

**GOVERNMENT OF BIHAR  
DEPARTMENT OF INDUSTRIES**

**NOTIFICATION**

In exercise of powers conferred u/s 14(e) of Bihar Industrial Area Development Authority(BIADA) Act, 1974, (here in after referred to as the Act), the Government of Bihar is pleased to issue the following directions regarding the policy and procedure for allotment of land by BIADA, in the Industrial areas under its control; keeping in view the increasing demand for industrial plots in relation to availability of land.

**1. Demarcation of industrial plots :**

1.1 The total plots available to BIADA in an industrial area shall be divided in various categories, as under:

- a. Size upto 0.25 Acres
- b. Size larger than 0.25 acres upto 0.50 acres
- c. Size larger than 0.50 acres upto 1.00 acre
- d. Size larger than 1.00 acres upto 2.00 acres
- e. Size larger than 2.00 acres upto 5.00 acres
- f. Size larger than 5.00 acres

1.2 However, the plots should be decided so that at least,

- (a) 20% of the available land will be divided in plots measuring an area of 0.25 acre or less than that, and
- (b) 20% of the available land would be divided in plots having area of more than 2 acres.
- (c) Balance 60% of the available land may be divided in different sizes of plots as per demand / requirement of the entrepreneurs as may be decided by the Board of Directors from time to time.

1.3 BIADA shall place a list of plots available for allotment to a prospective applicant, on its website : [www.biadabihar.in](http://www.biadabihar.in) The number of available plots with area of the plot shall be available on the web site and the same would be updated on the last working day of every month.

1.4 Applications should be invited for particular plot size categories. The Board of BIADA may decide not to make allotment of the entire available land / plot in an industrial area at one time and the allotment for various categories and plots in an industrial area may be done in different stages / period.

**2. Purposes for which allotment can be made:**

2.1 The Board of the Authority shall be competent to decide on the sectors for which allotment can be made.

- 2.2 However, once a decision has been taken, it shall be kept frozen for atleast a year and shall be reviewed after one year, keeping in view, (i) the availability of land, (ii) the demand for land in various sectors and (iii) the industrial policy of the state and the thrust areas. It is noted that at present the plots as the following activities are eligible for allotment :
- a. Manufacturing/ Processing (including data processing)
  - b. IT Park including ITeS/ Industrial Park
  - c. Common Logistical Facility
  - d. Industry related training centres, viz. ITI/ITC/ Skill development centres.
- 2.3 The State Government shall have the right to declare any particular industrial area or a part of it to be reserved for a specific activity, and in that case, that area or part of that, would be allotted only for that specific activity, unless changed or dereserved by the government.
- 2.4 In case of an industry or institution, establishment of which is in wider interest of the state as a whole, the government may issue directions for allotment of specified area of land in a specific industrial area, and that shall be binding on the Authority.

**3. Competent authority for allotment :**

- 3.1 'The Bihar Industrial Area Development Authority (Financial, Service and Technical) Regulations, 2007' provides, inter alia, the Regulation 1.4, a Project Clearance Committee comprising of :

- (i) Managing Director, BIADA,
- (ii) All Executive Directors,
- (iii) Director Industries or his representative,
- (iv) Joint Secretary, Finance Department, Government of Bihar,
- (v) Chairman, Bihar Pollution Control Board or his representative,
- (vi) Consultants of the BIADA – to be nominated by the Managing Director,
- (vii) Head, Confederation of Indian Industry, Patna or his representative; and
- (viii) Representative of Bihar Industries Association.

- 3.2 The Project Clearance Committee (PCC) is empowered to consider all the projects and other expenditure proposals. The competent sanctioning authority for allotment of land is the Managing Director, but the allotment has to take place through the PCC.

**4. The Procedure of allotment :**

- 4.1 The Managing Director, BIADA shall conduct pre-screening of the applications received for allotment of industrial land in accordance with the guidelines as mentioned below.
- 4.2 A preliminary scrutiny shall be made on the following criteria and weightage for each category:-



**a. Pre-qualifying criteria**

Networth of investor - should be at least 20% of the proposed investment.

**b. Ranking criteria**

- (i) Investment size - 30%
- (ii) Investment labor ratio -30%
- (iii) Thrust area - 10%
- (iv) Experience of the investor - 10% & to be raised to 20% as per below
- (v) Use of eco-friendly technology - 10%
- (vi) Date of application of the investor – 10%

- 4.3 The Board of Directors of BIADA shall decide on the weightage to be given for a particular range for each of the ranking criteria as defined in 4.2 (b) above. However the applications pending as on 31<sup>st</sup> October and the fresh applications that are called for before the next round of allotments are made.
- 4.4 In future applications would be called for only when land becomes available.
- 4.5 Uniform on minimum cut off marks may be decided by PCC and the same will be communicated to the applicants before preparation of a ranking list. If the number of eligible applicants are more than number of available plots in that category, the PCC shall decide the allotments by draw of lots of amongst maximum of five times of the number of plots, in that category. The lottery would be held by PCC, on a pre-announced date on which the applicants would be requested to be present.
- 4.6 All unsuccessful applicants either eliminated in pre-screening or draw of lots shall be informed and their security money shall be refunded. Thereafter, whenever, there are more plots available, they would be illegible to submit fresh applications.
- 4.7 Those units which will be having investment of more than Rs.50.00 crores will be given preference in the matter of allotment of land subject to availability.

**5. Procedure of receipt of applications**

- 5.1 After these new procedure and prices (to be separately decided) are notified, fresh applications should also be invited for the existing plots, giving one month time. Thereafter, these applications along with old pending applications be decided as per the revised policy, procedure and prices.
- 5.2 Thereafter, subject to availability of land, as on the last day of the preceding month, fresh advertisement inviting prospective applicants would be issue by 15<sup>th</sup> of that month and disposal would be made within

60 days of the date of issue of advertisement. The current practice of continuous receipt of application be stopped forthwith.

6. The Government of Bihar may from time to time issue such other and further directions which may facilitate implementation of this policy and/or found necessary to be followed in the interest of industrialization in the State of Bihar.

By the Order of the Governor of Bihar,  
Sd/-

(Naveen Verma)  
Principal Secretary,  
Department of Industries,  
Bihar, Patna.

Memo No. 4990 / Patna, dated : 26.11.13

Copy forwarded to Chief Secretary, Bihar, Patna,/Development Commissioner, Bihar, Patna/ Pr. Secy to CM, Bihar, Patna/Pr. Secretary/Secretary, All Deptt.,Bihar, Patna/Resident Commissioner, Bihar Bhawan, New Delhi/M.D., BIADA, Patna/Director of Industries, Bihar, Patna/President, Bihar Industries Association, Patna for information.

  
Principal Secretary,

Department of Industries, Bihar, Patna.

Memo No. 4990 / Patna, dated : 26.11.13

Copy forwarded to Shri Ranjit Kumar, Senior Advocate, Hon'ble Supreme Court of India, 205, New Chamber, Sheetal Bagh, Supreme Court, New Delhi for information & necessary action.

  
Principal Secretary,

Department of Industrie, Bihar, Patna.