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F.No. 04011/10/2010-Salt
Government of India
Ministry of Commerce & Industry
Department of Industrial Policy and Promotion


Udyog Bhavan, New Delhi
Dated 24th January, 2012

OFFICE MEMORANDUM

Sub: Internal Policy Guidelines of the Department of Industrial Policy and Promotion to consider requests received from various agencies for transfer of salt pan land owned by the Govt of India through the office of the Salt Commissioner, at places other than Mumbai and its suburbs, for public purposes.

The undersigned is directed to say that the Department of Industrial Policy and Promotion has been receiving requests from various Government / public sector enterprises for transfer of salt pan lands, owned by the Office of the Salt Commissioner, for public purposes.

2. This matter has been under the consideration of the Government.
3. It has been decided with the approval of the competent authority to issue the enclosed Internal Policy Guidelines of this Department for dealing with requests received in this Department from Central Government Ministries / Departments, State Governments, Central & State Public Sector Enterprises for transfer of land owned by the Govt of India through the office of the Salt Commissioner, at places other than Mumbai and its suburbs, for public purposes.


(K.R. Vaidheeswaran)
Director
Tel.23063820

1. Cabinet Secretariat, Rashtrapati Bhawan, New Delhi
(Attn: Shri K.L.Sharma, Director).

This is with reference to Cabinet Secretariat letter No.1/CM/2012 (i) dated 10-1-2012 (Case No.2/1/2012-Item 2). The enclosed Internal Policy Guidelines are being issued as per the time frame indicated in the statement of the Implementation Schedule appended to the Cabinet Note of even number: dated 12-12-2011.

2. The Secretary, Department of Expenditure, North Block, New Delhi
(Attn: E.II (A) Branch - F No 14(36)/EIIA/2009)

3. The Secretary, Ministry of Urban Development, Nirman Bhawan, New Delhi.
(Attn: Deputy Land & Development Officer, w.r.t. F.No. J-11018/5/76/225
dated 13-7-2011).
4. PMO, South Block, New Delhi
(Attn: Ms. Pallavi Jain Govil, Director, w.r.t. PMO ID No.300/31/C/018/2009
ES I dated 2-11-2011)
5. Salt Commissioner, Jaipur.

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INTERNAL POLICY GUIDELINES FOR TRANSFER OF SALT PAN LAND OWNED BY THE GOVT OF INDIA THROUGH THE OFFICE OF THE SALT COMMISSIONER, AT PLACES OTHER THAN MUMBAI AND ITS SUBURBS, FOR PUBLIC PURPOSES.

The Department of Industrial Policy and Promotion (DIPP) has been receiving requests from Central Government Ministries / Departments, State Governments, Central & State Public Sector Enterprises for transfer of land owned by the Govt of India through the office of the Salt Commissioner, at places other than Mumbai and its suburbs, for public purposes.

2. Following Internal Policy Guidelines are being issued to deal with such requests:

2 (i) Land used for salt production and related activities, as a rule, shall not be transferred to any agency.

(DIPP will take a decision in the matter based on the inputs from the Salt Commissioner regarding the use of land for salt production and related activities).

2 (ii) Notwithstanding (i) above, land under active salt production shall be considered for transfer for public purposes only in exceptional cases as determined by DIPP. The transfer shall be in exchange for alternative land of equivalent value suitable for salt production, failing which, on payment of market value.

2 (iii) Land declared surplus to the requirement of the Office of the Salt Commissioner shall alone be considered for transfer for public purposes in accordance with Rules 278 and 279 of the General Financial Rules (GFR), under intimation to the Ministry of Urban Development

(Declaration of land surplus to the requirement of the Office of the Salt Commissioner will be done by DIPP based on a report from the Salt Commissioner on the economic viability of salt production).

2 (iv) Land surplus to the requirement of the Office of the Salt Commissioner, shall be offered first to other Central Government Departments, next to Central Public Sector Enterprises, failing which the Government of the State in which the land is situated and lastly to the State Public Sector Enterprises.

2 (v) The transfer of land will be on freehold basis.

2 (vi) There shall be no transfer of land to private sector agencies.

2 (vii) While considering requests for transfer of land, due consideration will be given to environment related issues and related restrictions.

2 (viii) Request for transfer of land shall be made to DIPP, in the prescribed format (copy enclosed).

2 (ix) Inter-se priority shall be fixed by DIPP in case of multiple requests for the same land, depending on the nature of public purpose.

2 (x) On the direction of DIPP, the Salt Commissioner shall examine, as far as possible, within 60 days, all such requests taking into account the impact of such transfer on salt production, the requirement of the said land for salt manufacture in future and the availability of saline land for exchange, if required.

2 (xi) The actual extent of land to be transferred shall be worked out by the Office of the Salt Commissioner, in consultation with the transferee agency. If required assistance of state government revenue officials for proper survey of land and demarcation by fixing of survey stones would be sought.

2 (xii) For lands under active salt cultivation and under consideration for transfer, the transferee agency shall pay compensation to the lessees, if any.

for extinguishing the lease hold rights and meet the cost of rehabilitation of the salt workers.

2 (xiii) Any legal case arising out of land transfer proposal in regard to compensation to be paid to the lessees, etc. or any other matter shall be taken care of and defended by the transferee agency at its own cost.

2 (xiv) A token value of Re. 1 (Rupee One) will be charged for transferring land to Central Government Departments as per Rule 279 (2) of the General Financial Rules after obtaining the approval of the Minister in charge of DIPP.

2 (xv) In respect of cases, pertaining to central public sector enterprises, state governments and their enterprises, market value will be charged for the land, as defined in paragraph 2 of Appendix 11 of the General Financial Rules, 2005.

2 (xvi) The market value of the land and its transfer shall be approved by the Minister in charge of DIPP.

2 (xvii) Govt. of India / DIPP shall retain the right to resume / reclaim ownership of the land transferred, as long as the land is vacant or not used for the purposes for which it was transferred, on payment of suitable compensation. If the land is required by a central public sector enterprise and stands allotted, then it will be resumed on payment of the cost of allotment and proportionate development.

3. A Flow-chart indicating the procedure to be followed for fixing the market value of land is enclosed.

4. The above Internal Policy Guidelines will be treated as general delegation required, under Rule 28 of GFR 2005 for transfer of land, etc. Whenever any general policy is framed by the Government, these guidelines shall be suitably reviewed / modified to make them consistent with the general policy.

Format

Application for transfer of land

1	Name of the organization and address	
2	Status of the organization (a) Central Government (b) Central Government Undertaking / Enterprise (c) Autonomous body of Central Government (d) State Government (e) State Government Undertaking / Enterprise (f) Autonomous body of State Government (g) Private institution / body (h) Any other to be indicated	
3	Extent of land required for transfer (a) Area in acre / hectare (b) Survey number (c) Name of village / taluqa / district (d) Sketch / site plan with boundaries	
4	Whether the required land is used for salt manufacture or declared surplus to the requirement of department.	
5	If declared surplus, authority and the reference number of DIPP / Salt Commissioner.	
6	Purpose for which the land is required and its national / regional importance.	
7	Details of project indicating whether it is a permitted activity under (a) CRZ (b) Master plan of the State Govt / local authority etc.	
8	Efforts made to obtain the land from State Government / private parties.	

9	Undertaking to pay market value fixed by DIPP, payment of compensation to the salt lessee / manufacturer and cost of rehabilitation of salt workers and right of DIPP to reclaim / resume ownership of the land on payment of suitable compensation.	
10	Undertaking to defend court / legal cases if any, arising out of transfer of land.	
11	Recommendations of the competent authority of Ministry / Department of Central / State Government	

FLOW CHART

