

General Instruction

Extract of Rajasthan Urban Improvement Trust (Disposal of urban Land) Rules:

Liability for urban Assessment of Ground Rent:

1[Rate- (1) Urban Assessment or ground rent shall be fixed on the basis of the reserve price at 2.5% in case of land given on lease for residential educational, social and charitable institutions

2(medical clinics and nursing homes),

3(Tourism unit Multiplex unit and Auditorium) purposes and 5% in case of land given on lease for commercial and other purposes.]

4[Provided that the State Government shall have powers to permit charging urban assessment on such rates, terms and conditions as may be specified by the State Government on merits of each case, where the land is allotted under Rule 18]

(2) **Revision:** The urban assessment or ground rent once fixed under these rules shall be liable to revision after every 15 every 15 years and also at such transfer by sale or gift otherwise and such increase shall at each stage be 25% of the urban assessment or ground rent at the time of such revision or transfer, as the case may be.

5“Provided that if the land/building allotted under rule 18-B and 18-C has been transferred by way of sub-lease by the lessee, the above provision of increase on transfer in urban assessment shall not be applicable.”

6“(3) (i) The Urban assessment shall be charged from the date, on which the possession of the plot/building shall be given.

(ii) Full urban assessment shall be charged on the plot after five years before which the construction of a house or a building shall be completed, for the first five years only half of the urban assessment shall be charged.”

3[(5) **Interest on late payment of Urban Assessment (ground rent):** If the urban Assessment or ground rent is not deposited in time, then the interest at the rate of 4(12% per annum) shall be charged.

5[XXX]

(6) **Recovery of urban Assessment (ground rent):** The arrears of Urban Assessment or ground rent together with interest shall be recovered under the provisions of the Rajasthan Public Demands Recovery Act, 1952

6“7 A. **Power to reduce or remit urban assessment, interest or penalty,** - Notwithstanding anything contained in these rules, the State Government may in appropriate cases reduce or remit urban assessment and interest or penalty thereon, by a general order.

3“14-A –**Additional charges on failure to construct the building, transfer and surrender of land purchased**

through auction:

(1) It a person who purchases the land through public auction for residential or commercial purposes, has not constructed a building within three years from the date on which possession of land is handed over, he shall pay levy at the rate of 2.5% per year of the present prevailing reserve price to the concerned trust up to ten years and building has still not been constructed the lease of the land shall stand cancelled.”

(2) The land purchased through auction shall not be transferred without giving information of such transfer to the trust and before such transfer all dues of trust shall be paid.

3”14-B “Disposal of land by inviting tenders or on fix rate, - Notwithstanding anything contained in these rules, the Trust may with the previous approval of the State Government.

(1) Allot land in scheme area, on such terms and conditions as it may deem fit to any association, company or developer for execution of any scheme on behalf of the Trust:

(2) Dispose of its land by inviting tenders, on such terms and conditions as may be decided by the State Government; and

(3) Prepare scheme for allotment on fixed rate,

(a) For establishing a market for and any trade or business, or

(b) For shifting any trade or business from congested area of the city, or

15. 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. 1[as prescribed in Annexure A] provided further that lands reserved for cinemas.

2[Luxury hotels],

3[Film Studios and Amusement Parks].

4 [Hospital, Diagnostic Centre, Nursing Homes and Tourism Unit], petrol pumps and for setting up godowns by 5[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.

6[Provided that plots of land of 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 shcme. The price shall be recovered in for equal annual instalments:

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

7[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].

8[**15-A-Allotment or Regularization of Certain Lands:** Notwithstanding anything contained in these rules, all lands which shall be available for allotment or regularization under the provisions of sub-section (4) of Section 60 of the Rajasthan Urban Improvement Trust Act, 1959, shall be allotted or regularized 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.]

1[**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 authorized 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, in the absence of a Master Plan the allotment or sale of land shall fit in with the over all developments 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.

(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 2[having population of more than 50,000]

3 [Provided that if an allottee transfers his 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. 4[6000.00] p.m. at the time of allotment
(b) Rajasthan State Govt. servants including employees of local authorities and statutory bodies of the State.	Whose income does not exceed Rs.[40000.00 p.m. at the time of allotment.
2[(bb) Widows of Government upto a servants period of 10 years after the death of the Government servant.]	Whose husband's income did not exceed Rs.[7500.00] p.m. at the time of his death

(c) Central Govt. employees who applied for allotment of Residential plots before 9th May, 1963.	Whose income does not exceed Rs. [40000.00] p.m. at the time of allotment.
(d) Army personnel including ex-servicemen and their Families *[and Border Security Force, Central industrial Security Force and Central Reserve Police Force Personnel.]	Whose income does not exceed Rs. [40000.00] p.m. at the time of allotment.
(e) Persons belonging to Scheduled Scheduled Castes and Schedule Tribes.	Whose income does not exceed Rs. [40000.00] p.m. at time of allotment.
4[(f) Accredited journalists.	Whose income does not exceed Rs. [40000.00] p.m. at the time of allotment.
5[(g) Handicape Persons.	Whose income does not exceeds Rs. [40000.00] Per annum at the time of allotment

[17-B. Allotment of land to the Personnel of Armed Forceand 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 2 "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 *[that land for public and charitable institutions may be allotted by the trust on payment of residential reserve price.]

3[or with the prior permission of the State Government free of any charge or at concessional rates].

(2) If any lands 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.

****[Provided that the State Government may exempt any Department of the State Government from payment of cost of land and oterh chareges under clause (a) to (c).]**

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

1[(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 form the date of such cancellation if the institution is prepared to pay penalty at the rate upto 5% of sale price of the land. If the institution fail 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 Improvements Trust in its meeting may regularize such cancellation of the land and extend the period of construction of building for such cancellation of the land and extend the period of construction of building for such period as it deems fit, if the institution is prepared to pay penalty at the rate utpo 5% of sale price of land for every year of default of construction.]

2["18-A. Allotment of undeveloped 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 putchased by the Trust;

without undertaking or carrying on any improvement thereon, to public and charitable or any other institution on the following terms and condition:

(i) that the institution shall be registered under the Rajasthan Co-operative Societies Act, 1965 (Act No. 13 of 1965) of 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) 20 percent of the cost of land to cover administrative charges to the Trust; and

(c) 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 hading-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 $\frac{3}{4}$ th 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 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 of such period as 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.

18-B – Allotment of land for Group Housing Scheme etc.

(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 condition:

(i) that the institution shall be registered under the Rajasthan Co-operative Societies Act, 1965 (Act No. 13 of 1965) of 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) 20 percent of the cost of land to cover administrative charges to the Trust; and

(c) 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 3/4th 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 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 of such period as 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.

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.”

(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-leasee also, as if the land in question has been let out to them by the Trust.

(4) The period 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.

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 Govt. 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-lessee also, as if the land in question has been let out to them by the Trust.

(3) The period 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 1[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 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 $\frac{3}{4}$ th of the cost of such land paid by the allottee.

1[19-A That where no construction is completed within the time of described 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 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 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 tis meeting may regularize such cancellation of land and extend the period of the construction of building for such period as it deems fit, if the institution is prepared to pay penalty at the rate up to 5% of the sale price of land for every year of default of construction].

24. Stray plots: [1] Individual or stray plots which are lying vacant shall be disposed of by public auction 1[in the manner as prescribed in Annexure (A)] subject to the following conditions:

(a) The Trust concerned shall prepare a list in the register prescribed in Annexure-C

(b) The building line shall determined before disposal of such plots: and

(c) Obtain prior approval of the Collector concerned:

(d)The land use shall normally be the same as of he adjoining plots.

(2) any stray plot having an area less than 1,500sq. meters and not covered by the scheme aforesaid or any other scheme shall not be sold, leased or otherwise transferred in any manner other than by public auction 1[in the manner as prescribed in Annexure (A)] of these rules. The Trust shall prepare a list of all such stray plots in their jurisdiction and record and authenticate the same in a register kept for the purpose in the form prescribed in Annexure-C

2[XXX]