Rajasthan Land Revenue (Allotment of Land in Saline Area) Rules, 2007

RAJASTHAN India

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Rule

RAJASTHAN-LAND-REVENUE-ALLOTMENT-OF-LAND-IN-SALINE-ARI of 2007

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Rajasthan Land Revenue (Allotment of Land in Saline Area) Rules, 2007Published vide Notification No. G.S.R. 80, dated 28.11.2007Last Updated 23rd May, 2019G.S.R. 80. - In exercise of the powers conferred by clause (XLIV) of sub-section (2) of section 261 read with section 102 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules prescribing the conditions on which land for the purpose of the salt industry may allotted in the State of Rajasthan, namely: -

1. Short title, extent and commencement.

(1) These rules may be called the Rajasthan Land Revenue (Allotment of Land in Saline Area) Rules, 2007.(2) They shall extend to the whole of the State of Rajasthan.(3) They shall come into force at once.

2. Definitions.

- In these rules, unless the subject or context otherwise requires, -(a)"Allotting Authority" means General Manager, District Industries Centre in case of plots in Open Area and Commissioner, Industries in case of Reserve Area;(b)"Brine density" means weight of salt in grams dissolved per 100 cc of its solution in water;(c)"Company" means a company registered under the Companies Act, 1956 (Central Act No. 1 of 1956);(d)"Composite Salt Unit" means a unit manufacturing salt and its value added derivatives;(e)"Co-operative Society" means the Co-operative Society registered under the Rajasthan Co-operative Societies Act, 2001 (Act No. 16 of 2001);(f)"Director/Commissioner"

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means the Director/Commissioner of Industries Department, Government of Rajasthan;(g)"District Level Committee" means the committee constituted under rule 8;(h)"Form" means a form appended to these rules;(i)"General Manager, District Industries Centre" means the officer-in-charge of the District Industries Centre;(j)"Open area" means a saline area so declared under rule 6;(k)"Partnership firm" means a firm registered under the Indian Partnership Act, 1932 (Central Act No. 9 of 1932);(l)"Reserve area" means a saline area reserved for allotment to Central Government or State Government Department or Public Sector Undertakings or for the installation of composite salt unit by any person;(m)"Saline area" means an area of land suitable for the manufacture of salt and so declared by the Government under Rule 4;(n)"Salt" means Sodium Chloride manufactured from the brine available from lakes or from saline earth or mines;(o)"Society' means a Society registered under the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958);(p)"State Level Committee" means the committee constituted under Rule 8; and(q)"Value added derivatives of salt" means any product manufactured from common salt (sodium chloride) which add value to common salt.

3. Survey of Saline Areas.

(1)The Director/Commissioner may authorise any officer of the Industries Department to conduct a survey of Government land and take samples therefrom in respect of which he has reasons to believe that it is rich in salt contents and agriculture is not economically viable activity on it.(2)Such officer, after conducting necessary survey and satisfying himself that manufacturing of salt is economically viable in a particular area send report of the results to the Director/Commissioner. The Director/Commissioner shall get it mapped and prepare a statement containing khasra numbers, area (Khasrawise) and class/nature of land, etc. if brine density is 10% or more in the area. The Director/Commissioner shall send report to the Government.

4. Declaration of Saline Area.

- The State Government after examination of the report of the Director/Commissioner, if satisfied, may by notification in the official gazette declare the proposed area as saline area.

5. Transfer of Saline Area.

- As soon as an area is declared as saline area under rule 4, it shall stand transferred to the Industries Department.

6. Categorization of Saline Area.

(1)The General Manager, District Industries Centre shall prepare site plan of the saline area indicating therein open and reserve areas separately available for allotment and shall submit the same to the Government through the Director/Commissioner. Government in the Department of Industries may by Notification in the official gazette declare a saline area to be an open area or a reserve area. The Director/Commissioner shall divide and demarcate plots of suitable size in open

and reserved areas depending on the density and availability of brine. However, no plot shall be less than 4 hectares and more than 40 hectares. The Government may reserve the entire saline area exclusively for Central/State Government and Public Sector Undertakings.(2)Industry Department may change the category of an area from reserve area to open area and vice versa.(3)When an area declared as a saline area under Rule 4, subsequently becomes unfit or economically unviable for salt production, the Government may rescind the notification issued for this purpose under Rule 4 and all allotments made shall stand cancelled without any compensation and the area shall stand transferred to the Reserve Department.

7. Reservation.

(1)Plots in open area shall be reserved as under -(i)Sixteen percent for scheduled Castes.(ii)Tweleve percent for scheduled Tribes.(iii)Three percent for disabled persons.(iv)Nine percent for ex-serviceman.(2)In case of non-availability of sufficient number of eligible applicants in reserve categories, the reserve plots shall become available for allotment to general category.(3)Partnership Firms/Companies/Cooperative Societies shall not be entitled for the land reserved for any category mentioned in sub-rule (1) notwithstanding the fact that all of its member may belong to any particular reserved Category.

8. Allotment.

(1) Allotment of plots in an open area shall be made by General Manager of District Industries Centre on the recommendation of District Level Committee consisting of the following, namely: -

District Collector	-	Chairman			
Sub-Divisional Officer in whose jurisdiction thesaline area is situated.	-	Member			
Concerned Member of Legislative Assembly	-	Member			
A nominee of the Commissioner Industries notbelow the rank of Deputy Director of Industries	-	Member			
General Manager, District Industries Centre	-	Member Secretary			
(2)Allotment of plots in the reserve areas shall be made by the Director/Commissioner, Industries					
on the recommendation of State Level Committee consisting of the following; namely: -					
Principal Secretary, Industries Department	- Ch	airman			
Principal Secretary, Revenue Department or his nominee not below the rank of Deputy Secretary	- Me	ember			
Principal Secretary, Finance Department or his nominee not below the rank of Deputy Secretary	- Me	ember			
Deputy Secretary, Industries Department	- Me	ember			
Director/Commissioner Industries	-	ember cretary			

(3) The quorum for holding meeting of the Committees shall be of three members including the Chairman and Member-Secretary.

9. Lease Rent.

(1)The State Government shall by notification fix lease rent of land allotted under these rules for each saline area on the recommendation of the State Level Committee. In fixing such lease rent, the State Government shall consider salinity and availability of brine in such area:Provided that till such time as the lease rent is fixed by the Government an interim lease rent at the rate of Rupees four hundred per hectare per annum shall be charged and difference if any shall be paid within 6 months of fixation of lease rent.(2)The lessee shall pay yearly lease rent as may be fixed by the Government every year in advance one month before the due date:Provided that if lessee pay lease rent in advance discount at the rate given below shall be given: -

S. No. Period of advance payment Discount

1. One year Nil

Five years Ten percent
Ten years Fifteen percent

(3)The allottee shall deposit the lease rent within 30 days from the date of allotment. The allotting authority or his nominee shall give the possession of the leased area within fifteen days from date of deposit of lease rent.(4)Such rent shall be liable to be revised after every ten years and the enhancement in rent at each such revision shall not exceed 25 percent of the rent payable for the period immediately preceding such revision.

10. Invitation of Applications for allotment.

- The Allotting Authority by publishing notice in Form-I and Form-II in two State level daily newspapers may invite applications for allotment of vacant plots in open area and reserve area respectively such notice shall specify the last date and time for submission of application form, which shall not be less than thirty days from the date of publication of such notice:Provided that allotment to the Department of Central/State Government and Public Undertakings may be made without inviting applications.

11. Application for allotment.

- An application for allotment of a plot on lease shall be submitted to the General Manager, District Industries Centre in Form III for open area and to the Commissioner/Director in Form-IV for reserved area. Application shall be accompanied with a non-refundable registration fees of rupees fifty and a security deposit of one thousand rupees in case of application for open area and five thousand rupees in case of application for reserve area in form of bank draft in favour of the Allotting Authority. Registration fee is non-refundable and amount security deposit shall be adjusted against the lease rent in case when lease is granted and refundable if lease is not granted. Security amount shall be forfeited if application fails to deposit lease rent within the time limit after

allotment of plot.

12. Extent of Area for Allotment.

- The area to be allotted for the manufacture of salt shall not be less than four hectares and not more than 40 hectares.

13. Disposal of Application.

(1)The applications received for allotment shall be entered in a register maintained in Form-V. The applications shall be scrutinized and placed before the appropriate committee.(2)The appropriate allotment committee after examination shall recommend an application either for rejection or acceptance. Allotment of plot and assignment of plot number shall be decided by draw of lots.(3)Allotment order shall be made in Form-VI.

14. Period of allotment, terms and Conditions of Allotment

-The saline area shall be allotted on following terms and conditions: -(a)The allotment of the plot shall be made by way of lease for a period of twenty years in the first instance, renewable for a further period of ten years at a time.(b) The lessee may surrender the plot at any time during the lease period after giving one months' notice in writing to the allotting authority.(c) If the lessee fails to utilize the plot for the purpose for which it was leased or violates any of the conditions of the allotment or lease or makes any contravention of these rules the competent authority may cancel the lease after giving an opportunity of being beard to the lessee.(d)The lessee shall not in any way transfer, sublet, mortgage, sell, gift or m any other way alienate the area or any portion thereof except(i)in the event of death of the lessee the allotting authority shall permit transfer of lease to his legal heir(s),(ii)in case of any registered partnership firm if a new partner is to be added the same shall be permitted on payment of fee of Rupees one thousand per hectare or part thereof.(iii)in any other case, transfer of lease from the original allottee shall be permitted only after three years by the lessor for the remaining period subject to condition that the transferee pays Rupees one thousand per hectare or part thereof and makes an application to this effect along with the consent of the original allottee(s) and a fresh lease deed shall be executed for the remaining period.(iv)the division of the plot shall be permitted on the request of allottee by the Allotting Authority subject to payment of a fee of Rupees one thousand per hectare of total area of plot. Subject to conditions that after division no part shall be of less than four hectare, other conditions of allotment shall remain same and fresh lease deed shall be executed for remaining period, or(v)the plot can be mortgage in favour of any bank/financial institution for obtaining loan for the development of allotted plot. In case of sale of sue mortgaged plot by banks/Financial institutions the lease shall be transferred/renewed after clearing all Government dues from the date of handing over possession to the purchaser for the remaining period of lease.(e)The leased plot shall be used only for the purpose of manufacture of salt, its bye-products and salt derivatives or for establishment of composite salt unit as the case may be:Provided that the lessee may use five percent of the total allotted area for t e purpose of construction of godown, office, labour quarters and processing plant The construction shall have to be removed by him on the expiry of the lease period. If the lessee fails to demolish or remove the

raised building, construct! and material etc. within a period of forty-five days from the date of expiry or termination of lease, as the case may be, then the lessor at the cost of the lessee shall remove such building and the material. Such cost shall be recoverable arrears of land revenue under the Rajasthan Land Revenue Act, 1956! (Act No. 15 of 1956) and the lessee shall have no claim or right on account of the cost such building or materials.(f)The lessee shall not undertake any work that may damage or reduce the yield of salt from the leased plot or destroy its future capacity of salt production.(g)The lessee shall commence manufacturing of salt on the leased plot within a period of twelve months from the date of handing over of possession and shall ensure that the area does not remain idle for a continuous period of one year anytime during the period of lease.(h)The lessee has to pay the due amount on or before fixed date failing which an interest at the rate of twelve percent per annum shall be charged.(i)The leased plot or part thereof can be taken into possession during the currency of lease period of by the State Government for any public use/purpose and the lessee shall not be entitled for any compensation. However, the lease rent shall be reduced proportionately. The lessee shall remove the construction done on the leased plot. The residual land shall remain with the original allottee and in such cases the conditions of minimum plot size of four hectare shall not be applicable.

15. Execution of lease deed and renewal.

(1)The lessee shall submit necessary stamp for execution of lease deed and execute the lease deed in form-VII within 30 days from the date of allotment. In case where the lessee fails to submit the stamp and execute the lease deed within the above period, the same shall be submitted and executed with a late fee of Rupees five hundred within three months. If the lessee fails to submit stamps and execute the lease deed even with late fee as mentioned above, the allotment shall stand cancelled.(2)Application for renewal shall be submitted to the allotting authority at least 30 days before the date of expiry of the lease. In case where the lessee fails to submit application for renewal within the said period, a late fee of Rupees two hundred shall be charged up to the expiry period and thereafter a late fee at the rate of Rupees three hundred per month shall be charged up to a period of twenty-four months. The Government shall have the power to renew the lease beyond this period up to a further period of 24 months on payment of Rupees five hundred per month.(3)An application for renewal, complete in all respects with prescribed lease rent and late fee, if any, shall be disposed off by the appropriate authority within sixty days of the receipt of application.

16. Breach of conditions.

- On contravention of any rule and/or breach of any condition of the lease deed the lessor may terminate the lease and recover possession of the area so allotted after giving opportunity of being heard. Any dues in respect of lease shall be recoverable as arrears of land revenue under the Rajasthan Land Revenue Act, 1956. (Act No. 15 of 1956).

17. Registration and Intimation of Salt Production.

- On allotment of land lessee shall apply for registration of the unit to the salt commissioner and the date of commencement of salt production and quantum of production shall be intimated by the

lessee to the Salt Commissioner and to the allotting authority by registered post.

18. Appeals.

(1)An appeal against the order passed by the General Manager, District Industries Centre/District level Committee under these rules shall lie to the Divisional Commissioners.(2)An appeal against the order passed by the Director/Commissioner or State level Committee under these rules shall lie to the Board of Revenue.(3)Every appeal preferred under these rules shall be presented within thirty days of the order appealed against with a court fee of Rupees one hundred.

19. Interpretation of Rules.

- If any difficulty arises in the application or interpretation of any of these rules, it shall be decided by the State Government whose decision thereon shall be final.

20. Repeal and Savings.

- The Rajasthan Land Revenue (Saline Areas Allotment) Rmes, 1970 are hereby repealed; Provided that any order made or action taken under the rules or orders so repealed shall be deemed to have been made of taken under the corresponding provisions of these rules. Form-INotice (See Rule 10) In pursuance of Rule 10 of Rajasthan Land Revenue (Allotment of Land in Saline Area) Rules, 2007 it is hereby informed to the general public and invite the application for allotment of plot in open area as per details given below:

S. No. Name of village. Name of Tehsil. District Detail of plots

S. No. Name of village. Name of Tehsil. District Detail of plots

For allotment of plot in these areas, application in prescribed performa may be submitted in the office of undersigned. "Application for allotment of plot in reserve area" should be mentioned on the envelope while applying for the allotment of such land. Application forms must reach to this office within 30 days of publication of this notice. Note. - (i) All type of information pertains to allotment of such land can be obtained from the office of District Industries Centre of concerned district or Inspector of Salt as well as from office of the undersigned. (ii) Applicant belonging to SC/ST/disabled person/Ex-Serviceman category should enclose relevant certificate.(iii)The application forms shall be required to be sent through registered post. Application forms received after 30 days shall not be accepted.(iv)Relevant certificates etc. accompanied with the application form must be duly attested.(v)Only the Central/State Government Departments or public sector undertakings and any other person who desire to establish composite salt unit shall be eligible for allotment in above area.Director/Commissioner, Industries......Form-III(See Rule 11)Application For Allotment of Plot In Open AreaTo:General Manager District Industries center/Director/Commissioner, Industries Department, Rajasthan, Jaipur. With reference to the advertisement dated...... kindly arrange to allot me/us the plot of land in saline area for respect, the following information submitted for further action.

- 1. Name of applicant
- 2. Full address
- 3. Income of applicant
 - If applicant is a firm, then the names of all partners withtheir age may be mentioned.
- 4. (Certificate from Registrar of firmsrequired to be enclosed), and if company certificate of Registration.
- 5. If the plot of land is allotted to the applicant/partners offirm in different areas then particulars may be given.
- 6. Details of plot of land required for the allotment.
- 7. Registration fee.
- 1. Name of Government Department/Governmentundertaking/applicant for composite salt unit.
- 2. Full address

- 3. Audited balance sheet of undertaking/applicant.
- 4. Details of plot of land required for the allotment.
- 5. Registration fee.
- 6. Security deposit in form of Bank Draft in favour Director/Commissioner, Industries. In case of composite salt unit project report of unit shall be enclosed composite salt unit shall be eligible for allotment only when its project report is approve by the State level Committee. I hereby verify that above information are true as per my personal knowledge. I/we do hereby agree to the rules for allotment of land in saline areas. Place:......Signature of applicant Form-V(See Rule 13) Performa of the register in which application for allotment of Salt Areas are being entered according to serial number.

Sr.	Name and Address of	Date and time of the receipt	Situation and boundaries of	Remarks	
No.	applicant	of application	area applied for	Kemarks	
1	2	3	4	5	

Form-VI[See Rule 13]Government Of RajasthanDated: No.Shri......Order of AllotmentSub: Allotment of Saline AreaRef: Your Application dated......You have been allotted the following plot of land on leasehold basis:

Name of Village Name of Tehsil District Area (in hectare) Remarks if any

The allotment is made as per provision of the Rajasthan Land Revenue (Allotment of Land in Saline Area) Rules, 2007, on the following terms and conditions: -(1)The allotment of plot shall be made by way of lease for a period of twenty years in the first instance, renewable for a further period of every ten years at a time by the General Manager, District Industries Centre, in case of open area and by Director/Commissioner in case of reserve area. The lessee shall have to pay rent at prevailing rates at the time of renewal.(2)Application for renewal shall be submitted by the lessee to the General Manager, District Industries Centre/Director/Commissioner 30 days before the date of expiry of the lease. In case where the lessee has failed or fails to submit application for renewal within the said period, a late fee of Rs. two hundred will be charged up to the expiry period and thereafter a late fee at the rate of Rs. three hundred per month shall be charged up to a period of twenty-four months. Thereafter, the lease shall be renewed by the State Government for up to another 24 months on such sum, which many not exceed Rs. five hundred per month.(3)Completed application for renewal with prescribed lease rent and late fee, if any, is submitted to the competent authority the same shall be disposed off with in sixty days of the receipt of application failing which it shall be presumed to have been renewed. The competent authority in that case shall issue an order of renewal.(4)The lessee may surrender the land at any time during the period of lease after giving

notice in writing to the competent authority one month before the date from which he intends to surrender the lease.(5)If lessee unable to utilize the land for the purpose for it was leased or violates any of the condition of lease or makes any contravention of these rules the competent authority may terminate the lease after giving opportunity of being heard.(6)The lessee shall pay yearly lease rent as may be fixed by the Government every year in advance one month before the due date:Provided that if lessee pay lease rent in advance discount at the rate given below shall be given: -

- 1. One year Nil
- 2. Five years Ten percent
- 3. Ten years Fifteen percent

(7) The lessee shall execute a lease deed in Form VI within thirty days from the date of sanction of the lease. In case where the lessee fails to submit required stamp for execution of lease deed or fails to execute the lease deed within this period, the same shall be submitted and executed with a late fee of Rs. five hundred within three months. If the lessee fails to submit the stamp and execute lease deed with late fee as above the allotment shall stand cancelled. (8) The possession of the area under the lease shall be given by the competent authority or his nominee within fifteen days from deposit of lease rent.(9)The lessee shall not in any way transfer, sublet, mortgage, sell, gift or in any other way alienate the area or any portion thereof except in the following conditions and in the following manner:(i)In the event of death of the lessee the allotting authority shall permit transfer of lease to the legal heir(s) of the lessee.(ii)In case of any registered partnership firm the share of any partner on his death or retirement will divest as per provisions of Indian Partnership Act, 1932 and Rules made thereunder from time to time or as per registered partnership deed without any fees by Competent Authority.(iii)In case of any registered partnership firm, a new partner(s) is added, the same shall be permitted on payment of fee of Rs. one thousand per hectare or part thereof.(iv)In any other case, transfer of lease from the original allottee shall be permitted only after three years by the lessor for a remaining period if, the transferee pays Rs. one thousand per hectare or part thereof and makes an application to this effect along with the consent of the original allottee(s) and a fresh lease deed will be executed for the remaining period.(v) The division shall be permitted on the request by the Allotting Authority subject to payment of a fee of Rs. one thousand per hectare on total holding. Subject to condition that after division no part shall be of less than four hectare, other conditions shall remain same and fresh lease deed shall be executed for remaining period. (vi) The lease deed can be mortgaged in favour of any bank/financial institution (State or Central) for obtaining loan for the development of allotted plot. In case of sale of such mortgaged plot by banks/Financial institutions the lease shall be transferred/renewed from the date of handing over possession to the purchaser for remaining lease period. The period of possession of financial institutions shall be treated as possession of lessor and no lease rent/late fee shall be leviable for this period.(10)The plot leased shall be used only for the purpose of manufacture of salt and its bye-products or for establishment of composite salt unit as the case may be: Provided that the lessee may use five percent of the total allotted area for the purpose of construction of godown, office labour quarters, processing plant. The construction shall have to be removed by him on the expiry of the lease period. If lessee fails to dismantle and remove the raised building and material etc. within a period of forty-five days from the expiry or termination of lease, as the case may be, then such building and the material shall be dismantled and removed by the lessor at the cost of the lessee and no claim on account of the cost of such building or material shall be entertained.(11)The lessee shall not undertake any work that may damage or reduce the yield of salt from the leased area or destroy its

- 1. That the lessor has agreed to let and the lessee has agreed to take on lease the said plot for a period of 20 years for the aforesaid purposes on rent of land hereinafter specified provided that if lessee want to surrender the said plot before expiry of the lease, he shall have to inform the General Manager, Director/Commissioner under registered notice before one year of the date, he wants to surrender the said plot. The lease shall be renewable for a further period of ten years at the option of the lessee.
- 2. That the lessee shall pay yearly lease rent as may be fixed by the Government from time to time till such time as the lease rent is fixed by the Government an interim lease rent at the rate of Rupees four hundred per hectare per annum shall be charged and difference if any shall be paid within six months of fixation of lease rent.
- 3. That the lessee shall pay the stipulated rent in advance one month before the due date very year.

Provided that if lessee pay lease rent in advance at the rate given below shall be given

S. No. Period of advance payment Discount

1. One year Nil

Five years Ten percent
Ten years Fifteen percent

4. The lessee shall not erect or build or permit to be erected or built any building or structures on the said plot.

Provided that the lessee may erect on the plot allotted to him, any building unto five percent of the total allotted area for the purpose of construction for godowns, storage, salt or manufacturing implements for salt purpose after taking permission of the General Manger, Director/Commissioner and such building shall be liable to be removed by the lessee as his own expenses on expiry or determination of the lease.

- 5. The lessee shall not in any way transfer, sublet, mortgage, sell, gift or in any other way alienate the area or any portion except mentioned in the Rule 14(d).
- 6. That the area hereby lease shall be used only for the purpose of manufacturing salt and its by-products or for establishment of composite salt unit as the case may be and for no other purpose.
- 7. The lessee shall not undertake any work that may damage or reduce the yield of salt from the leased plot or destroy its future capacity of salt production.
- 8. The lessee shall commence manufacture of salt on the leased plot within a period of 12 months from the date of handing over of possession and shall ensure that the plot does not remain ideal for a continuous period of one year any time during the period of lease.
- 9. The lessee has to pay the due amount on or before fixed date failing which an interest 12% per annum shall be charged.
- 10. The leased land or part thereof can be taken into possession during the currency of lease period by the State Government for public use and purpose and the lessee shall not be entitled for any compensation, however, the lease rent shall be reduced proportionately. The construction done on the lease land shall be removed by the lessee. The residual land shall remain with the original allottee and in such cases the condition of minimum plot size of 4

hectare shall not be applicable.

11. That in case of breach of rules or breach of any of the condition of this lease deed or allotment order, the lease shall be determine and the said plot shall revert to the lessor and the lessee shall not be entitled to any compensation for such premature determination of the lease.

Signed by	the lessee	of theSigned	for and on	behalf	of theGoverno	r State o	of Rajastha	nWitness:
1	Witness: 1	ıW	itness : 1		Witness: 1			