



**DRAFT**

**Government of Rajasthan**  
**Urban Development and Housing Department**



**Urban Development Scheme**  
**Policy - 2015**  
**(A Draft)**

Report submitted by the committee constituted by UDH,  
Government of Rajasthan to draft a new Township  
Policy for the State of Rajasthan.

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## **Abbreviations**

UDH	.....	Urban Development and Housing Department
LSG	.....	Local Self Government Department
SLIMC	.....	State Level Implementation and Monitoring Committee
SLNA	.....	State Level Nodal Agency
UIT	.....	Urban Improvement Trust
VVNL	.....	Vidyut Vitran Nigam Limited
PHED	.....	Public Health and Engineering Department
PWD	.....	Public Works Department
CIDC	.....	City Infrastructure and Development Charge
LPC	.....	Layout Plan Committee
NOC	.....	No Objection Certificate
BT / CC	.....	Bituminous / Cement Concrete
ROW	.....	Right of Way
STP	.....	Sewerage Treatment plant
ULB	.....	Urban Local Body
FAR	.....	Floor Area Ratio
EWS/LIG	.....	Economic Weaker Section / Low Income Group
LED	.....	Light Emitting Diode
HT line	.....	High Tension line
RWA	.....	Resident Welfare Association
SNB	.....	Shahjahanpur-Neemrana-Bahrur
GPS	.....	Global Positioning System
Ha. / ha.	.....	Hectare
m.	.....	meter



# **Chapter-1**

## **Preliminary**

### **1.0 Urban Scene:**

The role of towns and cities in the economic development of the country has now been fully recognized and all the efforts are getting focused on streamlining the mammoth urbanization which is likely to take place in coming few decades. Rajasthan being at the forefront of reforms on economic development and for providing conducive environment for investment and ease of doing business, has a great opportunity to transform these economic efforts into spatial planning and development through its various policies, rules and regulations like CM's Jan Awas Yojana, Building Regulations or the proposed Urban Development Schemes Policy.

According to the Census 2011, the urban population in the state was 17.0 million with a total of 297 towns including 184 municipal towns. Since then three more municipal towns have been added making the number 187. The real-estate sector too has taken quantum leap due to proactive involvement of the Government, the private sector and increasing aspirations of the consumers, all aspiring to shape a decent physical environment. Physical environment has a great impact on the health of the human being, besides improvement in the overall social life and in promotion of the work efficiency of the citizens. Hence, it is necessary that new developments in urban areas are planned with adequate social and economic facilities, greens and road networks.

With this background, the New Rajasthan Urban Development Schemes Policy is being framed, which has been based on the experiences of the past Township Policies promulgated in 2002 and 2010.

### **1.1 Aims and Objectives:**

- To promote compact development in urban areas.
- To encourage integrated townships and to provide qualitative development.
- To ensure that the respective stake holders play their own role with responsibility.
- To enable government to act as a facilitator.
- To protect the common man from frauds, cheating by providing simplified, transparent and efficient systems of sale, purchase and transfer of plots through the use of Information and technology.
- To ensure minimum public facilities for quality living.

## 1.2 Land Fragmentation:

So far as sub-division of land into townships, schemes, colonies and small fragmentation is concerned, it was taking place under the Rajasthan Sub-Division Rules-1975 of the Rajasthan Urban Improvement Act-1959, prior to the promulgation of first Township Policy in 2002. Subsequently, with introduction of the Township Policy, larger colonies started getting approvals under the policy framework and continue to be so till now. The approvals under the land conversion to non-agriculture use under the provisions of section 90B and later on 90A of the Rajasthan Land Revenue Act-1956, led to a very large physical sprawl of the city with colonies being carved out much beyond the core of the town at far off distances isolated from the prevailing habitation and in complete isolation from the infrastructure facilities. Besides the need based demand, speculation was also one of the major reasons for such expansion. This led to eating away of precious agriculture land much prematurely than required, farmers were lured into the instant economic gains and taking away the agriculture feeder zones much away from the urban settlements.

The above sprawl was in the form of un-developed land and sub-standard plotted development instead of properly developed flatted/group housing, against the principles of compact development creating severe consequences of developing transport structure as well as augmentation and provision of physical and social infrastructure like water, power, health, education, law and order.

The above situation is primarily a result of difficulty in land acquisition because of which none of the govt. agencies was able to acquire or pool bulk land. With the new Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act-2013 coming in to force, the difficulties of acquisition shall rise along with the increased time for completing the process. Thus, it has become imperative to carry out the city development with the larger public cooperation & public participation and with the help of private sector developers.

It is also indeed paradoxical to use the words "Township Policy". The word "Township" means primarily a residential area with self-contained facilities and infrastructure. However, under the present "Township Policy" schemes with less than even 2 ha has been considered as township which is not in conformity to the word "township" itself. The fragmentation of smaller land holdings can be called at best as a scheme only and not a township. To have a correct communication of the word "township" the policy is being renamed as "Policy for Urban Development Schemes" which shall cover all types of small to larger schemes for various uses including commercial, institutional and industrial and other schemes. The policy provides encouragement to the developers for taking up integrated township schemes which will be of self-sustained nature in terms of infrastructure and facilities. The new revised policy aims at qualitative physical environment with identification of roles and responsibilities of all the stake holders besides developing a mechanism to monitor the progress and deliver a quality final product. To bring all concerned under transparency

has been a major goal with most of the information being made to upload on the State Government's Real Estate Web Portal. This will also help in checking the fraudulent transactions and protection of the rights of the perspective owners.

### **1.3 Key elements of the Policy**

The key elements of the Policy, as highlighted below, are summarized here and detailed out in policy itself-

- a. Compact development;
- b. Protection of end consumer rights;
- c. Transparency in procedures;
- d. Developer's profile visible to all;
- e. Simple but Comprehensive and flexible planning norms;
- f. Higher Incentives for Integrated physical development;
- g. Penal Actions for Non-compliance of the policy.

### **1.4 Government's role**

Development of a town is a joint responsibility of the Government and the Public. The real estate developers play the role of bridge between the public and the Government to complete the process of development. The past experience of land acquisition by Government agencies and the new land acquisition act amply speaks of the difficulties which will be coming in the Government's way to fulfill the aspirations of housing and city development. Hence, there is a paramount need to involve private sector in the city development and the Government plays the role of facilitator in implementing this proposed Urban Development Schemes Policy. While doing so, the Government has to fulfill its obligation of protecting the interests of the general public by creating a qualitative physical development and sustainable environment. For this purpose it shall have its involvement/facilitation in the areas of -

- External Infrastructure - Power/Roads/Water ;
- Fast approvals procedures ;
- Incremental benefits - in terms of more saleable area for larger schemes ;
- Monitoring Mechanisms.

### **1.5 Developers' role**

Real estate developer plays a crucial role in the realization of the objectives of the Policy. While the policy facilitates the development process, it also provides a framework of norms to ensure that public policy objectives are met and high quality schemes are created. The developer's roles and responsibility is detailed out in the

policy and has covered the framework in which he is required to work from the beginning of the process to the end when he completes the development of the scheme. The policy provides that the developer uploads all relevant information about the scheme and the allotted plots on a web portal for government and public viewing. Further, the Planning norms have been simplified and gives flexibility to developer to plan according to requirements. The policy also provides timelines for completion of development works in the schemes and penalties for delay, if any.

## **1.6 Administrative and monitoring mechanism**

An administrative mechanism has been devised to oversee the implementation of the policy and its review from time to time. For this purpose, Government shall identify a State Level Nodal Agency which will work under the directions of a State Level Implementation and Monitoring Committee. The SLIMC shall function as an empowered body at the state level to monitor and issues guidelines and directions to various stakeholders and to resolve grievances of stakeholders, to suggest modification in the policy for effective implementation of the policy.

## **1.7 Transparency Mechanism**

In order to facilitate a transparent mechanism between the developer, the Government and the consumers, a web based portal shall be devised on which the developers and the local authority shall upload the details of scheme approvals, stages of progress, allotments, etc. from time to time. This shall enable the citizens to know at any stage about the development of his investment. It shall also protect citizens from fraudulent transactions and development which is not in conformity with approved plans. It also ensures that only qualified and eligible people undertakes the Urban Development Schemes.

## **1.8 Compact Development**

To encourage compact development, the policy has proposed for phasing out selected / zones/sectors/areas for phased development in different directions so that there is a concerted effort from all the stake holders to develop that area. The local Authority and other agencies like electricity and water supply department will be able to plan and provide various infrastructures like road, water supply, electricity in these identified zones/sectors/areas on priority. Selection of such priority zones/sectors/areas shall be identified by a committee as spelt out in the policy. However, approvals outside the phased development zone can be permitted in certain cases, such as the development of Integrated Residential Townships after ensuring that infrastructure such as roads, water and electricity supply are provided by the developer and for which sure service availability certificate shall be mandatory for such scheme.

## **1.9 Incremental Benefits**

The proposed policy provides parameters for all categories of schemes. In the earlier policy, smaller schemes were allowed larger proportion of saleable area to the developer than bigger schemes. With the result that the persons engaged in real estate tried to circumvent the provisions of larger schemes and used to come up with smaller area by dividing their schemes into smaller areas. This was leading to lesser land availability for the social and physical infrastructure.

Thus, in order to encourage larger schemes with higher space for social and physical infrastructure the policy has adopted a concept to incremental saleable area on larger schemes while maintaining the suitable proportion of the facility areas. The self-sustained Integrated Urban Development schemes are proposed with an aim that these should provide all essential infrastructures required for a small township which results into a quality development for the citizens.

The policy also provides planning parameters for Special Schemes like Industrial schemes, Commercial schemes and Institutional schemes such as schemes for Information Technology, Tourism, etc. These schemes shall have a major share of land for the primary use while providing Residential, Institutional and Commercial activities to sustain them.

## **1.10 Green city and Sustainability provisions**

The policy has provided for sustainable environmental development by making certain provisions for green norms. These include the tree plantation, soft surfaces, use of non-conventional energy sources like solar energy, provisions for solid waste management etc.

## **1.11 Penal action**

The policy has been provided with penal actions which can be undertaken under respective laws of the concerned urban local body. In addition to this, the policy has provided for the financial penalties in case the developer fails to carry out his responsibilities as laid down in the policy.

## **1.12 Grievances Redressal System**

There are always grievances of stakeholders in any system. To address to the grievances of stakeholders, be it the citizen or the real estate developer or an agent, the State Level Implementation and Monitoring Committee (SLIMC) has been empowered in the policy to provide fair justice to the incumbent.

## **Chapter - 2**

### **General**

#### **2.0 Applicability:**

The policy shall come into effect from the date it is notified in the official Gazette and shall apply to all urban areas as notified under the Rajasthan Urban Improvement Act-1959, the Municipal areas notified under Rajasthan Municipalities Act-2009, areas under the jurisdiction of Development Authorities (the Jaipur Development Authority constituted under the Jaipur Development Authority Act-1982, the Jodhpur Development Authority constituted under the Jodhpur Development Authority Act-2009, the Ajmer Development Authority constituted under the Ajmer Development Authority Act- 2012) and any other area which may be notified by the Government. It shall apply to all schemes undertaken by the Government Bodies, Local Authorities, and private developers.

#### **Note :-**

- a) In cases where orders have been passed under section 90A or 90B (of the Rajasthan Land Revenue Act, 1956) but layout plan have not been approved before the notification of this policy, such cases shall also be dealt under this policy.
- b) All Government Bodies, Semi-Government Bodies or Local Authorities undertaking any urban development schemes in urban areas shall ensure compliance with planning norms and planning parameters, development of all internal and external development works and timelines for completing schemes. However, the requirement of registration and payment of dues and charges may not be applicable on them.
- c) Looking at the developments on the periphery/ fringe areas of Towns and in Rural Areas, the revenue department can apply the planning provisions / norms prescribed under the policy for the approval of schemes, after due adoption as per provisions of the law.

#### **2.1 Definitions**

- (i) **“City Level Infrastructure”** shall mean any infrastructure which provides facility to the schemes and its vicinity areas and the city at large including roads, bridges, water supply, electricity supply, gas supply, telecommunication, health, education, post office, police or fire station, citizen service centers and other government building, etc.;
- (ii) **“Detailed Project Report”** will include layout plan, details of saleable plot areas and reserved plots for facilities and parks, cost estimates for development works, timeline

for completions of schemes. The report shall also include the requirements of water, electricity and proposals for their sources and facilities, etc.;

- (iii) **“Developer”** shall mean a real estate developer registered as per the Para 3.2 of the policy or a person exempted for registration under the Para 3.2(vii)&(viii) of the policy;
- (iv) **“Essential development works”** shall mean roads, water supply, electric supply, sewerage and drainage;
- (v) **“Internal Development works”** means roads including pedestrian and cycling track, open spaces, parks, playgrounds, water and electric supply, service ducts/conduit, telephone lines, optical fiber cables, street lighting with poles, sewerage lines, drainage lines, storm water drainage, solid waste disposal, tree plantation, and other utility services and convenience;
- (vi) **“Integrated residential township” or “IRT”** means a scheme planned as per Para 4.1.1 of the policy;
- (vii) **“Local Authority”** means a Municipality constituted under the Rajasthan Municipalities Act-2009, an Urban Improvement Trust constituted under the Rajasthan Urban Improvement Act-1959, the Jaipur Development Authority constituted under the Jaipur Development Authority Act-1982, the Jodhpur Development Authority constituted under the Jodhpur Development Authority Act-2009, the Ajmer Development Authority constituted under the Ajmer Development Authority Act-2012 or any other Development Authority or any other agency constituted and declared as such, under any law for the time being in force;
- (viii) **“phased development zone” or “phased area”** means the areas/zones/sectors as identified under the Para 4.0 of the policy;
- (ix) **“scheme”** shall mean any type of schemes proposed under the provisions of the policy;
- (x) **“scheme commencement certificate”** means a certificate or letter issued as per Para 3.6(vii) of the policy by the local authority to the developer for allowing development in the scheme;
- (xi) **“scheme completion certificate”** means a certificate or letter issued as per Para 3.9 of the policy by the local authority to the developer;
- (xii) **“sure Service Availability Certificate”** means a certificate to be issued by the concerned agency (PHED or the respective VVNL (power company) or the local authority), as a promise or assurance on part of the concerned agency to make available the respective service to the scheme, with or without payment of development charges, **or**, an NOC certifying that the proposal for providing services submitted by the developer at his own, are satisfactory as per the norms of the concerned agency.

**Note:-** The terms which are not defined under the policy shall be construed from the Rajasthan Land Revenue Act-1956, the Rajasthan Municipalities Act-2009, the Rajasthan Urban Improvement Act-1959, the Jaipur Development Authority Act-1982, the Jodhpur Development Authority Act-2009 or the Ajmer Development Authority Act- 2012 and rules & byelaws made their under.

## Chapter-3

### Administrative and Monitoring Mechanism

#### 3.0 State Level Implementation and Monitoring Committee

- (i) A State Level Implementation and Monitoring Committee (SLIMC) shall be constituted by the Government to take decisions with respect to implementation, monitoring, and review of the policy. It shall be a competent body to issue guidelines and directions for the effective implementation of the policy and to recommend to the Government any changes, if any, required in the provisions of the policy. It shall also be competent to resolve grievances of the stakeholders. The committee is empowered to enquire and blacklist a developer.
- (ii) The composition of the State Level Implementation and Monitoring Committee shall be as follows:-

Chairperson	-	Minister, Urban Development and Housing
Member	-	Secretary in-charge, UDH
Member	-	Secretary in-charge, LSG
Member	-	Secretary in-charge, Energy
Member	-	Secretary in-charge, Water Resources
Member	-	Chief Town Planner, Rajasthan
Member	-	Two Members nominated by Govt. from Developers Association
Member Secretary	-	Chief Executive Officer of the SLNA

Note:- If the Town Planning Department is nominated as the SLNA, then the Chief Town Planner, shall be the member secretary.)

#### 3.1 State Level Nodal Agency

- (i) The Government shall nominate Town Planning Department or any other agency as the State Level Nodal Agency (SLNA) for the monitoring and implementation of the urban development Schemes policy. The administrative control of the agency shall be of Urban Development and Housing Department.
- (ii) The function of SLNA shall be to carry out all works connected with the implementation, monitoring and review of the policy and examination of grievances of the stakeholders as per the directions of the State Level

Implementation and Monitoring Committee. It shall also be responsible for creation and maintenance of State Real-Estate Portal, as provided under the policy.

### **3.2 Registration of developers**

- (i) Any Person who intends to develop an urban development scheme in any urban area of Rajasthan shall register himself as a Developer with the concerned local authority where he intends to undertake a scheme.
- (ii) No person shall undertake any proceedings for developing any scheme, without registration and without obtaining Scheme Commencement Certificate, failing which he shall be liable for penalties to be levied by the local authority, in accordance with the relevant provisions of the Jaipur Development Authority Act-1982 (Act no. 25 of 1982), Jodhpur Development Authority Act-2009 (Act no. 2 of 1982), Ajmer Development Authority Act-2012 (Act no. 39 of 2012) or the Rajasthan Urban Improvement Act-1959 (Act No. 35 of 1959) or the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009) respectively, and the directions issued by Government from time to time.
- (iii) Registration done at any Local Authority by the Developer under Category A, B or C (in table -1) will be acceptable in whole of the state of Rajasthan and the developer will be allowed to undertake schemes anywhere in the State of Rajasthan, for the registered category, within the prescribed limit.
- (iv) Registration done at any Local Authority by the Developer under Category D or E (in table -1) will be allowed to undertake schemes within the urban limits of that concerned Local Authority, for the registered category, within the prescribed limit.
- (v) The developer can register with any number of Local Authorities by paying the prescribed fee and submitting requisite documents.
- (vi) A developer can upgrade his already registered category in any Local Authority, as the case may be, provided he fulfills the prescribed criteria's for the desired category, by submitting a new application to the Local Authority along with the prescribed fee, as mentioned in table-1.
- (vii) An applicant proposing a scheme of area less than 5000 sq.m. or single patta projects for any purpose (other than group housing or flatted development and commercial complexes having multiple independent units) shall be considered as a developer, but will be exempt from the requirement of registration.
- (viii) All Government Bodies, Semi-Government Bodies or Local Authorities proposing a scheme shall be considered as a developer, but will be exempted from the requirement of registration.

### 3.2.1 Eligibility of a Developer

A person shall be a registered 'Company' under the Companies Act, 2013 (Act no. 18 of 2013) before applying for registration as a Developer under the policy. The Technical and Financial Parameters prescribed below (in Table-1) shall be examined by the concerned local authority before deciding the category of the developer for registration.

**Table- 1**

Category of Developer	Minimum Net Worth (Rs. In Crores)	Minimum Turnover (total in last 5 years) (Rs. In Crores)	Minimum no. of technical staff such as Architects, Engineers, Town Planners, CA, MBA employed /hired for last one year	Prescribed Registration fee (Rs. in Lakhs)	Maximum Scheme Area Limit which can be proposed for schemes (in Ha.)
1	2	3	4	5	6
A	100	400	50	10	100 and above
B	50	200	20	8	Less than 100
C	20	80	10	6	Less than 50
D	5	20	4	2	Less than 10
E	2	5	2	1	Less than 5

**Note: -**

- a) The total area of all the schemes undertaken by the developer, at a time, shall not be more than the prescribed Maximum Scheme Area Limit in column 6 of Table-1. The total area of the Maximum Scheme Area Limit shall be calculated on the basis of all schemes/projects under execution.
- b) A non-refundable Registration Fee (column 5) according to the category shall be payable by the developer to the concerned local authority.
- c) The registration will remain valid for a period 5 years, after which the developer shall register again with the concerned local authority.
- d) A consortium or joint venture of companies and land owner would also be allowed to register as a developer. In such cases the combined technical and financial requirements of the consortium will be taken into account, subject to a minimum of 25% on technical and financial parameters by each partner, with the exception of land owner.
- e) If the Managing Director or three or more directors of a blacklisted developer company forms a Joint venture or a new company or a special purpose vehicle, the new entity shall not be registered as a Developer.

- f) 'Net Worth' to be counted as, the 'Net worth' (defined under the Companies act, 2013) + Assets (at current value after depreciation) certified by a Chartered Accountant.
- g) For registration under category A, B or C the developer should have employed minimum technical staff of atleast one Town Planner/Architect, one Civil Engineer, One Chartered Accountant and one MBA/Marketing Manager on permanent/contract/retainership basis. For registration under category D or E the developer should have employed minimum technical staff of atleast one Civil Engineer on permanent/contract/retainership basis.
- h) The developer shall submit, a copy of the income tax return filed by Developer Company in the Income Tax Department and a list of schemes developed/executed in the assessment year, to the Local authority where the developer is registered, within 30 days from the last day of filing income tax for an assessment year.
- i) A Developer who is already registered under the Rajasthan Township Policy, 2010 shall have to furnish, a new detailed application form along with the requisite documents within 60 days of coming into effect of this policy. The local authority shall examine the technical and financial parameters and assign a category to the developer. The developer shall pay the difference of the prescribed fee according to the category and the fee paid under the Township policy, 2010. However, no refund will be made by the local authority in any case. The registration shall remain valid for the remaining period of registration under the township policy, 2010.
- j) The State Government may frame and issue separate guidelines and criteria for registration of cooperative societies as developers.

### **3.2.2 Procedure for Registration of a Developer**

- (i) The application for registration shall be submitted to the concerned Local Authority in the prescribed format and along with the prescribed fee and necessary documents for the category in which he is entitled to get registered, as per eligibility criteria mentioned in table-1 above.
- (ii) The developer shall also furnish detailed information about the previous completed / ongoing projects in the state by him, along with a soft copy/CD`s of the approved layout plans / building plans of the previous projects taken in the last 5 years, and their stage of development and present sale/allotment status, in the application.
- (iii) The local authority shall examine the application and issue registration certificate to the developer, within 15 days of fulfilling all the requirements and submitting the complete application form.

### **3.2.3 Management of the State Real-Estate Web Portal**

- (i) The SLNA shall create a web portal in the UDH department to be known as the Real Estate Portal.
- (ii) The local authority upon issuing the registration certificate, shall forward a copy of the registration document and CD's to the SLNA, within 15 days of issuing registration certificate.
- (iii) The SLNA shall create a profile page of the developer on the state real-estate web portal, and upload the relevant information provided in the application on the developer's page, including the previous projects executed and their current status.
- (iv) The SLNA shall issue to the developer, a unique username and password of the developer's page on the web portal, within 15 days of receiving the registration document from concerned local authority.
- (v) The real-estate developer, upon receiving the username and password, shall update the portal monthly (till the Tenth day of the next month), the status of all the ongoing projects including the approximate percentage of work completed, the no. of units booked/sold with plot/flat numbers, expected date of possession of the booked/sold plots and flats and construction status of other amenities proposed in the Scheme, on the state real-estate portal.

### **3.3 Booking/Selling of plots after issuance of Scheme Commencement Certificate**

- (i) Every developer shall be required to procure a Scheme commencement certificate for each of the proposed scheme from the local authority under whose jurisdiction the scheme is proposed. Till such time when the Scheme commencement certificate is issued for any scheme, no developer or his agent shall book or sell, or, offer to book or sell, or, facilitate any sale or purchase, or, invite any person to purchase in any manner any plot, apartment or building, in that scheme.
- (ii) However, the developer can advertise the scheme, after the receipt of letter of intimation of layout plan approval and issuance of demand notice by the local authority.

### 3.4 Layout Plan Committee(LPC)

(i) A Layout Plan Committee shall be constituted in the concerned local authority, which shall be competent to approve layout plan of any scheme submitted to the concerned local authority. It shall also be competent to allow any subsequent modifications / alterations in the approved layout plans of schemes.

(ii) The Committee shall be constituted by the local authority as follows:-

a) For Jaipur / Jodhpur/Ajmer Development Authority:-

The Layout Plan Committee of the Authority constituted under the relevant Law.

b) For Urban Improvement Trust (UIT):-

Chairperson - Secretary, UIT;

Member - Executive/Assistant Engineer of Concerned UIT;

Member - Tahsildar, of the Concerned UIT;

Member - Senior/Deputy/Assistant Town Planner of the Concerned  
Secretary UIT;

c) For Municipality:-

Chairperson - Chairperson, Municipality;

Member - Senior/Deputy/Assistant Town Planner of the Concerned  
Municipality;

Member - Executive/Assistant Engineer of the Municipality;

Member - Tahsildar of the concerned area;

Member - Chief Municipal Officer of the Concerned Municipality.

Secretary

**Note:** In case the Senior/Deputy Town Planner is not available in the concerned local authority then opinion of the Senior/Deputy Town Planner of the concerned Zonal/ Regional office of the Town Planning Department shall be mandatory.

(iii) Before submitting any scheme in the layout plan committee the local authority shall examine the scheme particularly as follows-

a) The Administrative/ Accounts Cell shall examine the issues related to the compliance of registration, web portal management, mortgage of plots and

security deposit and deposition of all charges and dues and the overall implementation of the policy.

- b) The Planning Cell shall examine Master plan/ Zonal plan Land Uses, provisions of planning norms in the scheme layout plan, provisions of CM's Jan Awas Yojana or any other affordable housing policy for the time being in force, building byelaws and such other matters;
- c) The Revenue Cell shall examine the issues related to ownership, khasra superimposition, acquisition, government land or any other restricted land and other such matters as per the Rajasthan Land Revenue Act, 1956;
- d) The Engineering Cell shall examine the issues related to Detailed Project Report, demarcation of scheme boundary, calculation of scheme area, site conditions and site surroundings including gas pipeline, HT line, water bodies including nala's, and such other matters.

### **3.5 Prerequisites for proposing an Urban Development scheme**

- (i) All schemes shall be in conformity with the master plan/ master development plan enforced for the area.
- (ii) Applicant should have registered title documents or registered power of attorney or registered development agreement in his favour. No un-registered document shall be accepted.
- (iii) The developer shall apply under the provisions of Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-Agricultural Purpose and Allotment) Rules, 2012.
- (iv) The developer shall provide a Sure Service Availability Certificate from PHED for water supply and concerned Power Distribution Company for electricity, in case the developer proposes Integrated Township schemes or Special schemes outside the phased development zone. In case, the developer proposes schemes in the phased development zone no Sure Service Availability Certificate will be required.
- (v) The scheme shall not include land restricted in the rule 3(1) of the Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-Agricultural Purpose and Allotment) Rules, 2012.

### 3.6 Procedure for Application of an Urban Development scheme

- (i) A developer shall submit the application form and a Detailed Project Report to develop a land parcel as a scheme to the concerned local authority with all the documents prescribed under the Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-Agricultural Purpose and Allotment) Rules, 2012.
- (ii) When an application is received by the concerned local authority, the authority shall register and upload the scheme received by it, on the web portal and shall update the portal and publish in the newspaper, as and when the following orders are passed by the local authority-
  - a) Orders issued under section 90-A of Rajasthan Land Revenue Act, 1956;
  - b) Intimation of approval of Layout Plan, and a copy of approved layout plan;
  - c) Issuance of Scheme commencement certificate;
  - d) Issuance of Scheme completion certificate.
- (iii) The LPC shall examine the application and can approve the layout plan with or without modifications, if any, for proper application of planning and engineering norms.
- (iv) The approval of layout plan shall be issued only after issuance of orders under section-90A of the Rajasthan Land Revenue Act, 1956 by the authorized officer.
- (v) Once the LPC after due consideration resolves to approve the Layout Plan, the concerned Local Authority shall intimate the developer of layout plan approval and shall issue the demand notice, within 7 days. The developer shall submit a demarcation plan of the site to the local authority and shall deposit all fees and development charges as required in the demand notice.
- (vi) In case, where the developer had submitted the Sure Service Availability Certificate along with application (for areas beyond the Phased Development Zone), the developer shall deposit the external development charges to the concerned agencies (PHED/Electricity Company) based on the estimates/demand raised by the concerned agencies, for providing the services till the scheme boundary, and submit a copy of the receipt to the concerned local authority.
- (vii) After approval of the demarcated layout plan and on deposition of all the dues and charges applicable and submission of NOC's required, if any, the developer shall apply for the Scheme Commencement Certificate to the Local Authority. The Local Authority, within 7 days from the date of receiving the application, shall issue the Scheme commencement certificate to the developer.

**Note:-** Application for Scheme commencement certificate shall be submitted by the developer within six months from the date of intimation of approval of the

layout plan, within this period the responsibility of getting all required NOC and depositing all dues and charges shall be of the developer. If the developer fails to submit an application for Scheme commencement certificate, as stated above, then the layout plan approval shall be deemed to be lapsed and the amount deposited for layout plan approval fee shall be forfeited. A fresh application has to be made thereafter for layout plan approvals.

- (viii) The booking or sale of the plots shall only be started after issuance of the Scheme commencement certificate.
- (ix) Once the Scheme commencement certificate is issued, the local authority shall upload on the web portal (within 15 days) the following information -
  - a) A brief detail of the scheme, total scheme area, GPS coordinates of scheme boundary;
  - b) Approved layout plan and detail plans if any;
  - c) Complete details of number of plots proposed (use wise), number of flats, saleable area, Plots mortgaged as Scheme guarantee, NOC's from the different departments, areas reserved for facilities/EWS/LIG/public use like parks, playgrounds, non-saleable facility areas;
  - d) Details like key maps, map showing the surrounding locations of the site;
  - e) Timeline for Scheme completion;

### **3.7 Mortgage of plots and bank guarantee by the local authority**

- (i) To ensure that development works in the scheme area completed in time by the developer and to protect the interest of the prospective owners/buyers –
  - a) 12.5 % of the total saleable area shall be reserved by the local authority and a mortgage deed in favour of local authority shall be executed by the developer; &
  - b) 12.5 % of the cost of internal development (as calculated @ Rs. 2000/- per sq.m. of the scheme area) shall be deposited by the developer to the local authority in the form of bank guarantee (to be renewed from time to time until the completion certificate is issued);

**Note:-**

- 1. The above 12.5% mortgage area shall be of the predominant use.
  - 2. In case of group housing / flatted development and commercial complexes with multiple independent units, the mortgage of 12.5% saleable area shall be ensured by the local authority while approving the building plan.
- (ii) No such mortgage or bank guarantee shall be required for single patta projects (other than residential projects group housing / flatted development and commercial complexes with multiple independent units).

### 3.8 Development and Management of the scheme

- (i) All internal development works in the scheme shall be done by the developer himself.
- (ii) The developer can book the plots / flats as per the approved layout plans and shall issue a provisional allotment letter to the allottee.
- (iii) The information of booking, allotment of plots and status of booking shall be uploaded by the developer, monthly, on the developer's page of the web portal, failing which legal action against him can be initiated.
- (iv) Development works shall be started within a period of six months from the date of release of Scheme commencement certificate. If the developer does not start the development work within the prescribed period then the local authority shall be competent to cancel the Scheme commencement certificate of the scheme.
- (v) The local authority can issue patta / lease deed for 87.5% of the saleable plots, once the essential development works have been made available. The remaining 12.5% saleable plots (mortgaged with the local authority) can be booked/ sold only after issuance of completion certificate (no provisional patta/ possession letter can be issued on these plots).

However, in case of scheme where scheme area is more than 10 ha, than an area of minimum 5 Ha. may be developed in blocks with all essential development works completed by the developer and patta / lease deed of such plots, falling in that developed area, may be issued except for mortgaged plots.

- (vi) The developer shall complete all the internal development works of the layout within the time frame prescribed in Table-2. The scheme shall be developed, with all internal development works completed, in a maximum period as prescribed below from the date of issue of Scheme commencement certificate:

Table - 2

Upto 4 hectares	- 2 years
4 – 10 hectare	- 3 years
10 – 20 hectares	- 4 years
20 – 50 hectares	- 5 years
Above 50 hectares	- 6 years

- (vii) The time period for completing internal development works may be extended up to one year with 20% penalty of total prevailing land premium by the local authority and further one year by the SLIMC with additional penalty of 30 %.
- (viii) Developer to maintain the scheme for at-least 3 years after issuance of scheme completion certificate as per the para 3.9 of the policy and thereafter can handover the same to the concerned local authority or RWA. Maintenance charges may be recovered by the Local Authority/developer/ RWA from the allottees.
- (ix) No water or power connection shall be released by the concerned agency/department for such scheme which has not been approved by the concerned local authority.

### **3.9 Scheme Completion Certificate**

- (i) After the completion of all the development works as per the provisions of this policy and as indicated in the approved layout plan the developer shall apply for the scheme completion certificate.
- (ii) The developer shall submit a report of development works carried out in the scheme along with details of various services laid with their capacity, and related layout plans of the services.
- (iii) The developer shall fulfill all the requirements of the EWS/LIG component as per the CHIEF MINISTER'S JAN AWAS YOJANA-2015 or any other policy, orders issued by the Government from time to time, before applying for completion certificate.
- (iv) After examination but not more than one month the concerned local authority shall issue the completion certificate or shall intimate to the developer reasons for not issuing the same or to comply with directions to improve certain development works or complete all the development works in the scheme.
- (v) The bank guarantee and the plot mortgaged as per the para 3.7 of the policy shall be released only after issuance of the completion certificate. The lease deed or patta of mortgaged plots shall also be released after the issuance of the completion certificate. In case, the developer abandons the development works incomplete in the stipulated time period, penalty shall be levied by the local authority for the works left incomplete by the developer including fortification of bank guarantee and mortgaged plots. The developer shall not be allowed to sale or conduct any transaction of any property in the urban development scheme and a notice of this effect shall be placed by the Local Authority on the SLNA portal and the newspaper for cautioning the general public.

### **3.10 Resident Welfare Associations (RWA)**

The State Government may frame rules and procedures for creation, election, management and other aspects of Resident Welfare Association (RWA) to maintain the various facilities in the scheme.

### **3.11 Blacklisting of Developers**

- (i) The local authority with approval of the SLIMC, shall cancel the developer registration and blacklist the developer, if –
  - a. Criminal charges are proved in a Court of Law against the developer; or;
  - b. The information furnished by the developer in the application form is incorrect or misleading, or the information uploaded on the web portal is incorrect or misleading; or any other documents submitted by the developer is found false; or,
  - c. a complaint made against a developer is found to be correct.

Provided that, such allegation shall be enquired into by the concerned Local Authority and a report of findings shall be submitted to the SLIMC.

- (ii) Before taking a decision, the SLIMC shall give a reasonable opportunity of being heard to the developer.
- (iii) The SLNA shall clearly mention the blacklisted status of the developer on the profile page of the web portal and shall also publish in newspapers.
- (iv) No Local Authority shall accept an application for approval of a scheme by a blacklisted developer. However, the developer shall compulsorily complete all development works in all the other on-going schemes.

## **Chapter-4**

### **Planning Provisions**

#### **4.0 Phase wise development of schemes**

To encourage compact development, the policy proposes for opening out selected zones / sectors for physical development in different directions in the urbanisable areas so that there is a concerted effort from all the stake holders to develop that area. This will also ensure that people living in such areas get basic utilities like water and power on a priority basis. Selection of such zones / sectors shall be done by a committee as spelt out subsequently.

##### **4.0.1 Committee on phased development**

- (i) A committee will be constituted to identify one or more Areas / Sectors / Zones which will be opened up for development of urban development schemes in phased manner. The committee will identify the growth potential areas according to existing development and mark them for phased development. Once the 75% area under any Area / sector / zone where layout plans under such area/ zone / sector of the phased development zone, have been approved than next area / zone / sector in that direction may be opened up for the development of schemes by the committee.
- (ii) Following shall be the members of the committee:-

##### **a) For Development Authorities -**

1. Chairperson - Development Commissioner of the Authority
2. Member - Commissioner , Nagar Nigam
3. Member - Chief Town Planner, Rajasthan
4. Member - Chief Engineer, Concerned Vidyut Vitran Nigam Limited (VVNL)
5. Member - Chief Engineer, Public Health and Engineering Department (PHED)
6. Member - Two Public Representative nominated by the Government
7. Member - Two Real estate developers nominated by the Government
8. Member Secretary - Director, Town Planning, of the concerned Development Authority.

**b) For UIT Towns –**

1. Chairperson - UIT, Chairperson
2. Member - Chief Municipal Officer of the concerned Municipality.
3. Member - Add. Chief Town Planner, Town Planning Department
4. Member - Add. Chief Engineer , Concerned VVNL
5. Member - Add. Chief Engineer, PHED
6. Member - Two Public Representative nominated by the Government
7. Member - Two Real estate developers nominated by the Government
8. Member Secretary - Secretary, UIT

**c) For Municipal Towns –**

1. Chairperson - Chairperson of concerned Municipal Corporation / Council / Board
2. Member - Senior Town Planner, Town Planning Department
3. Member - Superintending Engineer, Concerned VVNL
4. Member - Superintending Engineer, PHED
5. Member - Two Public Representative nominated by the Government
6. Member - Two Real estate developers nominated by the Government
7. Member Secretary - Chief Municipal Officer of the concerned Municipality.

**Note:-** the committees may invite any person or any officer for suggestions and viewpoints.

- (iii) The committee shall necessarily consult with concerned member of the Town planning, PHED and Concerned VVNL before finalizing the phased development area.

- (iv) The committee shall be constituted by the local authority within 30 days of notification of the policy.
- (v) The area identified for phased development shall be published in the newspaper and objections and suggestions for 30 days shall be invited, before finalising the phased area. The final Phased area shall also be published in the Newspaper and shall be uploaded on the real estate web portal as well as notice board/ website of the concerned local authority.

#### **4.0.2 Criteria for selection of areas for phase wise development**

- (i) The Committee on phased development may consider the following criteria for deciding the area for the phased development :-
  - a) Contiguity with the existing area;
  - b) Master plan proposals;
  - c) Availability of sector plans or sector road network plans;
  - d) Accessibility from the existing Road network plan;
  - e) Feasibility of providing public transportation;
  - f) Availability/ feasibility of providing water and electricity supply ;
  - g) Growth potential of development in the area and barriers, if any;
  - h) Availability of social infrastructure nearby;

Note:- The above criteria are only indicative and may include any criteria as the committee may deem fit.

- (ii) The committee members representing the concerned departments shall consider that the essential services concerning them are available or can be made available in the proposed phased area on priority basis. The proposed phased area should be the thrust area for development by the concerned authorities.

#### **4.0.3 Sector Road network plan**

- (i) Immediately after identification / declaration of zones/sectors of phased development zone, a draft sector road network plan of the declared area shall be prepared by the local authority, preferably within two months. The draft shall be published by the concerned local authority for inviting public objections and suggestions as per relevant law or for 15 days in case no provision is available. The sector plan shall be finalized by the concerned local authority.
- (ii) All Scheme approvals in the phased development zone shall be given after the Sector Road Network Plan, for the phased area, is approved.

## 4.1 Planning Norms for Residential Schemes:

The policy proposes three types of residential urban development schemes that can be proposed in a town i.e. Integrated Residential Township (IRT) Schemes, Residential Urban Development Schemes and Small Residential Schemes.

### 4.1.1 Integrated Residential Township (IRT):

- (i) Integrated Residential Township (IRT) can be proposed in the phased and non-phased development zones. However, only IRT schemes shall be allowed outside the phased development zones and within urbanisable area or in highway control zones.
- (ii) The developer shall propose at-least –
  - a) 40 % of residential area for group housing development/flatted development, in case of Jaipur, Shahjahanpur-Neemrana-Behrore urban complex (SNB) and Bhiwadi,
  - b) 30 % of the residential area for group housing development/flatted development, in case of Ajmer, Bikaner, Jodhpur, Kota, Udaipur, Alwar and Bhilwara ;
  - c) 20% of the residential area for group housing development/flatted development, in case of all other towns of population one lakh and above.
- (iii) In case an IRT is proposed outside the phased area the developer shall ensure Approach Road, water and electricity availability for the scheme for which sure service availability certificate shall be submitted as per Para 5.7 of the policy.
- (iv) The minimum area, on which an Integrated Residential Township Scheme can be proposed, shall be-

Table - 3

40 Ha.	-	For Jaipur;
20 Ha	-	For Ajmer, Bikaner, Jodhpur, Kota, Udaipur, SNB, Bhiwadi, Alwar and Bhilwara.
10 Ha.	-	For all other towns;

- (v) The land use distribution of the proposed Integrated Residential Township is as detailed below: Table- 4

Saleable & Non-Saleable	Permissible Use	Mandatory Provision	Remarks
1. Non Saleable Areas	1. Facilities	1. Minimum 7% of the scheme area in case the IRT is proposed in the phased development zone, or 2. Minimum 10% of the scheme area in case the IRT is proposed outside the phased zone, shall be reserved for facilities, out of which minimum 0.5% of the scheme area for taxi stand, bus stop and common public vehicle parking and minimum 0.5% of the scheme area for informal street vendors.	Land to be surrendered to the local authority free of cost.
	2. Parks / Playgrounds	Minimum 10% area for parks and playground shall be provided. Out of which minimum 3% of the scheme area shall be kept for playground, with each having a minimum area of 1500 sq.m. for playground.	
	3. Roads	As per Para 4.4 and the actual layout plan.	
2.Saleable Area	1. Institutional / Facilities	Minimum 3% (but maximum 8%) of scheme area for institutional and facilities. However, minimum one plot each of health and education facilities shall be mandatory.	Land which can be sold by the developer.
	2. Mixed Use including commercial	Minimum 2% (but Maximum 8%) of the scheme area shall be reserved for mixed use including Commercial use, out of which minimum 2% of the scheme area shall be reserved for retail shopping area.	
	3. Residential	Remaining Area will be used as residential including mandatory area to be reserved for EWS/LIG.	

#### 4.1.2 Residential Urban Development Schemes:

- (i) A Residential Urban development Scheme shall be allowed only in the phased development zone.
- (ii) The developer shall propose at-least –
- 50 % of residential area for group housing, in case of Jaipur, SNB, Bhiwadi;
  - 30 % of the residential area for group housing, in case of Ajmer, Bikaner, Jodhpur, Kota, Udaipur, Alwar and Bhilwara;
  - 20 % of the residential area for group housing, in case of all other towns of population one lakh and above.

(iii) The land use distribution is as detailed below:

Table – 5

Saleable & Non Saleable Area	Permissible Use	Mandatory Provision for scheme area of above 5000 sq.m. and upto 5 ha.	Mandatory Provision For scheme area more than 5 hectares.	Remarks
1. Non Saleable Areas	1. Facilities	Minimum 12 % scheme Area shall be reserved for facilities. (The Local Authority may reserve area from the facility area for taxi stand, bus stop and common public vehicle parking and for informal street vendors.)	Minimum 10 % scheme Area shall be for facilities, out of which minimum 0.5% of the scheme area for taxi stand, bus stop and common public vehicle parking and minimum 0.5% for informal street vendors.	Land to be surrendered to the local authority free of cost.
	2. Parks / Playground	Minimum 10% scheme area for Parks and Playground shall be reserved.	Minimum 10% area for parks / green opens spaces shall be allowed, out of which minimum 3% of the scheme area for playground, subject to each having minimum area of 1500 sq.m.	
	3. Roads	As per Para 4.4 and the actual layout plan.	As per Para 4.4 and the actual layout plan.	
2. Saleable Area	1. Institutional / Facilities	Maximum 4% (but no minimum) of the scheme area for Institutional/ facilities.	Maximum 6% (but Minimum 2%) of the scheme area for Institutional/ facilities. One plot of either school or health facility shall be mandatory.	Land which can be sold by the developer.
	2. Mixed land use including Commercial	Maximum 5% of the scheme area shall be reserved for mixed use, out of which minimum 2% of the scheme area shall be reserved for retail shopping area.	Maximum 6% (but minimum 2%) of the scheme area shall be reserved for mixed use, out of which minimum 2% of the scheme area shall be reserved for retail shopping area.	
	3. Residential	Remaining Area will be used as residential including mandatory area to be reserved for EWS/LIG.	Remaining Area will be used as residential including mandatory area to be reserved for EWS/LIG.	

### 4.1.3 Small Residential Schemes:

- (i) A small residential scheme can be proposed for a scheme area upto 5000 sq.m. in the phased development zone only.
- (ii) It shall be mandatory to surrender 22% of the scheme area at one place, to the local authority, which may be utilized by the local authority for developing parks/ playground/facilities as per their requirement.
- (iii) In case, the facility area to be surrendered is less than 500 sq.m., then the applicant/developer may instead of surrendering the facility area, deposit the cost of land at the reserve price or the DLC rate, whichever is higher, to the local authority.
- (iv) After ensuring the mandatory provisions and area under roads the applicant / Developer is free to use remaining area of the scheme for residential land use.

## 4.2 Planning Norms for Special Schemes

Special schemes are schemes which are proposed for a specialized purpose. The special schemes can be planned in both phased and non-phased areas.

### 4.2.1 Industrial Scheme :

The land use distribution of the Industrial Urban Development scheme is as detailed below:

Table - 6

Saleable and Non Saleable Area	Permissible Use	Mandatory Provision	Remarks
1. Non Saleable Areas	1. Facilities	Minimum 10% of the scheme Area shall be reserved for facility.	Land to be surrendered to the local authority free of cost.
	2. Parks	Minimum 5% of the scheme Area shall be reserved for parks.	
	3. Parking	Minimum 3 % of the scheme area for taxi stand, bus stop and common public vehicle parking.	
	4. Roads	As per Para 4.4 and the actual layout plan	
2. Saleable Area	1. Institutional / Facility	Maximum 5% (but no minimum) of scheme area shall be reserved for Institutional purpose such as health and education facilities.	Land which can be sold by the developer.
	2. Mixed land use including Commercial	Maximum 4% (but minimum 1%) of the scheme area shall be reserved for Commercial land use out of which minimum 1% of the scheme area shall be reserved for	

		retail shopping area.	
	3. Residential	Maximum 15% (but Minimum 5%) of the scheme area shall be reserved for residential purpose, including mandatory area to be reserved for EWS/LIG.	
	4. Industrial	Remaining Area will be used as Industrial.	

#### 4.2.2 Commercial Scheme:

The land use distribution of the Commercial Urban Development Scheme is as detailed below:

Table - 7

Saleable and Non Saleable Area	Permissible Use	Mandatory Provision	Remarks
1. Non Saleable Areas	1. Facilities	Minimum 5 % of the scheme area shall be reserved for facilities.	Land to be surrendered to the local authority free of cost.
	2. Parks / Green open spaces	Minimum 5% area for parks shall be reserved for parks.	
	3. Parking	Minimum 15% of the scheme area shall be reserved for taxi stand, bus stop and common public vehicle parking	
	4. Roads	As per Para 4.4 and the actual layout plan	
2. Saleable Area	1. Residential	Maximum 15% (but no Minimum) of the scheme area shall be reserved for residential purpose.	Land which can be sold by the developer.
	2. Commercial	Remaining Area will be used as Commercial.	

**Note :**

- a) Maximum saleable area for commercial schemes shall be 35% of the scheme area.
- b) The provision for parking for the commercial plots shall be done in the plot itself as per prevailing building byelaws. However, in case where a part of scheme has commercial plots of size is upto 50 sq. m. than a 5.5 meter parking bay and a 1.5 meter footpath along the road shall be planned over and above the proposed ROW of the road and in such plots (of size upto 50 sq.m.) individual parking will not required. This footpath and parking area shall be counted in the common parking area of the scheme.

### 4.2.3 Institutional / IT / Tourism/Other Schemes :

The land use distribution of the Institutional / IT / Tourism Urban Development Scheme is as detailed below:

Table - 8

Saleable and Non Saleable Area	Permissible Use	Mandatory Provision	Remarks
1. Non Saleable Areas	1. Facilities	Minimum 10% scheme Area shall be reserved for facilities.	Land to be surrendered to the local authority free of cost.
	2. Parks / Green open spaces	Minimum 5% area for parks shall be reserved for parks.	
	3. Parking	Minimum 3% of the scheme area for taxi stand, bus stop and common public vehicle parking	
	4. Roads	As per Para 4.4 and the actual layout plan.	
2. Saleable Area	1. Mixed Land Use including Commercial	Maximum 8% (Minimum 2%) area of the schemes can be developed as mixed land use development, out of which minimum 2% of the scheme area shall be reserved for retail shopping area.	Land which can be sold by the developer.
	2. Residential	Maximum 15% (but no minimum) of the scheme area.	
	3. Institutional	Remaining Area will be used as Institutional.	

### 4.3 Single Patta Projects

- (i) A Single Patta / Lease Deed may be issued to a developer for any project of non-agriculture purpose.
- (ii) The developer shall develop all master plan/ zonal plan/ sector plan roads passing through the proposed project area.
- (iii) 10% of the project area shall be surrendered as facility area, for public facilities and shall be vested in the local authority. The facility area shall be provided on the approach road of the project or road having ROW minimum 18 meter and should be easily accessible to the general people outside the scheme also. However, In case of projects less than 5000 sq. m. instead of surrender of facility area, the cost of land at the rate of reserved price/ DLC, whichever is higher shall be deposited in the local authority.
- (iv) If, any of the length, width, diagonal or diameter of the project area, is more than 500 meters and no master plan/ zonal plan/ sector plan road or a revenue road of minimum 18 meters is abetting / passing through the project area, then a road of minimum ROW 18 meters, abetting / passing through the project shall be proposed, for the future Zonal/Sector level connectivity. The land under such roads shall be vested in the local authority.

- (v) If the area to be surrendered under proposed Master plan/ Zonal plan/ Sector plan roads or the road proposed in point 4 above, is more than 10%, then for every 1% increase in the surrendered road area corresponding 1% area under facility can be reduced, subject to a maximum of 5%.
- (vi) The parameters like ground coverage, FAR, Max Height parking etc shall be as per the Building Regulations.
- (vii) Provision for EWS/LIG housing shall be mandatory as per CHIEF MINISTER'S JAN AWAS YOJANA-2015 and any other orders issued by the Government from time to time.
- (viii) All internal facilities and utilities like roads, pathways, water supply, sewerage, solid waste disposal, electricity, STP, Rain water harvesting, etc has to be provided by the developer within the project area itself.
- (ix) A single patta may be issued in phased zones and areas outside the phased zones. However, A single patta for residential group housing and flatted development outside the phased development zone shall be permissible only for minimum area as below –

Table- 9

5Ha. In case of Jaipur, SNB and Bhiwadi.
2Ha. In case of Ajmer, Bikaner, Jodhpur, Kota, Udaipur, Alwar and Bhilwara.
1 Ha. In case of All other towns.

## **4.4 Mandatory provisions for all urban development schemes.**

### **4.4.1 General provisions**

- (i) The developer shall handover the non-saleable facility area, park and playground after constructing a boundary wall around such area. The non-saleable facilities shall be vested in the local authority. A surrender deed in favour of local authority shall be executed by the developer.
- (ii) The tentative area required for basic infrastructure facilities shall be clearly marked in the layout plan and in the Detailed Project Report in consultation with the concerned agencies.
- (iii) The local authority can allot non-saleable facility area to the concerned Government agency or may authorize/allow the developer to use such area for providing essential development works, free of cost.
- (iv) The remaining non-saleable facility area may be allotted for any other city level infrastructure by the local authority to various Government agencies. Any non-saleable facility area which remains unutilized as mentioned above, can be sold / disposed of by the local authority by auction after 10 years from the date of vesting of land in the local authority.
- (v) The facility areas and the park/ Playground/green open spaces shall be developed and maintained by the developer, till the management is passed on to the concerned agency or the RWA.
- (vi) The mandatory provisions for EWS/LIG should be fulfilled as per the provisions of the CHIEF MINISTER'S JAN AWAS YOJANA-2015 or such orders or policies issued by the state Government from time to time. In case of commercial and institutional schemes if residential area is proposed under the scheme then provision of EWS/LIG has to be kept in proportion to the residential area as per provision-1A of the CHIEF MINISTER'S JAN AWAS YOJANA-2015.
- (vii) The developer shall clearly earmark saleable/ non-saleable areas/ mortgaged plots and facility areas, in the layout plan such as electricity substation/ transformers, Sewerage treatment plant, overhead/underground water tank, solid waste collection center and street garbage container points as per requirement.
- (viii) The position of street garbage containers of suitable size, away from the ROW of the road, shall also be clearly marked in the layout plan in all schemes. The area under the garbage container points shall also be calculated in facilities. Minimum 1 garbage container points per hectare shall be mandatory.

- (ix) The area reserved for common public parking shall be used as a parking for the visitors and scheme dwellers. The parking lots should be close to commercial / facility areas. The common public parking area shall be treated as visitor parking and the provision of parking at individual plot will be as per the prevailing building byelaws. The common Public parking shall not be counted under any other law/ rules for providing relaxations for parking on individual plots.
- (x) Mandatory Retail Shops shall be planned for small shops of area up to 20 sq.m. each. Provision of parking and footpath shall be mandatory and shall be counted along with the retail shopping area. Retail Shops layout will also be approved at the time of layout plan approval.
- (xi) Mixed use development can be allowed in the combination of residential, commercial and institutional as per the provisions of the building bye laws.
- (xii) Street Vending Zone shall be a semi-paved platform earmarked for street vendors. The Vending Zone shall be vested in the local authority.

#### 4.4.2 Roads and Circulation:

- (i) Approach Road to a scheme shall be as per following norms-

Table- 10

Minimum ROW of Approach Road		Maximum Permissible Scheme Area
12 meters	-	Upto 2 Ha.
18 meters	-	Above 2 Ha. and upto 4 Ha.
24 meters	-	Above 4 Ha. and upto 20 Ha.
30 meters	-	Above 20 ha

**Note:-**

- a. The ROW of Proposed Master Plan / Zonal Plan/ Sector plan/ Revenue road/ PWD roads or Road of any other department can be considered as ROW of approach road to a scheme. However, at the time of the approval of the scheme, an existing minimum two lane Pucca road (bituminous or CC, 5.5 meter wide) shall be mandatory.
- b. In case, where the scheme falls in the phased development zone and where sector road network plan has been approved, then the minimum ROW of the approach road shall not be mandatory, if the scheme is abutting on the sector plan road. If the scheme is not abutting on the sector plan road, then for a scheme above 2 ha. minimum approach road of 18 meters shall be mandatory from the sector plan road.

- (ii) All internal roads shall be as per following norms–

Table - 11

Minimum ROW of Road		Maximum Permissible Road Length
9 meters	-	Upto 100 m
12 meters	-	above 100 m upto 400 m
18 meters	-	above 400 m upto 750m
24 meters	-	above 750m

**Note:-**

- a) The roads of Master Plan / Sector plan shall be maintained irrespective of the road length.
  - b) While approving a scheme layout plan the continuity of the existing road network of the adjoining scheme shall be maintained.
- (iii) Minimum ROW of all internal roads in residential scheme under the policy shall be 9 meter. For all other schemes Minimum ROW of all internal roads shall be 18 meter, except for their residential plotted development part where minimum ROW can be 9 meters.
- (iv) All the commercial, institutional, industrial plots and facility area in a scheme should be provided on a road which is not less than 18 metre ROW, but in cases of residential schemes which does not contain any 18 meter road, facility and retail shops can be provided on lower category road.

#### **4.4.3 Guidelines for HT line and Petroleum/Gas Pipeline:**

- (i) Any scheme from which a High Tension line of 132 KVA and above is passing shall prepare the scheme layout plan with following norms-

Table-12

Voltage Level	ROW of the line	Line width	ROW of Minimum Safety Corridor of the line
400 KVA	52 meters	22 meters	33.2 meters
220 KVA	35 meters	11 meters	18.6 meters
132 KVA	27 meters	8 meters	13.8 meters

**Note:-** No construction, facilities or parks shall be allowed in the ROW of the line. However scheme roads/ master plan / sector plan roads can be allowed beyond the minimum safety corridor of the line in a scheme.

- (ii) Any scheme from which a Petroleum/Gas Pipeline is passing shall follow the norms for safety corridor on both sides of such lines as prescribed by the concerned petroleum/ Gas Company. If any road is crossing through such lines than NOC from the concerned petroleum/ gas company shall also be submitted.

#### **4.4.4 Relaxation in facility Area**

- (i) If one or more proposed road Master plan / Zonal Plan / Sector Plan having a ROW more than 24 meters, passes through the scheme, and if the area under such roads exceeds 10 % of the scheme area, than, for every 1% excess in road area corresponding 1% area under facility can be reduced from the non-saleable facility area, subject to a maximum limit of relaxation of 5%. Provided that, the facility area required for essential services works in the scheme shall be mandatory.
- (ii) The area mentioned in Table -12 above for Minimum Safety Corridor of the HT line shall be marked as no construction zone in the layout plan, the strip between the ROW of the HT line and Minimum safety corridor line can be used only for road/green area. If the area under Minimum safety corridor is more than 10% of the scheme area than for every 1% excess in Minimum safety corridor area, corresponding 1% area under park/playground can be reduced from the non-saleable area, subject to a maximum limit of relaxation of 5%. Provided that, minimum 5% the park area shall be ensured in the scheme. However no such relaxations shall be provided in case of special scheme as only 5% of the scheme area is reserved for parks.

## **Chapter-5**

### **Engineering and Infrastructure Norms**

#### **5.0 Mandatory Green Norms**

- (i) All roads should have trees planted at the rate of 1 tree per 15 meter length on either side of the road which can attain minimum 6 meters height. In addition, shrubs shall also be planted on the divider and along both sides of the road.
- (ii) Minimum 20% of the road ROW area shall be un-paved/soft-paved surface to allow percolation of water for ground water recharge.
- (iii) The developer must submit a detailed plan for the disposal of solid waste in accordance with the Government policy and the Urban Local Body rules and regulations and ensure its implementation till the Scheme is handed over to the Local Authority / Resident Welfare Association.
- (iv) Community rainwater harvesting structures should be constructed by developer and all water outlets and drainages should be connected in such a way so as to recycle the water for gardening, washing etc. after treatment. Decentralized wastewater treatment can be a smart alternative.

#### **5.1 Construction of Roads**

- (i) All the internal road networks including sector plan / master plan roads within the scheme area to be developed by the developer as per the specifications and Road Sections provided by the Local Authority or as per IRC standards.
- (ii) All roads of ROW 30 meters and above, shall have provision for divider, service road and entry to plots shall be from service road only.

#### **5.2 Power Supply and Street Lighting**

- (i) It shall be necessary to install any nonconventional renewable energy source in the scheme to generate at least 10% of electricity of the total requirement in case of townships above 40 Ha. However, it may not be mandatory in case the developer takes this 10% energy from any such non-conventional energy grid.
- (ii) It shall be mandatory for the developer to submit a NOC or a sure service availability certificate from the electricity agency for availability of electric supply to the scheme. In case of all schemes outside the phased development zone. After the completion of the electrification work, the developer shall handover the complete system of the scheme to the concerned State electricity agency.
- (iii) Street lighting along roads shall be developed as per the provisions of IRC and can be provided in the right of way either on median or on the edges as prescribed

therein. The distances between the poles and the illumination levels shall be maintained as per the norms of the electricity agency/National Building Code.

- (iv) All street lights shall be solar powered/LED Street lights.
- (v) All electric lines shall be underground and should be laid as per the norms of the concerned electricity company norms.
- (vi) After the electrification work is completed in the scheme the developer shall obtained an NOC from the concerned agency for satisfactory work completion.

### **5.3 Water Supply**

- (i) In case of scheme outside the phased development zone, it shall be mandatory for the developer to provide NOC or a sure service availability certificate from Public Health Engineering department/Local Body as may be the agency for supply of potable water in the scheme. The norms for calculation of water supply shall be as per PHED norms.
- (ii) After the completion of the water supply scheme, the developer may handover the laid distribution and storage system to the PHED/ULB/private operator.
- (iii) The developer shall lay all internal pipelines of suitable design for water supply as per the norms of PHED in the scheme.
- (iv) After the water works is completed in the scheme the developer shall obtained an NOC from the concerned agency for satisfactory work completion.

### **5.4 Drainage**

- (i) The drainage system should be connected to the peripheral drainage system or the water harvesting structure as may be prescribed under norms.
- (ii) Provision shall be made to dispose of excess treated water from STP and storm water in a suitable manner as desired by local authority.

### **5.5 Sewerage**

- (i) All the plots in the Township scheme should be well connected with the underground sewerage network with proper slope.
- (ii) Sewerage Treatment Plant shall be compulsory for all schemes. The developer or Group of developers can propose a common STP which can be maintained by any of the developer or by any specialized company provided; the treatment plant has an adequate capacity to treat the sewerage load of all townships.
- (iii) Recycled / treated water shall be used for gardening and flushing purposes. The developer shall lay pipeline from the STP to the proposed parks in the scheme.

- (iv) After the sewerage works is completed in the scheme, the engineer in-charge of the concerned local authority shall certify satisfactory work completion.

## **5.6 Services Duct and layout**

- (i) The developer shall lay underground duct/ conduit along the roads for each scheme. The duct shall carry cables for telephone, internet, fiber optic, and any other future requirements.
- (ii) Electric lines shall be carried through a different conduit as they emit electromagnetic waves. However if the local power distribution agency, provides NOC to carry the power lines through the same duct, the developer can use the same duct for the same.
- (iii) The developer shall lay various service lines (electric, telephone, optical fiber, sewerage, water, etc.) on any one side of the road and shall compulsorily provide service points on the other side of the road at not more than 100 meters away, by creating the service points connecting from the main line.

## **5.7 External Development in case the scheme is outside phased zone**

- (i) In case the scheme is proposed outside the phased development zone, then –
  - a) The scheme shall have an approach road of minimum ROW as per table-10 having minimum 5.5m. BT/ CC road but if, the local authority is required to construct an approach road for the scheme, then actual cost of construction (demand raised by the agency) of at least 2- lane bituminous approach road of 5.5 meter wide paved surface (irrespective of ROW) shall be calculated by the local authority and shall be deposited by the developer. However, in case where a master plan/ zonal plan/ sector plan or a recorded Revenue road/ PWD roads or Road of any other department road which continues beyond the scheme, is to be constructed, than 50 % of calculated amount shall be deposited by the developer in the local authority for construction of approach road, the rest 50% shall be invested by the local authority;
  - b) It is mandatory to insure water / electric supply to the scheme for which source has to be clearly mentioned in the project report but if, the PHED or concerned VVNL is required to construct trunk infrastructure/GSS for provide water / electricity supply to the scheme then actual cost (demand raised by the agency) of creating such infrastructure shall be deposited to the concerned agency and the deposition receipt in this regard has to be produced by the develop.
- (ii) The concerned authority/ agency upon receipt of external development charges shall develop the desired infrastructure in the stipulated time.

## **Chapter-6**

### **Financial matters and charges**

#### **6.0 Various Charges Payable by Developer**

(i) Layout Plan Approval Charges –

- a) At the time of application for approval of layout plan, the developer shall deposit layout plan approval fee in the local authority @ of Rs. 20 per Sq.M. for first 10 ha. and Rs. 10 per Sq.M. for the remaining area, calculated on the total scheme area.
- b) In case the developer applies for any revision in the earlier approved layout plan then revision fee @ 25% of the layout plan approval fee calculate as “item-A” shall be charged.

(ii) Land premium –

After the approval of layout plan and before issue of Scheme commencement certificate, the developer shall deposit the land premium as per the land use, in the local authority, as per the rate prescribed from time to time by the Government.

(iii) Lease Money –

At the time of issuance of Patta/ Lease Deed, the lease money shall be deposited, in the local authority, as per the rate prescribed below –

- a) Residential purpose - @ 2.5% per annum on 4 times of the residential land premium charges. (One-time lease amount of 20% calculated for 8 years) .
- b) Institutional purpose - @ 2.5% per annum on 4 times of the residential land premium charges. (One-time lease amount of 20% calculated for 8 years)
- c) Commercial purpose - @ 5% per annum on 4 times of the residential land premium charges. (One-time lease amount of 40% calculated for 8 years) .

One-time lease money is payable which is equivalent to the lease money payable for eight years.

(iv) City Infrastructure Development Charges (CIDC)–

- a) After the approval of layout plan and before issue of Scheme commencement certificate, City Infrastructure Development Charges shall be levied on all schemes and the developer shall deposit these charges in the local authority @ following rates calculated on total scheme area-

Table- 13

1.	For Towns with population up to one lac as per census 2011;	Rs. 60/- per sq.mt
2.	For Towns above one lac up to five lacs population as per Census 2011, except SNB, Bhiwadi;	Rs. 80/- per sq.mt
3.	For Towns with population above five lacs as per census 2011, SNB and Bhiwadi;	Rs. 100/- per sq.mt.

- b) For schemes outside the phased development zone CIDC shall be charged @ 1.25 times the rates prescribe in item-A above.

## **Chapter-7**

### **Miscellaneous**

#### **7.0 Allotment of Government Land within the Scheme**

- (i) In case where Government land (Siwai Chak or Rasta, Pathway, etc) belonging to local authority having an area of 20% of the scheme or 10 Ha. (whichever is less) is falling within the proposed scheme area and if, that government land do not have an independent approach, then in order to facilitate contiguous development of the scheme the government may allot such land, or If the government land is required for providing an approach road or any other connecting road to the scheme than the government land may be allotted to the developer.
- (ii) In lieu of this the developer shall allot saleable developed plots to the local authority equivalent to 60% of the land (residential, group housing plot and commercial in the overall ratio of the scheme). In case area of Government land to be allotted is more than 2 Ha. then the approval of State Government needs to be taken.
- (iii) In case of single patta projects if a government land is required to be allotted for approach road then the cost equivalent to the area of approach road calculated at the double of the DLC rate or double of the reserve price whichever is higher shall be charged.

#### **7.1 Priority in Approval of the Scheme**

- (i) Time bound approval / clearance and development of external development by various Government agencies like VVNL, PHED, PWD or other relevant departments shall be provided.
- (ii) The concerned local authority shall issue a letters and provide other assistance required to the developer, for purpose of getting approvals/ NOC/ Sure Availability Certificate on priority from other departments like PHED, VVNL, or any other Departments related to development of such townships.

#### **7.2 Other provisions**

- (i) The provisions of the Rajasthan Imposition of ceiling on Agricultural holdings Act, 1973 (Act no.11 of 1973) shall not be applicable in the case of the urban development schemes of any area.
- (ii) Availability of Land by the Local Bodies to other Concerned Government Agencies for Development of Facilities:

Wherever facility land is available in the schemes, allotment of the same to various government departments like VVNL, PHED, Municipal bodies for power supply, water supply, and firefighting/solid waste disposal as per their minimum requirement may be made on priority basis for city level infrastructure. All local authority shall ensure that the area kept reserved for the services are allotted to the concerned departments under the prevailing policy.

- (iii) MOEF norms for Schemes/Township & provisions of environment clearance as required by ministry of Environment and Forest (Government of India) shall be applicable. Presently, it is mandatory to obtain environment clearance for all the scheme/project having total built-up area more than 20000 sq.m. or if scheme area is more the 50 hectare.

### **7.3 Grievance Redressal system**

- (i) The process of scheme development is very long and extends up to 5-6 years from the commencement of the works. It has also several stakeholders including large number of citizens. It also involves lot of stakes for the developer in terms of financial issues. Under such a long gone process of various permissions/NOCs, required from various departments, there are always going to be a large number of grievances of each stake holders against the other.
- (ii) All grievances under the policy or otherwise against the developer shall be submitted to the local authority concerned in writing. The local authority shall maintain a grievance register of the received complains.
- (iii) All such grievances shall be examined by the local authority and a report on each grievance shall be submitted, to the SLNA (for decision in SLIMC), within 30 days of receipt of such grievances.
- (iv) After scrutiny the SLNA shall submit all such grievances received from the local authority to the SLIMC for decision. SLIMC before taking a decision, may call any record or may require the complainant/stakeholders to appear and present the matter before it.
- (v) The decision of the SLIMC shall be final and binding to all the stake holders.

### **7.4 Repeals and Savings**

- (i) The Rajasthan Township Policy, 2010 and The Policy for Residential, Group Housing and Other Schemes in the Private Sector, 2010 are hereby repealed.
- (ii) All notifications, circulars, orders issued by the State Government from time to time in relation to matters covered by this policy and which are not consistent to

this policy, shall stand superseded to the extent of inconsistency as from the date of the commencement of this policy.

- (iii) Any action taken or thing done under superseded notification, circular, orders prior to coming into force of this policy shall be deemed to have been taken or done under this policy.

\* \* \*

### **Chairman**

(Praveen Jain)  
Chief Town Planner,  
Rajasthan

### **Member**

(R.K. Pareek)  
Officer on Special Duty,  
Urban Development &  
Housing Department,  
Rajasthan

### **Member Secretary**

(Rajesh Kumar Tulara),  
Senior Town Planner,  
Town Planning Department,  
Rajasthan

### **Member**

Add. Chief Town Planner,  
Master Plan, Jaipur Development Authority  
(Represented by Sh. Narhari Singh, ATP)

### **Member**

Deputy Commissioner (Zone-5),  
Jaipur Development Authority  
(Represented by Sh. Pankaj Beniwal, ATP)