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GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT

No.F.6(32)Rev-6/2020/25

Jaipur, dated: May 15, 2020

CIRCULAR

Subject: Allotment of Government Lands (Set Apart Lands)
for Industry/ Industrial Areas

To,
All Collectors
Rajasthan.

Attention of the Revenue Department has been drawn to some orders being issued by the Industries Department allotting some government land in certain rural areas to RIICO etc. in respect of lands set apart by District Collectors u/section 92 of the Rajasthan Land Revenue Act 1956. Copies of some such orders of Industries Department are enclosed at Annexure 1 & 2 respectively of this circular.

2. In this connection, it is pointed out that the allotment of lands (set apart lands in rural areas) for industries/ industrial purposes is governed, inter alia, by Rajasthan Industrial Areas Allotment Rules, 1959 issued by the Revenue Department in pursuance to section 102 of the Rajasthan Land Revenue Act, 1956. As per these rules (Rules of 1959), the allotment of land to RIICO or RTDC is governed by Rule 11A, wherein allotment is to be done by the State Government, i.e., the Revenue Department being the competent authority having issued the 1959 rules in the first place. Separately, Director, Industries is competent only for allotment of land under Rule 2(b)(i) for Jaipur District for "other than large scale industry" (i.e. micro, small and medium scale industry); while Collectors can allot land for such micro/small/medium scale industries in other districts under Rule 2(b)(ii). The authority of Industries Department for allotment of land for setting up of large-scale industry is described in Rule 2(a), and the same can be exercised only for the purpose mentioned therein, namely for setting up of "large scale industry". Insofar as allotment of land to other development authorities or industrial development promotion organizations (such as BIDA/ Delhi Mumbai Industrial Corridor in Rajasthan) is concerned, the same is governed by section 102/ 102A etc. of Rajasthan Land Revenue Act, 1959.

3. Thus, the following position emerges from a reading of the Act/ Rules mentioned above:

Sl. No.	Allotting Authority for set apart government land in rural areas	To Whom Allotment can be made	Relevant Section/ Rule
i.	Industries Department	Only to large scale industry	Rule 2(a)
ii.	Director, Industries	Only to "other than large scale industry" in Jaipur District, i.e., micro, small and medium scale industry	Rule 2(b)(i)
iii.	District Collectors	Only to "other than large scale industry", i.e. to micro, small and medium scale industry (in districts other than Jaipur)	Rule 2(b)(ii)
iv.	Revenue Department	To RIICO and RTDC	Rule 11A
v.	Revenue Department	Other industrial area development authorities and others	Section 102/ 102A etc.

4. The allotment orders under reference issued by Industries Department as above have been examined with reference to applicable and allotment rules; and they have been found to omit the specific rule under which the allotment order is being made.

As already mentioned above, Government of Rajasthan in the Revenue Department alone is the competent authority for allotment of set apart land in rural areas for RIICO/RTDC under Rule 11A of the 1959 Rules.

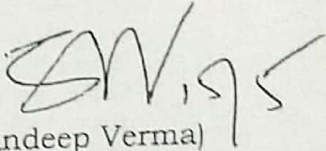
5. In view of the aforesaid position, it is clarified that all such orders of Industries Department allotting such land to RIICO are therefore without jurisdiction and ab-initio-void; and any mutation/ lease agreement etc. in pursuance of such orders may also be ab-initio void.

6. In view thereof, all Collectors are hereby directed to ensure that no mutation of such improperly-allotted lands/lease agreements etc. is to be undertaken/ entertained unless the orders for allotment of industrial land have been duly issued by the competent authority for allotment prescribed under the Rules of 1959 as mentioned at para 3 above.

7. This issues with approval of competent authority.


8. Any further clarification in reference to this circular can be obtained from the undersigned.

Encl: As above.


(Sandeep Verma)
Principal Secretary, Revenue
Phone: +91-141-2227464

Copy for kind information and necessary action to:

1. Addl. Chief Secretary, Industries Department, GoR, Jaipur, with a request that issuance of such allotment orders may kindly be refrained from in future.
2. All Divisional Commissioners, Rajasthan.
3. Managing Director, RIICO, Udyog Bhawan, Jaipur.


Deputy Secretary, Revenue (Group-6)