

rfc
RAJASTHAN FINANCIAL CORPORATION
HO: UDYOG BHAWAN, TILAK MARG,
C-SCHEME, JAIPUR-302 005

Ref. No. RFC/F.LA-13(6)/61

Dated : 10 April, 006

PG CIRCULAR
(LA No. 437)

Reg: Clear approach to the land in cases where land is converted for non-agricultural purposes under Rules of the Rajasthan Land Revenue Act, 1956.

There have been some instances where loan has been granted to the units set up on converted land under the Rules of the Rajasthan Land Revenue Act, 1956 without ensuring the clear and proper approach from the main road to the industrial unit, which may hamper the interest of the Corporation while enforcing rights of recovery U/s 29 of SFCs Act.

In this regard we have already issued guidelines for the cases where land is converted under **Rule 2-B** of the Rajasthan Land Revenue (Conversion of Agricultural into Non-Agricultural Land) Rules, 1961 and Rajasthan Land Revenue (Conversion of Agricultural Land for Non-Agricultural Purposes in Rural Areas) Rules, 1992 as printed at para 5.2A (iv) 1 at page 287 & para 5.2B (b)(i) at page 288 in Chapter LD-1 of Procedure & Guidelines, which is reproduced as under :-

"The Branch Manager or his authorized officer be deputed to in respect the site to ascertain the correct situation of agricultural land so converted and also he may see that the portion of agricultural land should be such area of total holding on which uninterrupted entry is possible i.e. the entry to the land so converted should be nearer to the main road

from where the entry is free from any obstacle or objection and if the situation is not in accordance with required manner then the borrower may be advised to get the land converted which is nearer to the main road and entry to such land is uninterrupted. More specifically, the land should not be converted in the middle of the total holding to avoid any dispute by the borrower himself, in case any recovery action is taken by the Corporation."

It has been observed that according to the provisions of law no permission is being granted for conversion of land falling within the boundary limits of any National Highway, State Highway or any other road maintained by the Central or State Govt. or any local authority, as specified in any Act or Rules and now the agricultural land situated on the boundary line of the road is being converted after leaving a certain distance from the middle of the road according to the provisions of the Law in force, therefore, in such cases the party may be advised to surrender a strip of his agricultural land to the State Govt. to declare the same as public way in the revenue record which will be used for the way to their industrial unit from the main road and the Corporation may obtain certified copy of the revenue record alongwith the map of the land showing the position of public way so that uninterrupted entry to the industrial unit may be ensured..

According to this effect a new para 5.2C has been incorporated in Chapter LD-1 after existing para 5.2B (d) at page 289, which is as follows :-

While accepting the equitable mortgage on deposition of title deeds for the industrial land situated on the boundary line of the road and converted under the various rules of the Rajasthan Land Revenue Act, 1956 the branch should ensure as under :-

The Branch Manager or his authorized officer be deputed to inspect the site to ascertain the correct situation of agricultural land so converted and also he may see that the portion of agricultural land should be such area of total holding on which uninterrupted entry is possible i.e. the entry to the land so

converted should be nearer to the main road from where the entry is free from any obstacle or objection and if the situation is not in accordance with required manner then the borrower may be advised to surrender a strip of his agricultural land to the State Govt. to declare the same as public way in the revenue record which will be used for the way to their industrial unit from the main road and obtain certified copy of the revenue record alongwith the site map of the land showing the position of public way so that uninterrupted entry to the industrial unit may be ensured.

Therefore, all the officers are advised to examine the matter carefully at the time of appraisal of the case that the industrial unit situated on the land converted under the various Rules of the Rajasthan Land Revenue Act, 1956 is having clear and undisputed approach from the main road.

All concerned are advised to strictly adhere the aforesaid guidelines with immediate effect.

Sd/-

(Anand Kumar)
Executive Director