

**GOVERNMENT OF RAJASTHAN
LOCAL SELF GOVERNMENT DEPARTMENT**

NO.F.8(Ga)()Niyam/DLB/2021/ 71063

Jaipur, Dated: 22/10/21

NOTIFICATION

In exercise of the powers conferred by section 337 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009) and all other powers enabling it in this behalf, the State Government hereby makes the following rules further to amend the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Municipalities (Disposal of Urban Land) (Second Amendment) Rules, 2021.

(2) They shall come into force at once.

2. Amendment of rule 7.- In sub-rule (5) of rule 7 of the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974, hereinafter referred to as the said rules, for the existing expression "12% per annum", the expression "9% per annum" shall be substituted.

3. Amendment of rule 15-A.- The existing sub-rule (1) of rule 15-A of the said rules shall be substituted by the following, namely:-

"(1) If a person who purchases the independent plot or other plot through public auction for residential or commercial purposes has not constructed one dwelling unit/commercial unit, as the case may be, in case of independent plot or in case of other plot such as for group housing, flats, institutional purposes, commercial purposes etc. has not constructed 1/5 of ground coverage of plot area within seven years from the date of purchase of independent plot or other plot, he shall be liable to pay levy at the following rates:-

(a) in case of lease hold patta:

S.N.	Period of non construction	Levy
1	2	3
1.	0 to 7 years	NIL
2.	after 7 years and upto 14 years	0.25% per year of the reserve price at the time of auction.
3.	after 14 years and upto	0.50% per year of the reserve price at the

	20 years	time of auction.
4.	after completion of 20 years, the Board shall issue a notice to the allottee to complete the construction within a period of 2 years.	0.75% per year of the reserve price at the time of auction.
5.	after completion of 22 years	Lease deed shall automatically stand cancelled.

(b) in case of free hold patta:

S.N.	Period of non construction	Levy
1	2	3
1.	0 to 7 years	NIL
2.	after 7 years and upto 14 years	0.10% per year of the reserve price at the time of auction.
3.	after 14 years and upto 20 years	0.25% per year of the reserve price at the time of auction.
4.	after completion of 20 years, the Board shall issue a notice to the allottee to complete the construction within a period of 2 years.	0.50% per year of the reserve price at the time of auction.
5.	after completion of 22 years	Free hold patta shall automatically stand cancelled.

Provided that the Board may, if satisfied that some minimum facilities of electricity, water and approach road are not available in the area, exempt from payment of levy for non-construction.

Provided further that the Board may, on application of lessee/allottee/patta holder, regularise and restore such cancelled lease/patta with the approval of the State Government, if such land has not been allotted to any other person and lessee is prepare to pay an additional levy at the rate of 0.75% and free hold patta holder is prepare to an additional levy at the rate of 0.50% per year of the reserve price at the time of auction in addition to levy payable for 22 years.

(1A) Notwithstanding anything contained in sub-rule (1), in case of any vacant plot where rain/waste water or garbage gets accumulated, a notice of fifteen days shall be given to such plot holder to remove such accumulated rain/waste water or garbage within a period specified in the notice, if he fails to comply with the notice, the allotment of such plot shall be cancelled."

4. Amendment of rule 17.- In rule 17 of the said rules,-

(i) in sub-rule (5), for the existing expression "@15% per annum", wherever occurring, the expression "@ 9% per annum" shall be substituted; and

(ii) the existing sub-rule (7) shall be substituted by the following sub-rule (7) and (8), namely:-

"(7) A person who has been allotted a plot at fixed rates fails to construct one dwelling unit within seven years from the date on which possession of land so allotted is handed over to him, such allotment shall automatically stand cancelled and the allottee shall not be eligible for allotment of a plot in future:

Provided that the Board, if satisfied that some minimum facilities of electricity, water and approach road are not available in the area, may fix a date from which the period of seven year shall be counted.

Provided further that such automatic cancellation may be regularised by withdrawing the such automatic cancellation, if the allottee is prepared to pay the levy at following rates:-

(a) in case of lease hold patta:

S.N	Period from the date of possession handed over	Levy
1	2	3
1.	0 to 7 years	Nil
2.	after 7 years and upto 14 years	0.25% per year of the allotment price.
3.	after 14 years and upto 20 years	0.50% per year of the allotment price.
4.	after completion of 20 years, the Board shall issue a notice to the allottee to complete the construction within a period of 2 years.	0.75% per year of allotment price.
5.	after completion of 22 years	Lease deed shall automatically stand cancelled.

(b) in case of free hold patta:

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S.N.	Period from the date of possession handed over	Levy
1	2	3
1.	0 to 07 years	Nil
2.	after 07 years and upto 14 years	0.10% per year of the allotment price.
3.	after 14 years and upto 20 years	0.25% per year of the allotment price.
4.	after completion of 20 years, the Board shall issue a notice to the allottee to complete the construction within a period of 2 years.	0.50% per year of allotment price.
5.	after completion of 22 years	Free hold patta shall automatically stand cancelled.

Provided also that the Board may, on application of lessee/ allottee/ patta holder, regularize and restore such canceled lease/patta with the approval of the State Government, if such land has not been allotted to any other person and lessee is prepare to pay an additional levy at the rate of 0.75% and free hold patta holder is prepare to an additional levy at the rate of 0.50% per year of allotment price in addition to levy payable for 22 years.

(8) Notwithstanding anything contained in sub-rule (7), in case of any vacant plot where rain/waste water or garbage gets accumulated, a notice of fifteen days shall be given to such plot holder to remove such accumulated rain/waste water or garbage within a period specified in the notice, if he fails to comply with the notice, the allotment of such plot shall be cancelled."

5. Substitution of rule 26.- The existing rule 26 of the said rules shall be substituted by the following, namely:-

"26. **Documentary evidence of allotment or sale of land.-** For every allotment or disposal by auction under these rules a document evidencing the same shall be in such form as may be specified by the State Government, from time to time and shall be duly stamped and registered at the expenses of the allottee or the purchaser."

6. Amendment of annexure-A.- In Annexure-A appended to the said rules,-

- (i) in clause (k), for the existing expression "15%", the expression "9%" shall be substituted; and

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(ii) in clause (l), for the existing expression "15%", the expression "9%" shall be substituted.

By order of the Governor,



(Deepak Nandi)

Director & Special Secretary to the Government.

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Dated: 22/10/21

Copy forwarded to the following for information and necessary action:

1. P.S. to Hon'ble Minister, Local Self Government Department, Rajasthan, Jaipur.
2. P.S. to Secretary, Local Self Government Department, Rajasthan, Jaipur.
3. P.S. to Pr. Secretary, Law and Legal Affairs, Department, Rajasthan, Jaipur.
4. P.S. to Director, Directorate Local Bodies, Rajasthan, Jaipur.
5. All Divisional Commissioner, Rajasthan.
6. All District Collector, Rajasthan.
7. All Chairperson/Chief Municipal Officer, Municipal Corporation/Council/Board, Rajasthan.
8. All Officers Directorate/DDR, Rajasthan.
9. Superintendent, Government Central Press, Jaipur along with a soft copy for publication of this notification in part 4 (c) of today's extra ordinary Gazette. It is requested that 20 copies of this notification may be sent to this Department. Please ensure that soft copy is same as hard copy provided to you for publication.
10. Public Relation Officer, Directorate Local Bodies, Rajasthan, Jaipur.
11. Programmer, Directorate Local Bodies, Rajasthan, Jaipur to upload a copy on departmental website.
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(Sanjay Mathur)

Sr. Joint Legal Remembrancer