rate applicable which will be fixed by the competent committee of the Corporation constituted for the purpose under the chairmanship of the Managing Director, having Advisor (Infra), Advisor (A&M) and FAAs its other members.
- ii) Expression of interest will be invited from the interested anchor units/developers by way of releasing an advertisement in the News Papers, as per the laid down procedure. The expression of interest will be invited for the purpose of adjudging technical qualifications of the applicant. If there are more than one technically qualified applicants then there will be financial bidding held between/amongst the technically qualified

applicants.

- iii) The proposals will be examined by the above Committee and RIICO will allot land on such terms and conditions as stipulated by the Committee in addition to the standard terms and conditions of allotment as laid down in RIICO Disposal of Land Rules, 1979.
- iv) After approval of the project in-principle the applicant will be required to deposit 25% amount of premium and 1% of the amount of premium as security money, within 60 days from the date of communication of the approval.
- v) In case the applicant fails to deposit 25% amount of premium of land and the security money, as envisaged above within the stipulated period extension of 30 days could be allowed with interest chargeable at the prevailing rate, from the date of communication of approval. This extension will be subject to the condition that the applicant must inform RIICO regarding extension within 60 days otherwise the approval shall lapse, automatically.

**The balance amount of premium of the land will be paid as provided in RIICO Disposal of Land Rules, 1979.*

6. PERIOD OF PROJECT IMPLEMENTATION:

The project will be completed within a period of three years from the date of possession or execution of lease deed, whichever is earlier. However, the allottee must achieve the following milestones related to the project implementation:

- i) First year : Construction upto the extent of 20% eligible FAR
- ii) Second year : Construction upto the extent of 40% eligible FAR
- iii) Third year : Construction upto the extent of 75% eligible FAR

** Extension for another three years could be given provided that 50% of project area of the Complex excluding housing, commercial and recreational components has been implemented.*

7. BROADBUILDING PARAMETERS:

Building parameters will be as per the Form 'E-1' under the 'Building Regulations' as appended to the rules, which relates to IT/IteS buildings.

8. SUB LEASING:

The developer and the anchor unit will have the freedom of renting and sub-

leasing, both built up space and / or land, subject to the condition that such renting and sub-leasing will only be permitted for the purposes defined at serial no. 4(a) above Other terms & conditions of sub-leasing/renting will be as under:

- i) No separate permission/charges for sub-leasing built up space and/or land will be required.
- ii) Building construction of the IT Complex will be done as per the RIICO Buildings Parameters related to IT Complexes. The Complex may also house commercial, recreational, residential facilities for sub-leasing to the extent permitted in RIICO building parameters related to IT Complexes.
- iii) Sub-lease period will not exceed the remaining period available to the original plot allottee.
- iv) It is primarily the land allottee / prime lessee who will be required to pay all dues / annual charges eg. Service Charges and Economic Rent etc. to RIICO. If the sub lessees are made to pay the above annual charges to RIICO then the allottee will put a condition to this effect in the sublease. Without such condition the sublease will not be treated as valid. A suitable provision / clause regulating the above arrangement will also be inserted in the lease deed to be executed with the land allottee.
- v) Common facility area will be maintained by the developer or through any agency approved by it, for which the developer may levy suitable charges on the users.
- vi) Lessor (RIICO) will provide only outer infrastructure as per the development scheme of the concerned industrial area. Internal development of the IT campus will be the sole responsibility of the allottee / lessee as per plans approved by RIICO.
- vii) Rights and liabilities between the lessee (allottee) and sub-lessee will be determined amongst themselves and these will not be binding on RIICO in any manner. However such mutual rights and liabilities will have to conform to the rules and regulations of RIICO and terms and conditions of such allotment of land etc.
- viii) RIICO will not be answerable/ responsible for any dispute arising between lessee and sub-lessee.

3(Z). ALLOTMENT OF LAND FOR DEVELOPING AFFORDABLE AND LOW COST GROUP HOUSING IN THE INDUSTRIAL AREAS.

1. Invitation for expression of interest

Expression of Interest for developing Affordable and Low Cost Group Housing Colonies will be invited for the land allotment . The land will be allotted to eligible applicants as per the Policy of the Corporation i.e. Policy for land allotment for development of Affordable and Low Cost Group Housing.

2. Format for the land and other broad details:

S. No.	Location / Industrial Area	Land Area available (In Acres)	Reserve Price Rate / Sq. Mtr.	Concerned Offices

3. Application Criteria:

- † A Company engaged in the Business of Infrastructure Development with a minimum experience of 3 years in the same.
- † Preference will be given to applicants who have developed Group Housing for other Government Agencies in any State.
- † The average annual turnover of the Company should be of Rs. 200 Crores .

4. Applicants to submit proposal including:

- † Concept Plan.
- † Proof of Financial Soundness, capacity to execute.
- † Means of financing, implementation schedule.
- † Experience in the field of infrastructure / urban development.
- † Last 3 years Balance Sheet copies.

5. Procedure of Land Allotment:

- † All applicants would be adjudged on the basis of their application and their eligibility for the Project.
- † Only the technically approved candidates passing the eligibility criteria, as mentioned in Clause (3) and (4), above, will be invited to give a Presentation on their Project / Development Plan.

6. Project Implementation Period:

The project will be completed within a period of three years from the date of possession or execution of lease deed, whichever is earlier. Completion of the project means that construction of the flatted complex ready for the use by achieving atleast 20% of the permitted FAR.

7. Building regulations and parameters :

Building Regulations for this purpose shall be the same as prescribed under the head 'construction of residential Flats and Group Housing' in the 'Building Regualtions' of the category as is relevant to the case in context of FORM- 'E-2' of these rules.

8. Payment Terms:

- † An earnest Money @ 2% Of the total premium of the land to be submitted along with the application. The same will be refunded interest-free to the applicants who do not pass the eligibility criteria.
- † Eligible applicants will be required to deposit before making the presentation, 10% of the total amount of premium (after adjusting the earnest money).
- † All money paid by the rejected applicants will be refunded interest-free.
- † The money paid by the selected /approved applicants will be adjusted in final payment to be made by them.
- † After the in principle approval, selected applicants will be required to deposit 25% amount of premium within 30 days of the approval (LOI of the same will be issued).
- † Balance 75% will be deposited by the selected applicants within 90 days of the allotment letter issued (after adjusting the earnest money and 10% paid). The possession of land will be given after

receipt of 100% payment.

- † No payment will be allowed in instalments.
- † In case of any default by the selected applicants, all amounts already paid, shall be forfeited.

9. Development Details:

- † The selected applicants would be required to develop the Affordable and Low Cost Group Housing as per the guidelines mentioned in Affordable Housing Policy 2009 of the State Government
- † The work can be started by the developer immediately on receiving the possession of the land.
- † Sanctioning of Plans would be on self certification basis, duly approved by the Govt. Recognized Chartered Engineers.
- † Sewage, water and electricity connection shall be facilitated by the Corporation as per the existing policies.
- † Clearance from Fire, Environment and Airport Authority of India (If required) shall be taken by the developers directly. However, any assistance support required on the same will be provided.

10. Application Forms:

To be submitted at the unit office. Selection of the builder by the Committee of HO headed by the MD.

11. Subleasing of the built- up space :

The builder will have the freedom of sub-leasing the built up dwelling units and other built up space created for the supportive use on the following terms & conditions:

- i. No separate permission/charges for sub-leasing the built up space will be required.
- ii. Building construction of the Flatted Complex will be done as per the RIICO Buildings Parameters related to the Group Housing. The Complex may also house commercial, recreational, facilities for sub-leasing to the extent permitted in RIICO building parameters related to the Group Housing.
- iii. Sub-lease period will not exceed the remaining period available to the original plot allottee.

- iv. It is primarily the land allottee / prime lessee who will be required to pay all dues / annual charges eg. Service Charges and Economic Rent etc. to RIICO. If the sub lessees are made to pay the above annual charges to RIICO then the allottee will put a condition to this effect in the sublease. Without such condition the sublease will not be treated as valid. Asuitable provision / clause regulating the above arrangement will also be inserted in the lease deed to be executed with the land allottee.
- v. Common facility area will be maintained by the developer or through any agency approved by it, for which the developer may levy suitable charges on the users.
- vi. Lessor (RIICO) will provide only outer infrastructure as per the development scheme of the concerned industrial area. Internal development of the Complex will be the sole responsibility of the allottee / lessee as per plans approved by RIICO.
- vii. Rights and liabilities between the lessee (allottee) and sub-lessee will be determined amongst themselves and these will not be binding on RIICO in any manner. However such mutual rights and liabilities will have to conform to the rules and regulations of RIICO and terms and conditions of such allotment of land etc
- viii. RIICO will not be answerable/ responsible for any dispute arising between lessee and sub-lessee.
(Inserted as per approval by the BOD vide item 18 of its meeting held on 19.3.2010)

3(AA) Allotment of Land at concessional rates for setting up of training centres/ institutes, to the Societies, Trusts, Non Profit Earning Companies (Companies registered under Section 25 of Companies Act) and also to the State/Central Government Organizations.

Land measuring upto 4000 sq. mtr maximum, can be allotted to the specific applicants for setting up of a training centre/ institute as under:-

- a) The land for the above purpose will be allotted to the Societies, Trusts, Non profit earning Companies or to the State/Central Government Organizations only having objective to impart training for promoting skill of their members, having facility of Training Hall, Library, Mini Test Laboratory, Audiovisual Auditorium, Computer Training etc.
- b) Initial 1000 sqm. land will be allotted @ 25% of the prevailing rate

of allotment of the industrial area concerned and land over and above 1000 sq. mtr will be allotted @ 50% of the prevailing rate of allotment of the industrial area concerned.

- c) The allotment will be made with the specific condition that the allottee will commence construction within a period of 6 months, and will make the training institute functional within a period of 2 years from the date of the land allotment after completing the requisite quantum of construction. General provisions of the RIICO Disposal of Land Rules, 1979 will also be applicable to such allotments.
- d) The allotment of land will be made on non transferable basis and any subsequent request for change in land use will not be entertained
- e) In the eventuality the allottee not adhering to the time schedule prescribed as above for setting up of the centre/institute, the Corporation will be at liberty to cancel the allotment and accordingly, the land will get reverted back to the Corporation.
- f) The Managing Director is authorized to approve the allotment of the land for such Training Centers/ institutes on merits of each case.
(Inserted as per approval of the IDC vide item no. 5 of its meeting held on 18.10.2010)

3(AB): Reservation of land in industrial areas not launched,:

1. "Letter of Reservation" will be issued for allotment of industrial land in the industrial areas which fulfill following conditions:-
 - (a) The possession of land is already available with the Corporation.
 - (b) The planning of the area has been approved by the competent authority and
 - (c) Application has been made for obtaining Environmental Clearance (EC), wherever applicable.
2. **Provisions for above Reservation of the Land will be as under :**
 - (I) Reservation Letter will be issued for projects envisaging minimum fixed capital investment of Rs. 50.00 crores irrespective of type of industry.
 - (II) Before considering reservation proposals an advertisement will be issued in one national daily and one state daily news paper for wide

publicity about area for which applications for reservation will be received. The advertisement shall also give details about the name of area, keenness amount, available land area, nature of permissible industries etc.

- (III) Any application received before issuance of public notice shall not be entertained.
- (IV) Such applications should be accompanied with keenness money of 10% of the premium calculated on the prevailing rate of allotment, if fixed. In case where rate of allotment has not been fixed, 10% of the premium calculated on the prevailing rate of allotment of nearby industrial area be deposited.
- (V) It shall be mentioned in the reservation letter that final rate of allotment of land shall be decided at the time of issuance of letter of allotment and the 10% keenness money deposited by applicant will be provisional and shall be adjusted against the final cost of land.
- (VI) Validation of the presumptions of the application about the land requirement, likely investment in the proposed project, suitability of the proposed project in the area concerned etc. will be done in-house as is done in the cases of land allotment under rule 3(W).
- (VII) The cases will be placed before the IDC for approving issuance of Letter of Reservation.
- (VIII) "Letter of Reservation" will be considered only upto 50% of the saleable area of the industrial area concerned.
- (IX) The "Letter of Allotment" will be issued after opening of the industrial area for land allotment.
- (X) Possession of the land will be handed over only after opening of the industrial area for allotment.

(Inserted as per item 15 of the meeting dt. 13.8.2012)

Note:

All such cases for allotment of industrial, other than industrial, Commercial and residential plots in any industrial area at a rate below prevailing rate of allotment in the industrial area would be placed before IDC for decision. However this would not apply to the land for public purposes where the existing rules provide for allotment at token/ nominal charges. *(Inserted as per IDC decision taken vide item 11 on 25.04.2005)*

4. SECURITY DEPOSIT

(i) Security Deposit shall be made in the form of Bank Draft or Bankers Cheque drawn in favour of "RIICO Ltd.", @ 1% of the total cost of land, subject to minimum of ₹ 2500/-.

(ii) However, relaxation may be allowed for the Security Deposit in the cases wherein land has been specially acquired on requisition, for big projects, where Promoters have deposited earnest money.

(Substituted as per IDC decisions taken vide item 23 & 13 on 21.2.98 & 19.12.94 respectively)

5. RESERVATION / PUBLIC AUCTION

The Corporation shall have the right to reserve certain plots/ land in the industrial area that it may dispose of by public auction or by entertaining individual applications. The terms and conditions governing plot auction shall generally be as laid down by the Corporation as it may deem fit from time to time.

6. USE OF PLOT

The plot shall be used for factory erection for industrial production and other purposes as may be permitted by the Corporation.

7. OBNOXIOUS INDUSTRIES

The industries that are not obnoxious and have no effluent problem will be permitted. A list of obnoxious industries is given at Form 'B'.

8. POSSESSION

(i) **In the cases of cash down payments (payment with in 120 days of the land allotment)**, after making payment of full amount of premium, physical possession of the allotted plot shall be taken by the allottee within 30 days from the actual date of such payments.

(ii) However, in exceptional cases Managing Director may allow to hand over possession of the industrial plots before payment of full amount of premium.

(iii) In case of payment of balance 75% amount of premium in installments, possession of the plot shall be taken over within 30 days from the date of allotment.

(iv) It shall be necessary that the allottee will take physical possession of the plot within the above specified or the extended time period. For this, an intimation by a registered A.D. post or by a courier will be

sent to the allottee, to the effect that allotment will be cancelled if the allottee does not turn up for taking physical possession of the allotted plot within the specified time period.

Note : After taking physical possession of the plot as above the allottee will be required to raise boundary wall/fencing within 6 months from the date of the physical possession. During this period, if any dispute regarding unauthorized possession/encumbrances over the allotted land etc. is found, will have to be reported by registered post alongwith full details to the unit office concerned. In case, the dispute as cited above is not reported within the above period, then the subsequent request of the allottee for waiver of any charges will not be entertained.

(Substituted as per IDC decisions taken vide item 23, 24, 16, 5&22 and 14 on 21.2.98, 29.12.99, 25.2.2000, 13.11.2000 and 16.12.2000 respectively.

Amended as per item 24 of the meeting held on 10.2.2010. Inserted as per item 2 of the meeting 29.5.2013, amended vide item (4) of IDC meeting dt. 17.12.2015)

9. PERIOD OF LEASE AND ECONOMIC RENT

The lease will be granted for a period of ninety-nine years on payment of annual economic rent that may be prescribed by the Corporation from time to time. The lease period shall commence from the allotment date and obligations & liabilities under lease agreement shall be deemed to have commenced from that date. The economic rent shall be paid within 120 days from the land allotment date for current financial year. For subsequent financial years economic rent shall become due on 1st April of the year and be paid in advance by 31st July of every year. Interest on outstanding economic rent if any, shall be recovered from the due date as per rules.

(Substituted as per IDC decision taken vide item 11 on 03.06.2000, amended vide item (4) of IDC meeting dt. 17.12.2015)

9 (A). Renewal of lease period in respect of transferred industrial areas and estates:

In the transferred industrial areas and estates the lease period may be extended for a further period of 69 years from the expiry date of 30 years period, subject to payment of economic rent, service charges and other land dues and furnishing an undertaking on a non-judicial stamp paper, that the lessee shall abide by the RIICO Disposal of Land Rules, 1979. This shall be applicable only in those cases where the lease period has been specified as 30 years. The period will be reckoned from the date of lease deed execution.

(Substituted as per IDC decision taken vide item 11 on 28.06.1997)

10. REVISION OF ECONOMIC RENT

The Corporation reserves the right to revise the rate of economic rent in every 5 years provided however, the rent enhancement at each revision shall not exceed 25% of the rent payable for the period immediately preceding the revision. The quantum of rent determined by the Corporation shall be final, conclusive and binding on the allottee and it shall not be questioned in any court of law or otherwise.

Prevailing rates of Economic Rent are available at Form 'F'. Guidelines for levy of one time economic rent can be seen at Form 'F-1'.

11. TERMS AND CONDITIONS OF LEASE

The allottee shall abide by the terms and conditions of lease agreement and other terms as laid down by the Corporation from time to time. The lease deed shall be executed in Form 'C' within 90 days from the date of full development charges paid. In cases of allotment on instalment basis lease deed shall be executed in Form 'D' within 90 days from the allotment date. Sr. DGM/ Sr. RM/ RM may also allow lease deed execution before payment of balance development charges. No retention charges will be levied in granting extension for lease deed execution. The original lease deed where full development charges have been paid may be allowed for mortgaging or may be handed over to the allottee as per Form 'G'. *(Amended as per IDC decision taken vide item 9 on 17.06.1994)* In case of allotment on instalment basis or lease deed executed without payment of full development charges, the original lease deed may be sent to financial institutions if so requested, with the condition that, balance development charges shall be remitted to the Corporation by the financial institutions if the lessee fails to pay instalment(s)/ balance development charges in time. In case the Financial Institution does not remit the due amount, the Corporation shall have the right to resume possession of the land irrespective of first charge of the Financial Institution. *(Inserted as per IDC decision taken vide item 24 on 29.12.1999)*

12. TERMS OF PAYMENT OF PREMIUM:

The applicant / allottee shall pay the premium at the rate prescribed by the Corporation for each industrial area from time to time. Charges for making available electricity and water up-to main roads may be levied extra. The Corporation reserves the right to enhance the rate of allotment of

industrial area if any competent court enhances the compensation payable under an award subsequently.

12 (1)- For land allotments without auction:

- † 25% amount of premium as pre-requisite amount alongwith the application form for the land allotment.
- † Balance 75% amount of premium with in 120 days time, from the date of allotment without interest.

12 (2)- For land allotments through the process of auction:

Payment of balance 75% amount of premium in installments of the plots to be allotted for industrial/ commercial/residential purpose through auction (Sealed Bids), as under:

- a. **If the land cost is upto ^ 1.00 crore:** Balance 75% amount of premium will be paid in three equal quarterly installments with interest (at the rate as may be prescribed from time to time).
- b. **If the land cost is above ^ 1.00 crore:** Balance 75% amount of premium land will be paid in seven equal quarterly installments with interest (at the rate as may be prescribed from time to time).
- c. Other terms and conditions shall be as under:
 - (i) The first installment shall become due on fixed date falling after 4 months from the allotment date and interest shall be charged from 121st day of allotment. Fixed dates for payments of installment with interest shall be 31st March, 30th June, 30th Sep. and 31st Dec. of the year.
 - (ii) The installment shall be paid on due date (as mentioned above) along with interest to be calculated on remaining amount of premium on due date. In case of default in installment payment, further interest at the rate i.e higher by 2% over & above the normal rate shall be levied on due principal amount of installment from the due date of installment till the date of payment. While depositing the amount, payable interest shall be adjusted/ deposited first.

d. The allottee may opt to pay balance 75% amount of premium within 120 days of the land allotment for which no interest will be charged. *(Lastly amended as per item 3 of the meeting dt. 4.1.2013. Amended vide item (8) in its meeting held on 27.10.2014)*

- 12 (3)** (a) The Chairman and Managing Director may allow payment of balance 75% amount of premium of industrial plot in three equal quarterly instalments, without interest in case the allotment is made before the industrial area is declared as developed.
- (b) Managing Director is authorized to allow installment facilities on the lines as laid down in the rule 12(2) above, for normal allotment of industrial plots in those unsaturated areas which are not fast growing and the pace of allotment is very slow. However, such decisions, if any, will be placed before the IDC for information
(Inserted as per IDC decision taken vide item 12 on 25.02.2000)

12(4) For plot allotments through auction, the charges shall be paid as per the terms & conditions of auction.
(Substituted as per IDC decision taken vide item 6 on 22.03.2000)

12(A) Additional charges for corner plots:

- (i). If a corner plot measuring up-to 4000 sqm. is proposed for allotment, additional charges @ 10% of the rate of allotment as corner charges shall be charged for corner plot. For corner plots measuring more than 4000 sqm., which may not be available for allotment in the industrial area, no corner charges shall be levied if the corner plot of the required size is planned by clubbing corner plot(s) measuring less than 4000 sqm. However, if the desired plot size is available for allotment but the allottee / applicant prefers a particular plot by clubbing of smaller corner plot(s), in such cases, charges for corner plots will be levied limited to the originally planned corner plot(s).
- (ii) The concession to the allottees of concessional categories shall be allowed on the total cost of land of the plot including corner charges.
- (iii) If a plot proposed for allotment upto 4000 sqm. is constituted by clubbing corner plot with non-corner plot, corner charges shall be levied on the area of corner plot as per original lay out plan.

- (iv) Corner charges on the non-cornered plots which have been carved out by sub-division of large size corner plot will not be levied. Large size corner plot shall be sub-divided only when required size of plot is not available in the area.
- (v) Corner charges will be levied only when more than one plot of any size has been planned. Isolated plots will not be subjected to corner charges.

(Substituted as per IDC decision taken vide item 19 on 5th July 2000 and item 11 on 25.01.2001)

12(B) Allotment of 'Strip of Land' will be made as under :

12(B-1): Definition of "Strip of Land"

- (i) A "strip of land" shall mean a piece of land adjoining one or more existing plots which cannot be put to independent use either because it cannot be planned as an independent plot in conformity with the town planning norms or because there can be no approach to such piece of land.
- (ii) Any land in possession of an allottee which is in excess of the land actually allotted by the Corporation shall also be deemed to be a strip of land subject to fulfillment of stipulations mentioned in clause (i) above.

12(B-2): Conditions and modes of disposal of 'strips of land':

- (i) (a) All allotments of strip of land shall be made only for the purpose for which the original plot of the allottee was allotted.
- (b) Allotment/Regularization of strip of land/excess land will be done only once for any allotted plot.
- (ii) Where any strip of land is so located that it can be used by the lessee of only one adjoining plot, such strip of land shall be disposed of by allotment to the lessee of the adjoining plot.
- (iii) In above cases, the allotment/regularization of the strip of land/excess land shall be made as per the following:

(Inserted as per item 13 of the meeting 26.4.2012)

S. No	Category	Rate on which Strip of land/excess land to be allotted/ regularised			Authority
		Industrial/ Institutional	Residential	Commercial	
1.	Where the strip of land/excess land in possession is up to 5% of the total area allotted originally.	At the allotment rate with simple interest @ 12% per annum OR prevailing rate of allotment of the industrial area concerned, whichever is higher.	At the allotment rate with simple interest @ 12% per annum OR prevailing rate of allotment of the housing colony OR 2 times of the prevailing rate of allotment of industrial area concerned, whichever is higher.	At the allotment rate with simple interest @ 12% per annum OR 4 times of prevailing rate of allotment of the industrial area concerned, whichever is higher	Unit Head
2.	Where the strip of land/excess land in possession is more than 5% but up to 10% of the total area allotted originally.	For the first 5% as in (1) above and for the additional land beyond 5% and up to 10% - At the allotment rate with simple interest @ 12% per annum OR 1.25 times of the prevailing rate of allotment of the industrial area concerned, whichever is higher.	For the first 5% as in (1) above and for the additional land beyond 5% and up to 10% - At the allotment rate with simple interest @ 12% per annum OR 1.25 times of the prevailing rate of allotment of the housing colony OR 2.5 times of the prevailing rate of allotment of industrial area concerned, whichever is higher.	For the first 5% as in (1) above and for the additional land beyond 5% and up to 10% - At the allotment rate with simple interest @ 12% per annum OR 5 times of the prevailing rate of allotment of the industrial area concerned, whichever is higher.	Unit Head

3.	Where the strip of land/excess land in possession is more than 10% of the total area allotted originally.	For the First 10% as in (1) and (2) above and for the additional land beyond 10% - At the allotment rate with simple interest @ 12% per annum OR 1.5 times of prevailing rate of allotment of the industrial area concerned, whichever is higher.	For the First 10% as in (1) and (2) above and for the additional land beyond 10% - At the allotment rate with simple interest @ 12% per annum OR 1.50 times of the prevailing rate of allotment of the housing colony OR 3 times of the prevailing rate of allotment of industrial area concerned, whichever is higher.	For the First 10% as in (1) and (2) above and for the additional land beyond 10% - At the allotment rate with simple interest @ 12% per annum OR 6 times of the prevailing rate of allotment of the industrial area concerned, whichever is higher.	MD
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- (iv) Where any vacant strip of land is so located that it can be used by the lessees of more than one adjoining plots, such strip of land shall be disposed of by a limited bidding (Sealed) between the lessees of all the adjoining plots. For this purpose, the reserve rate of auction will be decided by the competent committee as per their delegation. The strip of land will be allotted to the highest bidder. However, in such auction, if single bid is received than the strip of land shall be allotted by the Unit Head to the bidder at the rate offered by the single bidder subject to condition that the offer rate will not be less than the reserve rate.
- (v) Before disposing of any strip of land, the building line shall be marked which shall be maintained.
- (vi) No strip of land shall be allotted/ auctioned, if , it endangers the public safety or is against traffic regulation.

Service Charges for the Strip of Land/Excess land allotted/regularized shall be recovered as per the prevailing rate of Service Charges applicable on the date of allotment/regularization.

(vii) A supplementary lease deed will be executed for the strip of land/excess land allotted/regularized and the stamp duty shall be paid by the lessee.

u No excess land/strip of land will be allotted/regularized in ROW of road.

(Existing provisions substituted by the amended provisions as per approval accorded by the Infrastructure Development Committee of the Board of Directors vide item (18) of its meeting held on 05.8.2008 . amended as per item 5 of the meeting held on 4.1.2013) (Amended as per item 3 of the meeting 07.10.2014)

12C Policy for refund of amount of premium on account of short area for all types of allotted plots:

In cases where the land is found less than the area as per the lease deed/physical possession, then the deposited amount due to short land would be refunded without approval of HO, alongwith interest (w.e.f. 01st Nov. 2003) as under:

(i)	If amount remains with the Corporation for a period less than one year.	@ 5.5 % per annum
(ii)	If amount remains with the Corporation for a period of one year and above	@ 6.0 % per annum

(Amended as per IDC decision taken vide item 5 on 12.8.2005)

Note:

1. The date of development shall be determined by the concerned Sr.DGM/ SRM/ RM whose decision in this respect shall be final. The industrial area shall be considered as developed only after availability of road, water supply, power supply and adequate street light.
2. In case where the allotments are made prior to development of the area, lease agreement shall be executed within 30 days from the date the area is declared developed and the concerned Sr.DGM/SRM/RM thereof gives notice. *(Inserted as per IDC decision taken vide item 11 on 21.02.1998 and office order No. IPI/F-1(9)2/82 dated 29th October, 2003)*

13. RE - SCHEDULEMENT OF INSTALMENT

The Chairman & Managing Director shall on being satisfied, revise the schedule of repayment of outstanding instalments in genuine cases of sick industrial units.

(Substituted as per IDC decision taken vide item 22 on 1.9.1999)

The Chairman & Managing Director may allow re-schedulement of due balance cost of land alongwith interest, on the case to case basis, in cases of plots allotted for setting-up of institutions.

(Inserted as per IDC decision taken vide item 5 on 12.11.2002)

14. WATER & POWER

Rule 14 (a) - Water

Where water lines are provided by the Corporation, it will be provided upto the main roads only. The applicants shall take water lines from the mains lines opposite to their plots at their expenses.

Rule 14(b) - Power

- (i) Power line of class upto 11 KV will be provided upto the premises of the allottee at the cost of RIICO. Thereafter, the cost of service line from the power line to inside the premises shall be borne by the applicant.
- (ii) RIICO in no case will provide cost for the laying of power lines above 11 KV class whether inside or outside the industrial area.
- (iii) Where sub-division of allotted plot has been allowed by RIICO and a separate connection is desired in such sub-divided plot, the complete cost of electric connection would be borne by the applicant. This condition is also to be incorporated in the permission given for sub-division.
- (iv) In case of load extension of an industry, all the charges will be paid by the applicant and RIICO will not bear the charges for allowing load extension.
- (v) In the case where electric connection is existing and the plot has been transferred/ sold/ auctioned and transferee/ purchaser requires a new connection in the plot, all charges towards the connection will be borne by the applicant. RIICO will not bear any cost. This condition is required to be incorporated in the relevant terms and conditions.

- (vi) Where exclusive feeder, directly from sub station, is required by any plot allottee, the complete cost will be borne by the applicant.
- (vii) In cases of industrial areas where power supply arrangements are not to be undertaken by RIICO as stipulated in plot allotment letter, the entire cost of electrification will be borne by the applicant.
- (viii) If any extra financial burden has come upon the plot allottee due to change in the policy of the concerned State Power Utility, the same would be borne by the allottee.

Where shifting of existing power lines passing over the plots are desired by the plot allottees, the cases will be examined on the merits and if SPU agrees for shifting, the cost will be shared between RIICO and plot allottees in the ratio of 50-50. The cost to be borne by the plot allottees will be shared by all the effected plot allottees in proportionate to the length of penetration of power line in the plot. When all the affected entrepreneurs do not agree for bearing the cost of shifting, initially, the cost will be borne by RIICO which will be recovered subsequently from them. In the cases where State Power Utilities agree to share the cost of shifting in accordance with their norms, the remaining cost will be shared in the manner as above. *(Decided by IDC vide item 13 on 21.10.2005)*

15. RATES, TAXES, CHARGES, CLAIMS

All kinds of rents, taxes, charges, claims which the Municipal Board / Council / Committee / Panchayat Samiti or any other Civil Body may hereinafter impose in respect of the land allotted and building erected therein shall be payable by allottees directly to the authorities concerned.

15(A). SERVICE CHARGES

The service charges as imposed by the Corporation at the time of allotment or thereafter shall be payable by the allottee in addition to Economic rent. Service charges shall be paid within 120 days from the date of land allotment for current financial year. For the subsequent financial year it shall become due on 1st April of each financial year and be paid in advance by 31st July of every year.

- Notes :** (a) The Corporation reserves the right to revise the rate of service charges from time to time and the decision of the Corporation shall be final, conclusive and binding on the allottee and it shall not be questioned in any Court of Law or otherwise.

- (b) Presently rate of service charges is being enhanced annually by @ 10 % of prevailing rate of service charges rounded off to nearby $\hat{\ } 0.05$.
- 15(A)** (i) On failure to pay the service charges within stipulated period i.e within 120 days from the date of allotment in case of the new allotments and by 31 July of the financial year in case of old allotments, then the due amount of the service charges will be recovered with interest from the due date i.e from the date of allotment in case of new allotments and from 1 April in case of old allotments.
(Amended as per item 34 of the meeting 9.3.2012)
- 15(A)** (ii) In cases of plots allotted for industrial, commercial or other purposes through auction, service charges shall be levied from the date of plot possession and shall be paid within 60 days from the date of possession for the year of possession. If the plot possession is not taken within 90 days from the date of 100% amount of premium paid then the possession shall deemed to have been taken on 91st day of the payment of amount of premium for the purpose. Service charges for the year of allotment shall be charged proportionally for remaining period of the year from the month of allotment / possession as the case may be.
(Substituted as per decision taken by IDC vide item 11 of the meeting held on 3.6.2000, amended vide item (4) of IDC Meeting dt. 17.12.2015.)
- 15(A)** (iii). **One time payment of service charges (for a block of 10 years):**
Allottee may also opt to pay one time service charges for 10 years, in advance at 6 times of prevailing rate. After expiry of 10 financial years, a block of another 10 years shall commence from 1st April, of 11th financial year and service charges for that block equivalent to six times the rate fixed at that time shall be paid before 31st July of the financial year and so on.
(Inserted as per IDC decisions taken vide item 6 & 12 on 5.7.2000 & on 30.09.2000 respectively)
- 15(A)** (iv). Service Charges shall be recovered in all Industrial Areas from the date of declaration of the area as developed.
- 15(A)** (v). No Service Charges will be levied upon the allottees to whom plots have been allotted for the following purposes :

- (a) Industries Association - for construction of association building.
- (b) Power Companies (erstwhile RSEB)-For setting up power Grid Sub Station (GSS) of 220/132 KV & 33 KV.
- (c) PHED - For water supply scheme/arrangements in the area itself.
- (d) Director of Industries - For DIC building
- (e) Police Department - For Police Chowki

(Inserted as per IDC decision taken vide item 10 & 10-a on 12.5.81 item 8 on 31.5.88.)

15(A) (vi) No service charges shall be levied upon industrial plot allottees in industrial areas including transferred industrial areas for one year time period (maximum) from the date of closure of the unit and also no interest shall be levied on old outstanding service charges for the closure period. The closure period will be reconed from the date of disconnection of power supply/ electric connection till the date of the reconnection. The allottee shall provide adequate proof regarding disconnection of power supply from the concerned department and the benefit will be given on the physical and record verification of the closure of the unit by the unit office. If an unit remains closed for a period of less than one year, then also the above benefit will be extended to such units for the full one financial year. *(Amended as per IDC decision vide item 8 of its meeting dt. 18.2.2011. Amended as per item 14 of the meeting 26.4.2012)*

15(A) (vii) From 1.4.2001, service charges in slow moving industrial areas shall be charged @ 2/3rd of normal rate of service charges. The reduced rate shall continue till the category of slow moving industrial area changes to normal area and thereafter the rate of service charges shall be increased from 2/3rd to full rate. The plot allottees in such areas shall pay service charges at reduced rates by 31st July. In case of failure, full rate of service charges shall be levied upon plot allottees in these areas. Plot allottees in these areas if again fail to deposit the service charges by 31st March of the financial year then outstanding service charges on full rate shall be recovered alongwith interest from 1st April of next year. *(Inserted as per IDC decision vide item 12 on 8.1.2001, item 12 on 25.1.2001 and item 3 on 9.10. 2002)*

- 15(A) (viii)** In case of land allotted for setting up of a School, service charges will be levied at the rates as applicable for the industrial plots. *(Inserted as per IDC decision taken vide item 15 on 23.3.1996 & item 21 on 15.11.96. amended in pursuance of item 4 of the meeting held on 18.2.2011)*
- 15(A) (ix)** Service charges in RIICO Housing Colonies having specifications of industrial areas of 'A' and 'AA' category, shall be levied at two times of the rate of service charges fixed for industrial plot subject to a minimum of ^ 500/- per annum. For Housing Colonies having specifications of other categories of industrial areas, service charges shall be recovered at per the rate applicable for industrial plots subject to minimum of ^ 250/- per annum.
- 15(A) (x)** For commercial plots, the rate of service charges shall be two times of the rate of service charges fixed for industrial plots subject to a minimum of ^ 500/- per annum.
- 15(A) (xi)** In undeveloped industrial areas, service charges will not be levied.
- 15(A) (xii)** In semi-developed industrial areas service charges shall be levied at the rates as may be fixed by the Corporation. *(Substituted as per IDC decision taken vide item 30 on 23.9.2002 and item 17 on 12.5.97)*
- 15(A) (xiii)** Service charges for the plot allotted for Group Housing Flats shall be levied as per the rate applicable for industrial plot in the area, for eight years from the allotment date or till the completion of construction phase / its occupation, whichever is earlier and thereafter service charges shall be levied at two times the rate of service charges applicable for industrial plots subject to a minimum of ^ 250/- per annum. *(Substituted as per IDC decision taken vide item 18 and 19 on 12.7.99, item 17 on 8.7.2002 and item 30 on 23.9.2002. Inserted as per IDC decision taken vide item 12 on 9.7.98 and item 5 on 22.3.2000)*
- 15(A) (xiv)** For hotel / motel plot, the rates of service charges shall be levied at two times of the rate fixed for industrial plots subject to minimum of ^ 500/- per annum.
(Substituted as per IDC decision taken vide item 30 on 23.09.2002)

- 15(A) (xv)** The interest on outstanding service charges shall be waived in case of units declared sick by BIFR / Industries Department or Closed Units taken over by RIICO/ RFC/ Other Institutions.

However, in case where the unit/company has not been able to obtain sickness certificate from the competent authority but the entire net worth has been eroded and company has been in losses for three continuous years, such unit would be eligible for 50% rebate in interest on outstanding service charges. Net worth erosion shall be considered on the basis of certificate issued by concerned financial institution. *(Inserted as per IDC decision taken vide item 13 on 9.7.98, item 13 on 25.2.2000 and item 9 on 8.8.2000)*

- 15(A) (xvi) Recovery of service charges in case of permitted plot sub-division:**

The Corporation shall recover service charges @ 1.25 times of the normal rate from the transferees of sub-divided plots where sub-divided plots are not having direct access to the existing infrastructure and the infrastructure facilities are provided for the sub-divided plots under supervision of the Corporation by the transferor/allottee of large size plot.

- 15(A) (xvii)** In case of land allotted for setting-up of Training Institute (Engineering/ Medical / Dental and Other Institutions and Educational Institutions), service charges shall be recovered at the rate fixed for industrial plots.

- 15(A) (xviii)** The service charges shall be recovered from the plot allottees of nursing homes / hospitals at the rates fixed for industrial plot allottees in slow moving industrial areas. After change of category and in other areas service charges at 2 times the rate applicable on industrial plot allottees shall be recovered. *(Inserted as per IDC decision taken vide item 8 on 7.12.2000, item 3 on 12.7.99, item 13 on 3.6.2000 and item 31 on 23.9. 2002)*

- 15(A) (xix) Special provision, applicable to the land allotments to the khatedars (land allotments in lieu of the cash compensation):**

That the service charges will be levied on the allottee khatedars from the date on which unit/project is set up by them on the allotted plot/land notwithstanding the normal provisions of the relevant

rule. In case, the vacant plot is transferred by the allottee Khatedar then service charges shall be made leviable on the transferee as per usual norms/rules. *(Inserted as per IDC decision of the IDC taken vide item 14 of its meeting held on 27.10.2008)*

15(B) CESS :

For maintenance of fire fighting facility in the area, Fire Station Charges (FSC) shall be levied in addition to the service charges in consultation with the industries association of the area, if any. FSC will be recovered on the same lines, the service charges are realized from plot allottees. *(Inserted as per IDC decision taken vide item 4 on 9.7.1998)*

16. SUB - LETTING & SUB-LEASING:

16(1): The allottee of an industrial plot may be allowed to sub-let the plot/constructed premises for industrial purposes only for any period, provided that the allottee has cleared the entire outstanding dues of the Corporation. However, the allottee shall inform RIICO through Registered AD letter/ Speed Post before sub-letting the plot/constructed premises.

16(1)-A: However as a relaxation to the above provisions for subletting of an allotted industrial plot, an allottee of an industrial plot/building can also sublet the plot for the following supportive uses, subject to the condition that such supportive uses will be allowed only when an industrial unit has been set up on the plot and the allottee concerned will be required to pay to the Corporation one month rent, as agreed between the parties, for each year of sub-letting:

1. Post Office
2. Telephone Exchange
3. ESI Dispensary
4. Skill Development Centre
5. ATM Booth
6. Commercial Warehousing*

- * Subletting of the industrial building for Commercial Warehousing will be allowed to an extent of maximum 40% of the plot area. Regularization of the unauthorized commercial warehousing will also be allowed by charging 1.25 times of the one month rent as agreed between the party for each year of past subletting on the date of regularization.

(Amended as per approval of the IDC vide item 24 of the meeting 16.12.2009. amended as per item 35 of the meeting held on 4.1.2013. Supportive service added as per decision of IDC vide item (6) of its meeting held on 20.12.2014 and item 22 of the meeting 13.5.2014, further amended as per IDC decision vide item (3) of its meeting dtd 12.05.2016)

- 16 (2)** No premium shall be charged from allottees of industrial plot or plots allotted for any other purpose like, residential and commercial plots etc. on subletting of the plot for the purpose it is allotted for. *(Inserted as per IDC decision taken vide item 5 on 14.2.2001 and vide item 8 on 21.10.2005)*

- 16 (3) Permission for renting out part of building by allottee of nursing home/ hospital:** Plot allottee of nursing home / hospital may be permitted for sub-letting the plot or constructed building for supportive facilities to nursing home / hospital like drug store/medical shop, godown, diagnostic centre and food centre. Premium for permitting sub-letting of plots shall be charged @ 5% of prevailing rate of allotment of the area or one month rent agreed between lessee and tenant, whichever is higher, for every year. In case of nursing home / hospital prevailing rate of allotment of the area shall be 1.5 times the rate of allotment in normal and saturated industrial areas and shall be equal to rate of allotment in slow moving industrial areas. The facility for one time payment of premium equivalent to premium for six years at a time in advance shall also be available to allottees of nursing home/ hospital. However, no premium shall be charged if the supportive facilities as indicated above are provided by the allottee himself within the plot. *(Inserted as per IDC decision taken vide item 7 on 21.3.2002.)*

- 16(4)** Plot allottee may be allowed to sub-lease the plot or part thereof on such terms and conditions as may be mutually agreed upon between lessee and sub-lessee, irrespective of stipulation made for not allowing subleasing at the time of allotment/ sale of plot. However, the sub-leasing will be governed by the following conditions:

- (i) The lessee can make sub-lease only after taking prior permission of RIICO.

- (ii) Every sub-lease will be treated as transfer and fees prescribed for transfer of plots will be chargeable from lessee or sub-lessee, as the case may be.
 - (iii) In case where plot or part of the plot is not being sub-leased but only built up area (space) is being sub leased, a sub-lease fees equivalent to transfer fees will be charged for the built up area is sub-leased.
 - (iv) Sub-lease will be permissible only for the purpose for which the plot was allotted or converted.
 - (v) Sub-lease period will not exceed the remaining period of the lease originally granted to the plot allottee.
 - (vi) Terms and conditions applicable to the lessee will also mutatis-mutandis apply to all sub-lessees unless otherwise specified.
 - (vii) The lessee (allottee) and sub-lessee, both will be responsible for payment of various dues to RIICO. RIICO will be free to recover it from eitherparty.
 - (viii) RIICO will not be responsible for providing any extra infrastructure support or services to sub-lessee.
 - (ix) The building parameters available to the plot will not be relaxed in any manner. Where original plot is sub-divided and sub-leased, the parameters for original plot and sub-divided plot will be re-determined by RIICO, which may be less than what were available to the undivided plot.
 - (x) No extra ground coverage, height or FAR will be permissible on account of sub-leasing.
 - (xi) Rights and liabilities between the lessee (allottee) and sub-lessee will be determined amongst themselves and these will not be binding on RIICO in any manner. Such mutual rights and liabilities will have to conform to the rules and regulations of RIICO.
 - (xii) RIICO will not be answerable to any disputes arising between lessee and sub-lessee.
 - (xiii) Any other conditions which may be prescribed by the Corporation.
- (Amended as per IDC decision taken on 05.7.2004)*

17. (A) **Un-Utilized Land**
(B) **Sub-Division of allotted plot & after transfer of Sub-Divided Plots**
(C) **Merger of Plots**
(D) **Delegation of Powers**
(E) **Sub-division of large size industrial plots**

17 - (A): Unutilized Land:

Un-utilized land of the allotted plots shall revert back to the Corporation on expiry of the prescribed / extended period. Such unutilized land identified, and which can be re-planned by RIICO keeping in view the access to the land, would be deemed to have come into possession of RIICO on giving a 90 days notice to the allottee and also to the Financial Institution, if the land is mortgaged to such Institution. The amount of premium originally paid by the allottee for such unutilized land shall be refunded. However, the security money applicable to such unutilized land would be forfeited.

Explanation: *The unutilized land would be determined on the basis of the scheme submitted at the time of allotment and the building constructed by the allottee. Regarding the area of unutilized land, the decision of the Managing Director would be final.*

17 - (B): Sub-Division of allotted plot & after transfer of Sub-Divided Plot(s):

No sub division of allotted land / plot and after disposal / transfer of sub-divided plot(s) will be allowed except hereinafter provided in the rules:

- (i) Sub-division of industrial, institutional (education) and supportive service plots (allotted) and after transfer of sub divided plot(s) will be allowed only after the allottee has utilized land/plot for the purpose specified to the said land/plot. In other words, subdivision of vacant land/plots will not be allowed.

However, the cases wherein sub division of the land/plot is being affected for the following reasons, it could be allowed even before the unit is set up, on payment of requisite charges and observance of all the technical requirements as may be imposed while approving the sub division plan of the land/plot, technically, by the approving authority:

- a. Sub division of the allotted land/ plot between / amongst the partners of a firm on account of a family settlement.
- b. Sub division of the allotted land/ plot on request of the allottee with consent of financing institutions for realization of loan dues.

- c. Sub division of land / plot for setting up of unit in different name & style by the same allottee / firm / company etc.
 - d. Sub division of the allotted land/ plot by the khatedars (land allotted in lieu of cash compensation).*(Inserted w.r.t item 14 of IDC meeting held on 19.6.2009)*
- (ii) Sub division and after transfer of sub divided land/ plot *in all such qualifying cases* of the subdivisions will be allowed on the following subdivision charges, conditions and stipulations:

Conditions and Stipulations:

- a) Sub-division of the original plot will be allowed maximum in four parts in phases. However, subsequent subdivision of the transferred subdivided plot will not be permitted.
- b) The smallest sub divided plot should be of minimum size of 20% of area of original plot.
- c) Minimum size of the sub-divided plot should not be less than 500 sqm.
- d) Sub division of the plot should be in conformity with the general town planning norms.
- e) Original building line (front set back) will be maintained. Other set backs will also be in conformity with the relevant building parameters/set back norms.
- f) If the subdivided plot is proposed to be merged into adjoining plot (with common physical boundary), then same will be allowed by relaxing conditions of minimum size of subdivided plot mentioned in (b) and (c) above, but it will be treated/counted as a subdivision, if after merger, the size of plot is 500 sqm. or more. *(Substituted as per approval of IDC w.r.t item 39 of its meeting held on 18.2.11)*
- g) Sub division charges
Sub division charges will be levied at 2% of the prevailing rate of allotment of concerned Industrial Area as under:
 - u On the entire plot area, if sub-division is proposed in four parts (upto maximum limit) in one go.
 - u On the sub-divided area, if sub-division of original plot is proposed in phases.

Note:

Sub-division charges shall be deposited along with the application to be calculated on the basis of prevailing allotment rate and prevailing rules of RIICO. This amount will be deposited as an advance till final disposal of application. In case of rejection of such application, the amount so deposited, will be refunded without interest to the concerned applicant. No legal right would be created in favour of applicant merely on deposition of such amount.

- (iii) Provided that the provisions as at 17-(B)-(ii) a,b and c , above, of this Rule, will not be applicable on the following plot subdivision cases:
 - (a) where developed land has been given to khatedars for acquisition of their land in lieu of cash compensation. However, the transferee shall not be permitted for further sub-division, unless the khatedar has sold the said plots as per original (i.e. without sub-division), in which case Rule 17(B) shall be applicable. Moreover with respect to minimum size of the subdivided plot as at 17-(B)-(ii)-c above, norms adopted by JDA/relevant local bodies in respect to minimum size of residential plot will be followed.
 - (b) Where subdivision of an allotted plot is affected in pursuance of a WILL of the deceased allottee concerned or due to any court order.
- (iv) While approving subdivision of residential plots allotted to the entrepreneurs or otherwise (non-khatedars), minimum area requirement as mentioned at 17-(B)-(ii)-c above may be relaxed. However, the norms adopted by JDA/relevant local bodies in respect to minimum size of residential plot will be followed.
- (v) (a) In cases where subdivision and subsequent transfer of part land has taken place before 1.5.2008, will be treated as per provision of sub-division policy existing at the time of registered sale deed of the plot or sub-divided plot. However, the transfer fee will be recovered in these cases as per prevailing norms.
 - (b) Plots existed as on 1.5.08 will be treated as original plots and sub-division will be allowed as per present sub-division policy.
- (vi) In case of transferred industrial areas, wherein more than 50% plots were planned upto the size of 500 sqm. or less , then the minimum size of subdivided plot can be of 200 sqm in relaxation of provision of the rule 17-(B) (ii)-c, above.

(Inserted as per item 12 of the IDC meeting held on 15.9.2009. Further amended as per item 24 of the IDC's meeting Dt.16.12.2009. Amended as per item 3 of the meeting 10.2.2010. Sub rule 17-B-v inserted as per approval of IDC- item 39 of meeting held on 18.2.11. amended as per item 3 of 19.10.11. Further amended as per item 14 of the meeting 9.3.2012)

17-(B-1): Transfer Defined:

For the purpose of this provision, transfer of part land/plot (transfer of lease hold rights) mean transfer of part/parts of land/plot after land/plot sub-division, by way of sale, lease, assignment etc. including merger, acquisition and amalgamation of the Companies. It will include transfer of plot/land by an individual/firm/company/ Limited Liability Partnership (LLP)/ One Person Company or any other allottee/lessee as the case may be.

Notes:

- (i) The transferee will have the status of an allottee / lessee of the Corporation and all the relevant rules and regulations of the Corporation will apply to the transferee 'Mutatis-Mutandis'. The transferee will be holding the land / plot for the remaining lease period available in balance with the transferor of the land / plot.
- (ii) Lease period of 99 years will be computed from the date of original allotment in these transfer cases.

(2): Transfer Fee:

Transfer of lease hold rights of sub-divided land/plot subsequent to sub-division of the allotted land in accordance with Rules/policies of the Corporation etc. can be allowed on payment of transfer fee as under:

- i) If all the sub-divided land/plots are sold/transferred by the Lessee in favour of subsequent purchaser(s) without seeking amendment in original Lease-Agreement, transfer fee shall be leviable @ 8% of the prevailing industrial allotment rate of industrial area concerned.
- ii) If any sub-divided plot retained by the Lessee where unit is/had been under production and remaining sub-divided plots are sold/transferred and also seeking amendment in original Lease Agreement, for reduced area (area to be retained by the Lessee), transfer fee shall be leviable @ 2% of the prevailing industrial allotment rate of industrial area concerned for this retained area/sub-divided plot and 8% of the prevailing rate of the industrial area concerned for sub-divided plots transferred/sold by the Lessee.

Provided that lessee shall be required to retain such sub-divided plot minimum for a period of one year from the date of seeking amendments in original Lease Agreement. Otherwise, 8% transfer charges shall be leviable even on transfer of retained area/sub-divided plot. *(Item no. (7) of the Infrastructure Development Committee of the Board of Directors of RIICO of its meeting held on 20.12.2014. Further amended vide item 4 of IDC meeting 02.3.2015.)*

Exemptions:

The following cases will be exempted from payment of transfer fee:

- (i) If transfer of part land / plot or transfer of interest / holding in the firm is in favour of blood relations. The spouses shall also be treated at par with the relatives.
- (ii) If the transfer of the part plot/land is being affected in pursuance of rehabilitation scheme sanctioned/approved by BIFR/ AAIFR/ Financial Institutions.
- (iii) If part land/plot after sub-division is being transferred to a new firm (Proprietorship/ Partnership/ LLP) wherein the transferor proprietor/partners and /or their blood relations are holding controlling shares in the new transferee firm/LLP.
(Item 20 dt20.12.2014)
- (iv) If land/plot is being sub divided in small plots and then being transferred with a view to clear term loan dues as one time settlement, in case of the units exclusively financed by RIICO then, the chargeable transfer fee can be reduced or even waived by the Waiver Committee constituted under the chairmanship of MD/CMD. However, transfer fee in similar cases financed by other financial institutions will attract transfer fee as per rules.
- (v) If the existing partners (on record of the Corporation) of an allottee firm are sub-dividing the land / plot and distributing the land / plot between/amongst themselves for setting up separate units, pursuant to a mutual settlement arrived at or order given by a competent Court of Law.

Explanations and Notes :

- (i) Existing partners / promoters means partners / promoters existing at the time of plot allotment.
- (ii) Blood relations as defined in Rule 2.
- (iii) Sub-division / transfer of unutilized land/plot under the rule will be subject to the condition that the Corporation will not be responsible to provide the

infrastructure facilities viz. road, water, power, drainage, street lights etc. It will be the exclusive responsibility of the transferor/transferee to arrange the required infrastructure facilities at their own level and cost. An undertaking to this effect shall be taken from the transferor / transferee at the time of issuing permissions for transfer / sub-division under the rule.

- (iv) Transfer of part plot / land under these rules will be permitted for the same purpose for which the plot / land has been allotted.
- (v) All provisions mentioned in this rule will be applicable to all pending cases.
- (vi) The 99 years lease period would be computed from the original land allotment date in respect of cases considered/permitted under these Rules .

17-C: Merger of plots:

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/plots (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 sub-division of plot constituted by merger of plots as above may also be allowed as per the provisions of sub-division of allotted land/plots as mentioned above in Rule 17(B). *(Item 20 dt20.12.2014)*

17- (D): Delegation of Powers:

The powers of sub-division of allotted land/plot will be exercised by the Unit Head concerned, except the cases covered under the category 17-(B)-(iii)-b, which will be decided by the Head Office committee, comprising of Advisor Infra, (head of the committee), Sr. RM (P&D), STP/DTP and the Unit Head concerned.

(Amended as per approval by the IDC vide item 22 of its meeting held on 15.4.2008. Delegation of powers amended as per item 39 of the meeting held on 18.2.11. Amended as per item 3 of the meeting 19.10.2011)

17-(E) : Sub-division of large size industrial plots

1. The eligibility conditions for sub-division of large size industrial plots:
 - a. Plot having area 10,000 sqm. and above; and
 - b. The unit has come into production at least five years before the date of application for sub-division of plot; and
 - c. The unit is a closed/sick/has suffered loss, at least during the last 3 financial years; and
 - d. The allottee declares that such land is not needed for their current/ future operations/ expansion.
2. Having met the eligibility conditions mentioned as above, sub-division of an industrial plot will be allowed on the following terms and conditions:
 - (i) There will be no restriction on number of plots carved out of the sub-division.
 - (ii) Minimum size of a sub-divided plot will not be less than 500 sqm.
 - (iii) The lessee will submit the lay-out plan of proposed sub-division of plot. Sub-division in phases will be permitted. However, subsequent sub-division of transferred sub-divided plot will not be permitted.
 - (iv) In case the lessee has availed financial assistance from any Banks/Financial Institutions against security of the land/assets proposed for sub-division, the lessee will submit 'No Objection Certificate' from the concerned Financial Institution/Bank along with application for sub-division.
 - (v) The lay-out plan submitted by the lessee will be examined and approved by a Committee headed by ED, and comprising of Advisor (Infra), STP/ DTP and Unit Head concerned as per prevailing norms/guidelines regarding basic infrastructures/Town Planning.
 - (vi) Right of way of internal road for plots upto 1500 sqm would be minimum 18.00 meter and for plots above 1501 sqm would be minimum 24.00 meter.
 - (vii) The lessee will be under obligation to develop and provide all the required basic infrastructure facilities like road, storm water drains, power line, street light, rain water harvesting system, water supply scheme etc. and other required services like GSS and CETP at his own cost to such sub-divided plots/land. Allottee/developer will develop infrastructure facilities as per specifications approved by RIICO and shall be surrendered and handed over to RIICO after completing the above infrastructure development.

- (viii) Out of total saleable area of the sub-divided plots, sale/transfer of sub-divided plots equivalent to 12.50% of the total saleable area will be withheld by the Corporation till completion of development work at site and a remark to this effect shall be mentioned in the approved lay-out plan by the Corporation.
- (ix) The required infrastructure facilities will be completed by the allottee within 3 years from the date of approval of the layout plan of the proposed sub-division. After completion of infrastructure facilities, a committee comprising of Head of Technical cell and Unit Head concerned will examine the infrastructure facilities developed by the allottee and will submit an evaluation report which will be put up before the committee constituted at para (v) above for taking a decision regarding release / sale/ transfer of withheld plot(s).
- (x) In case the allottee fails to provide the requisite infrastructure facilities within the specified period or develop only part infrastructure then area of plots withheld by the Corporation shall revert to the Corporation. The Corporation will be at liberty to dispose of these plots by way of auction as per laid down procedure. The lessee will be required to execute an agreement with the Corporation for fulfillment of above condition.
- (xi) Sub-divided plots will be used for industrial and non-industrial, other than residential, purpose. However, total area that will be used for non-industrial purpose will be decided as under:
 - (a) 15% of the allotted plot area, if the plot was allotted stand alone.
 - (b) 15% of the allotted plot area, if the plot is falling in an industrial area subject to the condition that it should be within the ceiling of 15% of the total scheme area of the industrial area concerned for non industrial use. The area of non industrial use will be the total area excluding area under industrial use, roads, open/woodland, nallah and reserved areas
- (xii) The charges for sub-division permission/ transfer fee will be as under:
 - (a) Sub-division charges at the rate of 2% of the prevailing rate of allotment of the industrial area concerned for entire plot area if full plot area is proposed for sub division. However, in case part land is proposed for sub-division, then sub-division charges will be leviable at the rate of 2% of the prevailing rate of allotment for the part area proposed for sub-division (To be paid by the lessee before sub-division permission by unit office).

- (b) Transfer fee for transfer of sub-divided plots will be charged at the rate of 8% of the prevailing rate of the industrial area concerned (To be paid by allottee/purchaser on transfer of individual sub-divided plot).
- (c) Conversion charges leviable for change in land use of area of sub-divided plot from industrial to non-industrial use - as per rate prescribed in the RIICO Disposal of Land Rules, 1979 for that purpose (To be paid by the lessee before sub-division permission by unit office).
- (d) In case the plot is allotted stand alone and no rate of allotment is fixed for that plot/area by the Corporation, then the rate of allotment will be decided separately by Reserve Price Fixing Committee headed by the Managing Director.
- (xiii) The provisions of the policy shall be made applicable to the transferee/prospective buyer of the plot.
- (xiv) Lease period for the sub-divided plots will not exceed the remaining period of lease of plot originally granted to the lessee.
- (xv) Terms and condition applicable to the lessee will also mutatis-mutandis apply to all sub-lessees unless otherwise specified. The lessee/developer will execute sub-lease with the purchaser in the format which will be got vetted from the Corporation before execution. No fresh lease deed will be executed by the Corporation with the sub-lessee.
- (xvi) If any rebate in rate of allotment due to large size plot and minimum investment of Rs. 50 crores was allowed as per rule 3 (C) of RIICO Disposal of Land Rules, 1979 at the time of allotment then same shall be recovered along with prevailing rate of interest. However, additional 10% rebate in the rate of allotment availed by the allottee for making ^ 50 crores minimum investment will not be recovered, if the required investment was made by the allottee.
- (xvii) Lessee/ transferee will be bound to abide by the rules and regulations of RIICO Disposal of Land Rules, 1979.

18. TRANSFER OF PLOT AND CHANGES IN CONSTITUTION

- 18(a) **Transfer defined:** For the purpose of this provision transfer of plot (transfer of lease hold rights) will mean transfer of full plot, by way of sale, lease, assignment etc. including Merger, Acquisition and amalgamation of the companies. It will include transfer of plot/land by an individual/firm/company/ Limited Liability

Partnership (LLP)/ One Person Company or any other allottee/lessee as the case may be.

Notes:

- (i) The transferee will have the status of an allottee/lessee of the Corporation and all the rules and regulations of the Corporation will apply to the transferee 'Mutatis-Mutandis'. The transferee will be holding the land for the remaining lease period available in balance with the transferor of the land/plot.
- (ii) Lease period of 99 years will be computed from the date of original allotment in these transfer cases.

(a-i) Transfer of interest in firm/LLP: - If at any stage, holding/ownership/interest of the proprietor/promoter partners of the firm/Limited Liability Partnership (LLP), who were there in the firm/LLP at the time of plot/land allotment as the case may be, goes down below 51% in the firm/LLP, the same will be treated as transfer of allotted plot for the purpose of these rules & transfer fee will be applicable as per prevailing rules."

(a-ii) Transfer of interest in Company:

In case of private limited / public limited companies, plot transfer will be so treated if the allotted plot is transferred to a new company / firm. But when only shares of a company are transferred or Directors in the company are changed and the plot remains in the name of same company, it will not be treated as transfer of plot.

(a-iii): Transfer of interest in Trust/Society/Companies incorporated under Section 25 of Companies Act, 1956 or Section 8 of the Companies Act, 2013, as the case may be, i.e. Charitable Companies.

In case of Trust/Society/Companies incorporated under Section 25 of Companies Act, 1956 or Section 8 of the Companies Act, 2013, as the case may be, i.e. Charitable Companies, the transfer of plot will be so treated, if the allotted plot/land is transferred to a new Trust/Society/Companies incorporated under Section 25 of Companies Act, 1956 or Section 8 of the Companies Act, 2013, as the case may be and transfer fee will be leviable as per rules. But when only Trustees/Members/Shareholders or Directors of the respective Trust/Society/Company as the case may be, are changed and plot remains in the name of same Trust/Society/Company, it will not be treated as transfer of plot/land.

(a-iv): Transfer of land from one Allottee Trust /Society/Companies incorporated under Section 25 of Companies Act, 1956 or Section 8 of the Companies Act, 2013, as the case may be, i.e. Charitable Companies to a University established under any law.

Vesting of assets of allottee Trust/Society/Charitable Companies being sponsored body, incorporated under Section 25 of Companies Act, 1956 or Section 8 of the Companies Act, 2013, as the case may be, to any University by virtue of provisions of any Act/Ordinance/Rules by which any University is established, will be treated as transfer and transfer fee will be leviable as per rules.

(Inserted as per item 18 of IDC meeting dt. 09.09.15)

18(b) Transfer Fee:

- (i) Transfer fee for transfer of industrial, educational institutions and supportive services plots wherein the transfer of the plot is taking place after setting up of the project, will be as under:

Table-1

Category of Industrial Area	Rate of Transfer Fee
Unsaturated	1% of the industrial rate of allotment
Saturated	2% of the industrial rate of allotment

- (ii) In cases of transfer of plots allotted for residential and commercial purposes, the transfer fee for the above nature of the cases will be as under:

Table-2

S.No.	Type of plot	Rate of transfer fee
1.	Residential plot	1.5 times the rate of transfer fee applicable for transfer of industrial plot
2.	Commercial plot	2 times the rate of transfer fee applicable for transfer of industrial plot.

- (iii) In case of transfer of vacant plots the chargeable transfer fee will be at 15% of the prevailing rate of allotment of the industrial area concerned for the plots allotted for industrial, educational institutions and supportive services purposes. However for residential and commercial plots the said transfer fee (transfer of the vacant plots) will be 1.5 and 2 times the above fee, respectively.
- (a) Security deposit of the allottee will be forfeited consequent upon transfer of the plot without commencement of production activity.
- (b) Fresh security deposit has to be made by the transferee in whose favour the leasehold rights of the plot is transferred without commencement of production.
- (c) In the cases where fresh security deposit has already been got deposited from the transferee, the same will not be refunded.

(Inserted in pursuance of decision of the IDC as taken vide item (8) of its meeting held on 04.02.2014)

- (iv) In the cases where plots/land has been/allotted to the khatedars, concerned in lieu of the cash compensation, transfer fee for transfer of vacant plots also will be the same as mentioned at S.No. (i) and (ii), above in this sub rule.
- (v) In cases where in transfer of a vacant plot is being made by a defaulter allottee then the chargeable transfer fee in such cases will be 1.25 times the transfer fee as applicable for the regular cases and as mentioned at S.No. (iii) above.
- (vi) In case of subsequent transfer of an industrial plot without fulfilling stipulations imposed on the first transferee regarding re-starting the production in the closed unit, transfer fee will be levied at par with the fee applicable to the cases of first transfer i.e. 2% of the prevailing rate of allotment.

(Inserted as per item (6) of IDC meeting dt. 17.12.2015)

Note:

Transfer Charges shall be deposited along with the application to be calculated on the basis of prevailing allotment rate and prevailing rules of RIICO. This amount will be deposited as an advance till final disposal of application. In case of rejection of such application, the amount so

deposited, will be refunded without interest to the concerned applicant. No legal right would be created in favour of applicant merely on deposition of such amount.

18 (C) Exemptions:

The following cases will be exempt from payment of transfer fee:

- (i) If transfer of plot/land or interest/holding in the firm is in favour of blood relations. The spouses shall also be treated at par with blood relatives.
- (ii) If the transfer of the land/plot is being affected due to sale of land/plot by Financial Institutions, RIICO, RFC, Banks, DRT or the competent Courts under the relevant Act, after taking over the assets of the unit.
- (iii) If the transfer of the land / plot is being affected in pursuance of rehabilitation scheme sanctioned/ approved by BIFR/AAIFR/Financial Institutions.
- (iv) If the plot is being transferred to a new firm wherein the transferor proprietor/partner(s) and / or their blood relations are holding controlling shares in the new transferee firm.
- (v) If an allottee proprietorship firm/ partnership firm/LLP wants to carry out the business in changed name and/or style i.e. converting into proprietorship firm/ partnership firm/ Company including OPC/LLP as the case may be in accordance with relevant provision of respective Acts of such entities, provided the original proprietor/partners and/or their blood relations hold major share holding in the new set-up.
- (vi) If an allottee private limited/public limited company continues to carry out the business in its name irrespective of making changes in their board of director or carry out the business in the name of the company permitted by re-placing the name of existing company. Further, if any private limited company converts into Limited Liability partnership in accordance with provision of LLP Act, 2008 subject to the condition that the all shareholders of the company converting into LLP shall be the partners of the LLP and no one else.
- (vii) If the transfer of the allotted plot from one company to another company is being affected on account of the situation that the two companies (allottee/lessee company and transferee company) are getting amalgamated under the relevant law and in both these companies there are common directors having minimum 75%

share holding in each of the amalgamating companies.

OR

If common shareholders having 51% or more shareholding in parent company and also having more than 75% shareholding in the company(s) which is being amalgamated with parent company, in that situation of transfer of plot(s), transfer fee will not be levied.

(Inserted as per approval of the IDC vide item 28 of its meeting held on 30.7.2010.)(Amended vide item (8) of IDC meeting 16.6.16)

18(d) Explanations and Notes:

- (i) Existing partners / promoters means partners / promoters existing at the time of plot allotment.
- (ii) Blood relations means husband, wife, sons, daughters, brothers, sisters, father, mother, grand father & grand son of the allottee.
- (iii) Transfer of the plot under the rule will be subject to the condition that the Corporation will not be responsible to provide any infrastructure facilities viz. road, water, power, drainage, street lights etc. It will be the exclusive responsibility of the transferor/transferee to arrange the required infrastructure facilities at their own level and cost. An undertaking to this effect shall be taken from the transferor / transferee at the time of issuing permissions for transfer under the rule.
- (iv) Transfer of plot / land under these rules will be permitted for the same purpose for which the plot / land had been allotted.
- (v) Computation of transfer premium would be done as per the rate prevailing on the date of payment made by the allottee.
- (vi) All provisions as have been mentioned in this rule will be applicable on all pending cases. However the cases wherein transfer premium has already deposited shall not be reopened.
- (vii) Transfer of plot by concessional category candidate to same category *(as defined in Rule 3)* or transfer of plot after five years from the date of commencement of commercial production to general category shall be allowed *(under rule 18 above)*, without recovering rebate granted on allotment, otherwise the amount of concession allowed at the time of allotment shall also be recovered with interest from the date of allotment to the date of payment. The

period of possession remained with financial institution or the unit remains closed after production shall be treated in the 5 years period. However, provision of rule 18 shall also be observed in such cases.

- (viii) The transferor of the plot would submit No Objection Certificate from the secured charge holders to whom the title deed has been mortgaged. A specific condition shall be laid down in the letter of transfer that, RIICO shall not be liable for any dues of Government Departments / Organizations / Companies or Financial Institutions.
- (ix) Entrepreneurs belonging to Ex-serviceman and War Widows category may be allowed to take blood relatives in partnership provided the allottee eligible for concession holds major share in partnership (minimum 51%) both in capital and distribution of profits.
- (x) The Sr. DGM / Sr. RM / RM are fully authorized to permit change in constitution and transfer of land under Rule 18.
- (xi) The allottees seeking / informing changes in the constitution of firms/companies or transfer of plot shall submit the letter alongwith registered documents, related to the changes/transfer.
- (xii) In case of change in constitution of firm / transfer, stamp duty if payable under the stamp laws in Rajasthan, the same will be borne by the allottee concerned.
- (xiii) Khatedar allottee shall be permitted to transfer the vacant plot.
- (xiv) The transferee who has purchased the land/plot from the khatedar allottee shall not be permitted to transfer the vacant land. *(Inserted/amended as per decision taken by the IDC on 16.3.2001, 20.05.2004 & 21.10.2005 and vide item 12 of its meeting held on 27.10.2008. Further amended vide item 5 of the meeting held on 30.7.2010)*

18(e) Transfer of Industrial Plot for Telecom Services:

Allottees of industrial plots may be permitted to transfer / use the allotted plot for setting-up telecom infrastructure related service, on payment of a premium @ 5% of the prevailing industrial rate if the plot is located in saturated industrial area. However, no premium shall be charged for such transfer if plots are located in non-saturated industrial areas at the time of

the transfer.

18(f) Exchange of Plots:

(f-i) Mutual Exchange of Plots:

Exchange of allotted industrial and residential plots of same size among allottees in the same industrial area/ residential colony can be allowed without charging any premium.

(f-ii) Exchange of allotted industrial plot with vacant plot in the industrial area with a view to resolve the dispute:

- 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.
- b. In case of plot allotted in auction or under TBAY goes under dispute then plot will not be exchanged and the deposited money can be refunded to the party alongwith 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 the 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 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 the relief 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 alongwith 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 alongwith interest as per the policy. (*Inserted as per decision taken by IDC on 27.12.2004*)

(f-iii) Exchange of Plots Allotted in Business Campaigns :

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 @ $\text{Rs } 5/-$ per sqm. provided the rate of allotment in the area is unchanged.

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 @ $\text{Rs } 5/-$ per sqm. All the cases of exchange of plot relating to industrial areas Bhiwadi, Chopanki and Khuskhera will be decided at HO Level.

(*Inserted as per decision taken by IDC on 12.8.2005*)

(f-iv) Exchange of Plots in Saturated areas :

As per authorization by the IDC, the Managing Director of the 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.

(Amended as per item 21 of the meeting held on 4.1.2013)

18(g). Surrender/ Cancellation of Plots allotted for any purpose such as Industrial/ Residential/ Commercial/ Institutional:

In case the Corporation cancels allotted plot or if any allottee or a lessee intends to surrender the plot or part thereof for any reason, the Corporation may accept it on the condition as it may deem fit. In such cases of plot surrender/ cancellation after 1st June 2004, the amount towards cost of land recovered from the party will be refunded after dealing the case in the following manner:

- (i) Service charges, economic rent and interest on unpaid service charges and economic rent till the date of surrender/cancellation of plots will be deducted from the refundable amount.
- (ii) Security deposit/ amount of keeness money will stand forfeited.
- (iii) Deduction of land cost irrespective of date of plot allotment will be made as under:
 - (a) In cases of cancellation/surrender of plot, the deduction of land cost shall be made @ 10% of the net cost of plot/land where the rate of allotment is upto $\hat{\text{2000}}/-$ per sqm., irrespective of fact that plots had been allotted by normal procedure or through auction and the industrial area is saturated or unsaturated.
 - (b) In cases of cancellation/surrender of plot, the deduction of land cost shall be made @ 6% of the net cost of plot/land where the rate of allotment is more than $\hat{\text{2000}}/-$ per sqm. ,irrespective of the fact that the plots had been allotted by normal procedure or through auction and the industrial area is saturated or unsaturated.
 - (c) The above provision shall be applicable in all cases except in the cases of plot sold by auction wherein specific condition of deduction of land cost @ 6.25% is mentioned in the allotment letter as per terms and conditions of auction.

(Amended /inserted as per item 9 of the meeting 4.2.2014)

- (iv) The interest received will not be refunded and outstanding interest till the date of plot surrender or cancellation will be recovered and deducted from refundable amount of cost of land. *(The policy is amended as per IDC*

decision taken vide item 8 on 20.5.2004)

- (v) Dispatch of the cheque of refund of amount sent by registered A.D. post should be considered as refund of the amount under RIICO Disposal of Land Rules, 1979 irrespective of non- encashment or returning of the cheque by the concerned party to the Corporation. The money shall be refunded only after the possession of the land is handed over by the party or possession is taken as per orders of the competent court / authority or deemed possession of the vacant plot.

(Substituted as per IDC decision taken vide item 8 on 10.12.2001 and item 8 on 27.12.2002. Inserted/amended as per item 31 of IDC meeting held on 10.2.2010)

(g-i) Conditional Surrender:

For the purpose of setting up of a new unit in joint venture with a foreign company, the allottee may be allowed to surrender his plot to RIICO. The same plot may be allotted to the proposed new unit at the rate of allotment prevailing on the date of allotment, irrespective of the priority list of the pending applications and holding of controlling share by the original proprietor / partner(s) / directors.

(g-ii) Surrender of allotted plot/land by the khatedar:

In case allottee Khatedar surrenders allotted plot, the amount of cash compensation may be paid as per award without interest after recovering outstanding dues towards economic rent and interest thereon and other dues, if any, till the date of surrender of the plot/land. *(Inserted as per approval of IDC vide item 14 of its meeting held on 27.10.2008)*

- 18(h):** The deposited amount shall be refunded alongwith interest as per the prescribed rate with the approval of the Managing Director in those cases where the allotment / possession of the plot could not be given by the Corporation due to court case or other unavoidable circumstances. However, the present rate of interest (w.e.f. 1.11.2003) is as following:

Table-4

1.	If amount remains with the Corporation for a period less than 1 year	@5.50% p.a.
2.	If amount remains with the Corporation for a period of 1 year and above	@6.00% p.a.

(Inserted as per IDC decisions taken vide item 28 on 20.9.1997, item 6 on 21.2.1998 and office order No. IPI/F-1 (9)2/82 dated 29th October, 2003)

18(h-i) Where an entrepreneur is desirous of getting a plot / plots allotted in any of the Industrial Area of RIICO in lieu of his/her allotted plot / plots in a industrial area, the entire amount deposited by the entrepreneur on account of Security Money and cost of land shall be transferred by the concerned Unit Office after deducting the due amount of service charges, economic rent from the allotment date to the date of such transfer, and interest on unpaid development charges, service charges and economic rent, to the other concerned Unit Office, where the plot allotment is being requested or allotment has already been made. The expenditure incurred on the lease deed will not be adjusted in any case. The fresh lease deed will have to be executed at the cost of allottee for change of plot in another area.

18(h-ii) If the decision on the allotment could not be taken within 30 days of the application and the amount remained deposited with the corporation, then application money will be refunded with interest @ 6% p.a. , which being the rate of interest being allowed by the Income Tax Department in cases of refunds. *(Inserted w.r.t item 7 of the IDC's meeting dt. 5.9.2011)*

Note: Such requests shall be considered at the rate of development charges prevailing in the desired area on the date of application for transfer made by the allottee. However, no allotment shall be made in those areas where decision has been taken for allotment of plots through open auction or under tatkal bhokhand awantan yojana. *(Inserted as per IDC decision taken vide item 13 on 28.6.1997 and clarification issued vide circular No. IPI/U (2) 2 (1-931/01)/1602 dated 28th February 2002)*

18(i) No Refund of cost of structures after cancellation / surrender of plot:
The Corporation will neither demand from new allottee the cost of structures built up and left by old allottee due to surrender / cancellation of allotted plot nor will undertake the payment of construction of such structures to old allottee. However, old allottee may consider to take away goods left by it as per clause of lease-deed. *(Inserted as per IDC decision taken vide item 15 on 13.11.2000)*

18(j) Surrender of Shed:

Surrender of shed may be accepted in the following manner:

- (a). Where the allottee has taken the possession of the shed but desires to surrender it, the surrender may be accepted on such terms & conditions as may be decided by the Corporation.
- (b). Where lease has been executed, the lessee shall execute formal

surrender deed at his cost in favour of the Corporation.

19. HOUSING IN INDUSTRIAL PLOTS

Housing in the industrial plots will be allowed subject to the building regulations as per the following norms :

- (i) In plots of 5 acres and above, five percent plot area shall be allowed for housing purpose. The construction of houses would be allowed within the permissible built up area only.
- (ii) In industrial plots of all types, residential construction to the extent of 2000 sq.ft. on the first floor of the factory building shall be allowed.

Note: However, the plot allottees will take due care to ensure that there is no danger of any kind on the health or lives of inhabitants of the residential accommodation from within or adjoining industries and the Corporation shall not be responsible for any mis-happening in this regard. Also the Corporation shall not provide any additional facilities to the residents. *(Inserted as per IDC decision taken vide item 18 on 8.8.2000 item 18 on 8.8.2000)*

20. BUILDING REGULATIONS

In erection of factories and buildings, the lessees shall comply with the building regulations (as per Form 'E' & 'E'-1) as well as the Rules / Regulations of Municipal / Urban Improvement Trust / Development Authorities. They will also submit their building plans to concerned Sr. DGM/ SRM/ RM of the Corporation.

20-A. The Managing Director shall have full powers with regard to the following :

1. Approval of layout plan of the industrial areas and changes / modification / revision / subsequent changes therein and all related matters.
2. Changes in status of any of the land at any industrial area e.g. conversion from industrial land to open land, service land, commercial land, residential land, conversion from open land to industrial land, commercial land, residential land, services land, conversion from service land to industrial, open, commercial, residential and for other purposes etc., and vice-versa. *(Inserted as per IDC decision taken vide item 8 on 30.12.1996)*

20-B. Sr. DGM / SRMs / RMs are authorized for :

- (i) sub-division of plots.
- (ii) reconstitution of plots.
- (iii) relaxation in set backs upto 10,000 sqm. plot area, maintaining front set back as per the scheme and as per guidelines issued vide the office order no. 11/2011 dated 12.3.2011

- (iv) re-planning of block as per site requirement.
- (v) change in land use of any vacant plot from lower to higher category (for example, from industrial to residential or commercial use), However, the allotment of so converted plot shall be made through open auction only.
- (vi) making changes in layout plan of industrial area including change of land use of vacant plots with the condition that, layout of main road is not changed and economics of area due to changes is not affected adversely. All changes at unit level shall be incorporated at Head Office level.

Note: However, relaxation in set-backs for the plots more than 10000 sqm will be considered as per following authorization:

Size	Competent Authority
10000 sqm to 20000 sqm	Committee comprising of concerned unit head, DTP/ Manager(Planning), Sr.RM (P&D) and headed by Adv.(Infra).
20000 sqm to 50000 sqm	Committee comprising of Advisor(Infra) , concerned unit head, DTP/Manager(Planning), Sr.RM(P&D) and headed by MD.
Beyond 50000 sqm	IDC

(Inserted as per IDC decision taken vide item 5 on 9.7.1998 & item 21 & 29 on 13.11.2000. Insertions further made as per item 14 of meeting dt. 16.12.2010 and item 11 of the meeting dt. 18.2.2011)