

## JDA LAWS

**Allotment and sale of non-residential land** – Land for non-residential purposes shall be allotted to public and charitable institutions on terms and conditions prescribed under these rules provided that lands of commercial nature shall be disposed of by public auction in the manner <sup>1</sup>[as prescribed in Annexure A] provided further that lands reserved for cinemas, <sup>2</sup>[Luxury hotels, <sup>3</sup>[Film studios and Amusement parks], <sup>4</sup>[Hospital, Diagnostic Centre, Nursing Homes and Tourism Unit], petrol pumps and for setting up godowns by <sup>5</sup>[XXX] persons having authorized agencies of domestic gas allotted to them shall be disposed of in accordance with the directions of the State Government that may be issued from time to time:

<sup>6</sup>[Provided that plots of land for consumer Co-operative Stores duly certified to the registered with the Assistant Registrar, Co-operative Societies of the concerned District, shall be allotted in the commercial areas on the reserve price of the scheme. The price shall be recovered in four equal annual instalments:

Provided further that the number and size of such plots shall be determined by the Trust in consultation with the Government.]

<sup>7</sup>[Provided further also that the price for allotment of land for gas godowns to be set up by War widows, member of Scheduled Castes and Scheduled Tribes and handicapped persons shall be the reserve price determined for land meant for commercial use in the scheme and for other category of persons the price shall be double the reserve price determined for land meant for commercial use in the scheme.]

<sup>8</sup>**[15-A. Allotment or Regularization of Certain Lands.—** Notwithstanding anything contained in these rules, all lands which shall be available for allotment or regularisation under the provisions of sub-section (4) of Section 60 of the Rajasthan Urban Improvement Trust Act, 1959, shall be allotted or regularised on such terms and conditions and subject to payment to the Trust of such charges or premium or both as the case may be, and at such rates as may be specified by the Government from time to time.]

<sup>9</sup>**[15-B.** Notwithstanding anything contained in these rules, land may be allotted with the prior approval of the State Government for infrastructure projects which includes power-plant, telecommunication, transport facilities, tourism units, public utilities, information technology, water supply, technical educational institutions, waste disposal project, on such terms and conditions and at such rates as may be determined by the State govt. from time to time.]

**16. Lands outside the Sanctioned Schemes.—** Before any allotment or sale of land is made by the Trust outside the sanctioned scheme, the Chief Town Planner or his nominee authorised in this behalf shall be consulted so that it is ensured that the land so allotted or sold for such purpose shall be in conformity with the Master Plan for that area, if any, and in the absence of a Master Plan the allotment or sale of land shall fit in with the over all development plan for that area.

**17. Allotment of Residential plots at concessional rates procedure, categories, priority, plot size, price, recoveries etc.—**

(1) Every person entitled for allotment shall get himself registered with the Trust concerned where by making any application in the form prescribed by the Government obtainable from the Trust concerned on payment of such registration fee as may be fixed by the Trust from time to time.

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<sup>1</sup> Substituted vide Notification No. F.9(63)UDH/81 dated 29.7.1983, published in Raj. Gazette Part IV-C(1) dated 11.8.1983, page 461.

<sup>2</sup> Substituted vide Notification No. F.9(63) UDH-II/81 dated 29.3.1982, published in Raj. Gazette E.O. Part-IV-C (I) dated 30-3-1982, page 461.

<sup>3</sup> Inserted vide Notification No. F.3(279)UDH/92 dated 14.3.1995.

<sup>4</sup> Inserted vide Notification No. F.7(7)UD/3/96 dated 30.6.1997, published in Raj. Gazette EO Part 6(Kh) dated 8.7.1997, page 62.

<sup>5</sup> Omitted vide Notification No. F.9(63)UDH/81 dated 23.8.1982, published in Raj. Gazette Part IV-C(1) dated 2.9.1982, page 323.

<sup>6</sup> Added vide Notification No. F.5(46)/UDH/77 dated 19.9.1979, published in Raj. Gazette Part-IV-C(I) dated 27.9.1979, page 338.

<sup>7</sup> Added Vide Notification No. F9(63) UDH/81 dated 23.8.1982, published in Raj. Gazette Part-IV-C(I) dated 2.9.1982, page 323.

<sup>8</sup> Inserted vide Notification No. F.9(63)UD/81 dated 4.2.2000, published in Raj. Gazette E.O. Part 6(Kh) dated 27.3.2000, page 85.

<sup>9</sup> Inserted vide Notification No. F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C) (I) dated 21.4.2001, Page 3(1) with immediate effect.

(2) The following categories of persons who are bonafide resident of Rajasthan shall be entitled for allotment of a residential for construction of a house at concessional rates if such a person does not own a plot of land or house in any town in Rajasthan <sup>1</sup>[having population of more than 50,000.]

<sup>2</sup>[Provided that if an allottee transfers plot/house before expiry of 10 years from the date of allotment then such allottee shall not be entitled for allotment at concessional rate in future].

- (a) Low income group people. Whose income does not exceed Rs. <sup>3</sup>[4000.00] p.m. at the time of allotment.
- (b) Rajasthan State Govt. servants including employees of local authorities and statutorities bodies of the State. Whose income does not exceed Rs. <sup>3</sup>[40000.00] p.m. at the time of allotment.
- <sup>4</sup>[(bb) Widows of Government servants upto a period of 10 years after the death of the Government servant. Whose husband's income did not exceed Rs. <sup>5</sup>[7500.00] p.m. at the time of his death.
- (c) Central Govt. employees who applied for allotment of residential plots before 9<sup>th</sup> May, 1963. Whose income does not exceed Rs. <sup>6</sup>[40000.00] p.m. at the time of allotment.
- (d) Army personnel including ex-servicemen and their families <sup>7</sup>[and Border Security Force, Central Industrial Security Force and Central Reserve Police Force Personnel.] Whose income does not exceed Rs. <sup>6</sup>[40000.00] p.m. at the time of allotment.
- <sup>4</sup>[(e) Persons belonging to Schedules Castes and Scheduled Tribes. Whose income does not exceed Rs. <sup>6</sup>[40000.00] p.m. at the time of allotment.
- <sup>8</sup>[(f) Accredited Journalists. Whose income does not exceed Rs. <sup>6</sup>[40000.00] p.m. at the time of allotment.
- <sup>9</sup>[(g) Handicap Persons Whose income does not exceed Rs. <sup>6</sup>[40000.00] per annum at the time of allotment.
- <sup>10</sup>[ X X X ]

(3) The residential plots shall be reserved and allotted to the categories of persons in the following proportion:-

<sup>11</sup>[(a) 18% of the plots reserved for allotment shall be allotted to the persons entitled under categories in clauses (b) and (c) referred to in sub-rule (2) on the basis of lottery according to procedure specified in Annexure-B.]

(b) 10% of the plots reserved for allotment shall be allotted to defence personnel including ex-servicemen and their families <sup>12</sup>[and Border Security Force, Central Industrial Security Force and

<sup>1</sup> Inserted vide Notification No. F.9(3)UDH/Gr.3/85 dated 25.9.1987, published in Raj. Gazette Part IV-C(I) dated 28.1.1988, page 432.

<sup>2</sup> Added vide Notification No. F.3(5)UDH.94, GSR 136 dated 30.11.1996, published in Raj. Gazette E.O. Part IV(C) (I) dated 19.2.1997, page 251 (2).

<sup>3</sup> Substituted vide Notification No. F.7(7)UDH/3/96 S.O. 254 dated 25.10.1997, published in Raj. Gazette E.O. Part IV(C) (II) dated 6.11.1997, page 375.

<sup>4</sup> Inserted vide Notification dated 20.10.1975, published in Raj. Gazette Part IV-(C) (I) dated 23.10.1975.

<sup>5</sup> Substituted vide Notification No.F.9(3) न.वि.अ./3/85 dated 18.7.1991, published in Raj. Gazette PartIV-C(I) dated 26.9.1991.

<sup>6</sup> Substituted vide Notification No. F.7(7) UDH/3/96 S.O. 254 dated 25.10.1997, published in Raj. Gazette E.O. Part IV(C)(II) dated 6.11.1997, page 375.

<sup>7</sup> Inserted vide Notification No. F.9(63)UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>8</sup> Added vide Notification No.F.9(63)UDH/Gr.III/81 dated 29.5.1985, published in Raj. Gazette E.O. Part IV-C(I) dated 3.6.1985, page 120.

<sup>9</sup> Added vide Notification No.F.3(191) UDH/3/89 dated 6.4.1991, published in Raj. Gazette Part IV-C(I) dated 23.4.1992, page 28.

<sup>10</sup> Proviso added vide Notification dated 3.7.1976, published in Raj. Gazette Part IV-C (I) dated 8.7.1976, page 162 and deleted vide Notification No.F.7(11) TP/II/74 dated 14.11.1977, published in Raj. Gazette Part IV(C)(I) dated 17.11.1977, page 627.

<sup>11</sup> Substituted vide Notification No.F.9(63) UDH/Gr.III/81 dated 29.5.1985, published in Raj. Gazette E.O. Part IV C(I) dated 3.6.1985, page 120.

<sup>12</sup> Inserted vide Notification No.F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

Central Reserve Police Force Personnel], provided that the priority for allotment of plot amongst them shall be fixed in the following order;

(i) to the widows and dependents of army personnel who have lost their lives while defending borders of the country <sup>1</sup>[and to the widows and dependents of Border Security Force, Central Industrial Security Force and Central Reserve Police Force Personnel, who have lost their lives while performing their duties].

(ii) to disabled army <sup>1</sup>[Border Security Force, Central Industrial Security Force and Central Reserve Police Force] personnel.

(iii) other army <sup>1</sup>[Border Security Force, Central Industrial Security Force and Central Reserve Police Force] personnel.

(c) <sup>2</sup>[68%] of the plots reserved for allotment by lottery shall be allotted to the persons entitled under category in clause (a) of sub-rule (2) on the basis of lottery according to procedure specified in Annexure-B provided always that 15% of the reserved plots shall be reserved and allotted to the persons belonging to the Scheduled Castes and Scheduled Tribes and shall be allotted on the basis of lottery according to the procedure specified in Annexure-B.

<sup>3</sup>[d] 2% of the plots reserved for allotment by lottery shall be allotted to the persons entitled under category in clause (f) of sub-rule (2) on the basis of lottery according to procedure specified in Annexure-B.]

<sup>4</sup>[d] 15% of the total plots of the size of 200 Sq. Meters, in middle income group category, and 270 Sq. meters, in higher income group category, shall be reserved for allotment to the persons for whom no reservation has been made.]

<sup>5</sup>[e] 2% of plots reserved for allotment by lottery shall be allotted to the persons entitled under category in clause (g) of sub-rule (2) on the basis of lottery according to procedure specified in Annexure-5.]

(4) **Plots' size and price.**—The size of the plot and price to be charged from various categories of people entitled for allotment under these rules shall be in accordance with the Schedule attached to these rules.

<sup>6</sup>**(5) Recovery of cost of land.** (1) The cost of land shall be recovered from the allottee within a period of thirty days from the date of receipt of intimation for depositing the amount:

Provided that the allottee may deposit the said amount within the next <sup>7</sup>[60 days] but an interest @15% per annum shall be charged with effect from the date of allotment failing which the allotment of land shall automatically stand cancelled:

<sup>8</sup>[Provided further that the Chairman may regularise such allotment of land withdrawing the automatic cancellation within a period of one year from the date of said automatic cancellation if the allottee is prepared to pay the full amount of cost of land plus interest 15% per annum upto the date of regularisation of allotment of land and in addition also an amount of penalty at the following rates:-

(a)	Upto Six Months	5%	of the amount
(b)	More than Six months	<sup>9</sup> [10]	remaining unpaid.]

<sup>1</sup> Inserted vide Notification No.F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>2</sup> Substituted vide Notification No. F.3(191) UDH/3/89 dated 6.4.1991, published in Raj. Gazette Part IV-C (I) dated 23.4.1992, page 28.

<sup>3</sup> Added vide Notification No.F.9(63) UDH/Gr.III/81 dated 29.5.1985, published in Raj. Gazette E.O. Part IV-C(I) dated 3.6.1985, page 120.

<sup>4</sup> Inserted vide Notification No. F.9(3)UDH/Gr.3/85 dated 25.9.1987, published in Raj. Gazette Part IV C (I) dated 28.1.1988, page 432.

<sup>5</sup> Added vide Notification No.F.3(191) UDH/3/89 dated 6.4.1991, published in Raj. Gazette Part IV C (I) dated 23.4.1992, page 28.

<sup>6</sup> Substituted vide Notification No. F.9(63) UDH/II/81 dated 24.8.1982, published in Raj. Gazette E.O. Part IV-C (I) dated 25.8.1982, page 157.

<sup>7</sup> Substituted vide Notification No. F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>8</sup> Substituted vide Notification No. F.9(8) UDH/Gr.III/86 dated 19.2.1987, published in Raj. Gazette Part IV-C(I) dated 2.4.1987, page 13.

<sup>9</sup> Substituted vide Notification No. F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>1</sup>[(ii) After the expiry of the period one year from the date of the said automatic cancellation, the Chairman shall have no power to regularise such allotment of land, but the trust will have power to extend this period by one year more on payment by the allottee, the amount of cost of land plus interest and penalty as provided in clause (i) above.]

<sup>2</sup>[(iii) If the trust in its interest refers the case to the State Government for such regularization or an allottee applies to the Government stating the facts in detail for such regularization, the State Government may permit such regularization on payment by the allottee the cost of land and expenses, if any, plus interest and penalty, as provided in clause (i) above.]

<sup>3</sup>[X X X]

(6) **Resale of plot-condition thereof:-** <sup>4</sup>[(a) A person who has been allotted a plot at concessional rates, shall not transfer the plot before the expiry of 10 years from the date of allotment:

Provided that if an allottee intends to transfer his plot before the expiry of 10 years from the date of allotment, he shall pay levy at the rate of <sup>5</sup>[5%] of present prevailing reserve price to the concerned trust].

<sup>6</sup>[(b) If person who has not constructed a building within <sup>7</sup>[five years], from the date of allotment the plot so allotted to him shall stand cancelled and the allottee shall not be eligible for allotment of a plot in future.

<sup>8</sup>[Provided that the Chairman may regularise such cancellation of plot and extend the period of construction of building upto 2 years from the date of such cancellation if the purchaser/allottee is prepared to pay the penalty at the rate upto 5% of the allotment price of plot. If the allottee fails to construct the building within this extended period, then the plot shall stand cancelled as provided in the sub-rule:

Provided further that in appropriate cases the Urban Improvement Trust in its meeting may regularise such cancellation of the plot and extend the period of construction of building for such period as it deems fit, if the allottee is prepared to pay a penalty at the rate upto 5% of the allotment price of plot for every year of default of construction.]

<sup>9</sup>[ X X ]

<sup>10</sup>[**17-A.** Notwithstanding anything contained in rule 17, the plots may be allotted to freedom fighters, gallantry award holders, national/international players, Arjun award holders and President awardee teachers <sup>11</sup>[who are born in Rajasthan or bonafide residents of Rajasthan] on the following concessional rates:-

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<sup>1</sup> Substituted vide Notification No.F.9(8) UDH/Gr.III/86 dated 19.2.1987, published in Raj. Gazette Part IV-C(I) dated 2.4.1987, page 13.

<sup>2</sup> Inserted vide Notification No.F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>3</sup> Deleted vide Notification No. F.9(8) UDH/Gr.III/86 dated 19.2.1987, published in Raj. Gazette Part IV-C (I) dated 2.4.1987, page 13.

<sup>4</sup> Substituted vide Notification No. F.3(5) UDH/94 G.S.R. 136 dated 30.11.1996 published in Raj. Gazette E.O. Part IV (C)(I) dated 19.2.1997, page 251 (2).

<sup>5</sup> Substituted vide Notification No. F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>6</sup> Clause (b) deleted and existing clause (c) renumbered as clause (b) vide Notification No. F.3(5)UDH/94 G.S.R. 136 dated 30.11.1996, published in Raj. Gazette E.O. Part IV(C) (I) dated 19.2.1997, page 251 (2).

<sup>7</sup> Substituted vide Notification No. F.9(63) UD/81 dated 18.11.1997, published in Raj. Gazette E.O. Part IV-C-(I) dated 19.11.1997,m page 130.

<sup>8</sup> Added vide Notification No. F.9(63) UDH/III/81 dated 23.3.1991, published in Raj. Gazette Part IV-C-(I) dated 7.5.1992, page 138.

<sup>9</sup> Deleted vide Notification No.F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

<sup>10</sup> Inserted vide Notification No.F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>11</sup> Inserted vide Notification No.F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

1	2	3	4
1.	Freedom Fighters	Upto 220 Sqr.Mtrs.	50% of the reserve price.
2.	Gallantry Award Holders:		
	(i) Paramveer Chakra	220 Sqr. Mtrs. Maximum	<sup>1</sup> [50%] of the reserve price.
	(ii) Mahaveer Chakra	220 Sqr. Mtrs. Maximum	<sup>1</sup> [50%] of the reserve price.
	(iii) Veer Chakra, Ashok Chakra, Shaurya Chakra, Kirti Chakra	220 Sqr. Mtrs. Maximum	50% of the reserve price.
3.	Medal Winners:		
	(i) Player who gets medal in Olympics	220 Sqr. Mtrs. Maximum	<sup>1</sup> [50%] of the reserve price.
	(ii) Player who gets medal in Asiad or Commonwealth or Arjun Award holders.	220 Sqr. Mtrs. Maximum	50% of the reserve price.
4.	President Awardee Teachers	Upto 200 Sqr. Mtrs.	Reserve Price

In case of posthumous gallantry award, widow or in the absence of widow once dependent of deceased awardee shall be entitled to get land at concessional rate.]

<sup>2</sup>[Provided that under this rule allotment shall be made only once at any one place in the State.]

<sup>3</sup>[**17-B.** Allotment of land to the Personnel of Armed Force and Para Military forces for group housing purposes:- Land may be allotted to the personnel of the Armed Forces and Para Military Forces for Group Housing purposes on payment of reserve price fixed by the <sup>4</sup>[Trust] on such terms and conditions as may be determined by the State government.]

#### **18. Allotment of land to Public and Charitable Institutions.—**

(1) No land shall be allotted for a price less than the sanctioned reserve price except for categories covered under Rule 17. Provided <sup>5</sup>[that land for public and charitable institutions may be allotted by the trust on payment of residential reserve price].

<sup>6</sup>[or with the prior permission of the State Government free of any charge or at concessional rates]

(2) If any land is required by the Government from the Trust the following price shall be paid by Government.

(a) Cost of land, if the land was acquired by the Trust by making compensation and cost of development of plot+20% to cover administrative and other establishment charges to the Trust.

(b) in case of Nazool land, the Government shall pay only the cost of development plus 20% to cover the establishment and administrative charges to the Trust.

(c) If the land required by the Government was already developed before it was transferred to Trust, no development charges shall be payable but if any additional development has been undertaken by the Trust that development charge plus 20% thereof shall be paid by Government to the Trust.

<sup>7</sup>[Provided that the State Government may exempt any Department of the State Government from payment of cost of land and other charges under clause (a) to (c).]

<sup>1</sup> Substituted vide Notification No.F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

<sup>2</sup> Inserted vide Notification No.F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

<sup>3</sup> Inserted vide Notification No.F.9(63) UD/3/8/Pt. dated 13.4.2001, published in Raj. Gazette E.O. Part-IV (C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>4</sup> Substituted vide Notification No.F.9(15) UD/3/2001 dated 7.5.2002, published in Raj. Gazette E.O. Part 4(Ga)(I) dated 10.5.2002, page 29 with immediate effect.

<sup>5</sup> Substituted vide Notification No. F. 9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>6</sup> Added vide Notification No. F.7(11) TP/II/74 dated 14.11.1977, published in Raj. Gazette Part 4(C) (I) dated 17.11.1977, page 627.

(d) Above-mentioned principle shall also apply in case of land belonging to the Trust if allotted to Universities or other statutory or non-statutory bodies under Government orders.

<sup>1</sup>[(3) If any institution has been allotted land under sub-rule (1) and has not construct the building within a period of two years from the date of allotment then the land so allotted shall be cancelled and the institution will be refunded the cost of land deposited by it without any interest:

Provided that the Chairman may regularize such cancellation of land and extend the period of construction of the building upto a period of three years from the date of such cancellation if the institution is prepared to pay penalty at the rate upto 5% of sale price of land. If the institution fails to construct the building within this extended period, then the allotment of land shall stand cancelled as provided in the rule:

Provided further that in appropriate cases the Urban Improvement Trust in its meeting may regularize such cancellation of the land and extend the period of construction of building for such period as it deems fit, if the institution if prepared to pay penalty at the rate upto 5% of sale price of land for every year of default of construction.]

<sup>2</sup>**[18-A. Allotment of underdeveloped land to Public, charitable and other institution.—**

(1) The Trust may with the previous sanction of the State Government.

(a) allot any land acquired by the State Government and transferred to the trust, or

(b) allot any land purchased by the Trust;

without undertaking or carrying on any improvement thereon, to Public and Charitable or any other institution on the following terms and conditions:-

(i) that the institution shall be registered under the Rajasthan Co-operative Societies Act, 1965 (Act No. 13 of 1965) or the Rajasthan Public Trust Act, 1959;

(ii) that the land shall be allotted to such institution on payment of the following price.-

(a) cost of land;

(b) cost of development, if any development has been undertaken by the Trust.

(iii) that no land shall be allotted in the area which have commercial utility;

(iv) that the land so allotted shall not be transferable either by sale or otherwise to any one;

(v) that the institution shall complete the construction of the building for which the land is allotted within a period of two years from the date of handing-over possession of the land;

(vi) that where construction is not completed within the time prescribed under clause (v), allotment shall be liable to be cancelled. On cancellation of allotment such institution shall surrender the land back to the Trust immediately and the Trust may refund 3/4<sup>th</sup> of the cost of such land paid by the allottee and such institution shall not eligible for allotment in future;

(vii) that the land shall not be put to any commercial utility;

(viii) that the institution to whom land is allotted has not acquired land either by allotment or otherwise at any place in the State; and

(ix) that on violation of any of the above conditions, allotment shall stand cancelled and land shall revert to the Trust.

Provided that the Chairman may regularize such cancellation of land and extend the period of construction of the building upto a period of three-years from the date of such cancellation, if the institution is prepared to pay the penalty at the rate of 5% of the price of land. If the institution fails to construct the building within such extended period, then the allotment of the land shall stand cancelled:

Provided further that in appropriate cases where construction is not completed in above extended period, Trust in its meeting may regularize such cancellation of land and extend the period of construction of building for such period of it deems fit, if the institution is prepared to pay penalty at the rate upto 5% of the price of land for every years from initial date of default of construction.]

<sup>3</sup>**[18-B. Allotment of land for Group Housing Scheme etc.-**

(1) Trust may with the prior approval of the State Government on such conditions as may be determined by it, allot land to group of persons or a society or an association or a company or a builder for construction of houses for the sections of the society on reserve price and on the lease hold basis for the period of 99 years.

“Provided that State Government may reduce the price on the merit of each individual case.”

<sup>7</sup> Added vide Notification No. F.9(63) UD/3/81 dated 22.9.2000, published in Raj. Gazette E.O. Part 4(C) (I) dated 18.10.2000, page 116 (1) with immediate effect.

<sup>1</sup> . Added vide Notification No. F. 9(63) UDH/III/81 dated 23.3.1991, published in Raj. Gazette Part-IV-C(I) dated 7.5.1992, page 133.

<sup>2</sup> . Inserted vide Notification No. F. 9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

<sup>3</sup> . Inserted vide Notification No. F. 9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E. O. Part 6(Kh) dated 219.7.2002, page 59(1) with immediate effect.

(2) After the 25% of the cost of the land is deposited by the allottee, the possession of the land shall be handed over to him for development.

(3) The lessee may further sub-let the developed land at the terms & conditions and other provisions contained in the rules in so far as they relate to Trust, shall *mutatis mutandis* apply to sub-lease also, as if the land in question has been let out to them by the Trust.

(4) The periods of the sub-lease by the lessee shall be determined by it, but shall not exceed in any case 99 years or period of original lease whichever is less.

(5) The sub-leases shall continue to be governed by all other terms and conditions prescribed in these rules or orders that may be issued in this behalf by the State Government from time to time.]

**<sup>1</sup>[18-C. Allotment of land for Joint Venture Scheme.-**(1) With the prior approval of the State Government on such conditions as determined by it, the Trust may allot land to a society or an association or a company or a builder or organization for construction of houses for different categories of plot size on the basis of income group on the mutual agreement with the Trust on reserve price and on basis of lease hold for the period of 99 years.

Provided that State Government may reduce the price in appropriate case.

(2) The lessee may further sub-let the developed land at the terms and conditions and other provisions contained in the rules and in agreement shall *mutatis mutandis* apply to sub-leasee also, as if the land in question has been let out to them by the Trust.

(3) The periods of the sub-lease by the lessee shall be determined by it but shall not exceed in any case 99 years or period of original lease whichever is less.

(4) The sub-leases shall be governed by all other terms and conditions prescribed in these rules or orders that may be issued in this behalf by the State Government from time to time.

**19. Allotment of land to Institutions other than Charitable and Public Institutions:-** Land shall be allotted to institutions other than public and charitable institutions on the following terms and conditions provided that the land shall revert to the Trust in case these conditions are not fulfilled by the allottee:-

(1) That the institution shall be registered under the Societies Registration Act, 1960 (Act No. 20 of 1960).

(2) That the institution is a non-commercial concern and does not intend to derive any commercial benefit out of the land allotted to it or out of the building constructed over the plot so allotted.

(3) That the land shall be allotted to such institution <sup>2</sup>[on the residential reserve price plus 25% of such reserve price or at such rate as decided by the State Government in each case.]

(4) The land so allotted shall not be put to any commercial utility.

(5) That the institution to whom such land is allotted has not acquired any land either by allotment or otherwise at the place in the State where the land is proposed to be allotted.

(6) That no land shall be allotted in the area which have commercial utility.

(7) That the institution shall complete the construction of the building for which the land is allotted within a period of two years from the date of which it is allotted.

(8) That the land so allotted shall not be transferable either by sale or otherwise to any one, or liable to any encumbrances before or after the completion of the building without permission of the Trust.

(9) That where no construction is completed within the time prescribed under condition No. (7) the allotment shall be liable to cancellation or such institution shall surrender the land back immediately and the Trust may refund 3/4<sup>th</sup> of the cost of such land paid by the allottee.

**<sup>3</sup>[19-A.** That where no construction is completed within the time prescribed under condition No. (7) of rule 19, the allotment shall be cancelled and the institution will be refunded the cost of land deposited by it without interest:

Provided that the Chairman may regularise such cancellation of land and extend the period of construction of the building upto a period of three years from the date of such cancellation, if the institution is prepared to pay the penalty at the rate upto 5% of sale price of the land. If the institution fails to construct the building within this extended period, then the allotment of the land shall stand cancelled as provided in the rule:

Provided further that in appropriate cases the Urban Improvement Trust in its meeting may regularise such cancellation of land and extend the period of construction of building for such period

<sup>1</sup> Inserted vide Notification No. F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.

<sup>2</sup> Substituted vide Notification No.F.9(63) UD/3/8/Pt. Dated 13.4.2001, published in Raj. Gazette E.O. Part-IV(C)(I) dated 21.4.2001, page 3(1) with immediate effect.

<sup>3</sup> Added vide Notification No. F.9(63) UDH/III/81 dated 23.3.1991, published in Raj. Gazette Part IV-C(I) dated 7.5.1992, page 133.

as it deems fit, if the institution is prepared to pay penalty at the rate upto 5% of the sale price of land for every year of default of construction].

<sup>1</sup>[**19-B. Power and duties of the trust to undertake housing schemes.**- (1) Trust may with previous sanction of the State Government may prepare scheme and erect residential houses or commercial-cum-residential houses or commercial buildings and disposed of them.

(2) The scheme may be of one of the following types or combination of any two or more of such types or of any special features hereof namely:-

- (a) housing scheme with special emphasis for the scheduled castes, scheduled tribes and other economically backward classes;
- (b) housing scheme for higher income group or lower income group of persons;
- (c) commercial or commercial-cum-residential scheme.
- (d) urban renewal scheme including of slum clearance of slum improvement schemes;
- (e) subsidized industrial housing scheme; and
- (f) any other scheme with the approval of the State Government.]

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<sup>1</sup> Inserted vide Notification No. F.9(15) UD/3/2001 dated 15.1.2002, published in Raj. Gazette E.O. Part 6(Kh) dated 29.7.2002, page 59(1) with immediate effect.