

GOVERNMENT OF RAJASTHAN

Urban Development and Housing Department -

No. : F.17(22)/UDH/Rules/2020

Jaipur Dated : 4 JAN 2021

NOTIFICATION

In exercise of the powers conferred by clause (xi-a) of sub-section (2) of section 261 read with section 90-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), section 54-B and 95 of the Jaipur Development Authority Act, 1982 (Act No. 25 of 1982), section 49 and 91 of the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009), section 49 and 91 of the Ajmer Development Authority Act 2013 (Act No. 39 of 2013), section 60 and 74 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959) and section 71 and 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 Urban Areas (Permission for use of Agricultural Land for Non-agricultural Purposes and Allotment) Rules, 2012 and orders with reference to proviso to sub-section (2) of section 74 of the Rajasthan Urban improvement Act, 1959 (Act No. 35 of 1959) that the previous publication of these amendment rules is dispensed with as the State Government, in public interest, considers that these amendment rules should be brought into force at once, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-agricultural Purposes and Allotment) (Amendment) Rules, 2020.

(2) They shall come into force at once.

2. Amendment of rule 9.- In second proviso to sub-rule (2) of rule 9 of the Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-agricultural Purposes and Allotment) Rules, 2012, hereinafter referred to as the said rules, for the existing expression "expiry of six months", the expression "expiry of one year" shall be substituted.

3. Amendment of rule 20.- The existing sub-rule (1) of rule 20 of the said rules shall be substituted by the following, namely:-

"(1) Urban Assessment or ground rent shall be realized at the rate of two and half percent of residential price in case of land to be used or used for any purpose including the multiplex unit except the commercial purposes and five percent of residential price in case of land to be used or used for the commercial purposes:

Provided that in case where land to be used or used for warehouse, godown or cold storage for storage or preservation of agriculture commodities shall be exempted from payment of Urban Assessment or ground rent.

Provided further that allottee may, if he so desires, deposit one time urban assessment or ground rent which would be equal to eight times of full yearly urban assessment or ground rent, including the year in which the payment is made. Such a

payment would exempt the allottee or transferee from further liability of payment of urban assessment on the leased property.

Provided also that if an allottee may, if he so desires deposit one time Urban assessment or ground rent which would be equal to ten time of full yearly urban assessment, including the year in which the payment is made, on such payment allottee/ leasee shall be eligible for free hold lease deed. The allottee who have already paid one time Urban assessment or ground rent which is equal to eight times of Urban assessment or ground rent and no longer to required to pay any urban assessment or ground rent for remainder his tenure of the lease, may also avail the option of converting their status from lease hold to free hold basis on payment of two years Urban assessment or ground rent at one time.

Explanation: In this Chapter "residential price" means the price equal to four times of the premium prescribed for residential use of land."

4. **Insertion of new rule 23-A.**— After the existing rule 23 and before the existing rule 24, the following new rule 23-A shall be inserted, namely:-

"23-A. **Allotment /regularisation of land to be on free hold or lease hold basis.**- Any land under these rules shall be allotted or regularised either on free hold basis or on lease hold basis."

5. **Amendment of rule 26.**- The existing sub-rule (1) of rule 26 of the said rules shall be substituted by the following, namely:-

"(1) If a person in whose favour lease deed of independent plot or other plot is issued under these rules, 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 maximum ground coverage of plot area within five years from the date of issue of lease deed of independent plot or other plot, as the case may be, he shall be liable to pay levy at the following rates:-

S.N	Period of non construction	Levy
1.	0 to 5 years	NIL
2.	after 5 years and upto 10 years	1% per year of current prevailing residential price
3.	after completion of 10 year, the trust shall issue a notice to the allottee/ lessee to complete the construction within a period of six month.	2% per year of the prevailing residential price for the period beyond 10 years including the notice period.
4.	after completion of notice period	lease shall automatically stand canceled.

Provided that Trust may, on application of lessee/ allottee, regularise and restore such canceled lease 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 two percent per year of the current prevailing residential price in addition to levy payable for ten years."

6. Amendment of rule 27.- The existing of rule 27 of the said rules shall be substituted by the following, namely:-

"27. Transfer of name.- If land was transferred by lessee/allottee, for transfer of name, the transferee shall submit an application along with registered sale deed, registered gift deed, will or any other relevant document of transfer and application fees. The transferee shall also pay name transfer fees for each transfer at the following rate, namely:-

S.N	Area of land (In square meter)	Rate in rupees per square meter
1.	upto 100 Sqm.	10/-
2.	above 100 to 300 Sqm.	15/-
3.	above 300 to 500 Sqm.	20/-
4.	above 500 Sqm.	25/-

Provided that no name transfer fees shall be charged for transfer of name in favour of successor of deceased allottee/lessee.

Provided further that transfer of name shall be made after the examination of Registered documents or will (which is not compulsorily registered). No officer or employee shall visit site of the plot/ building in case of proceedings for transfer of name."

By order of the Governor,

(Maneesh Goyal)

Joint Secretary to the Government.

Copy to the following for informantion and necessary action :-

1. PS to Principal Secretary, Chief Minister's Office, Rajasthan, Jaipur.
2. SA to Hon.ble Minister, UDH & LSG, Rajasthan.
3. PS to Chief Secretary, Rajasthan.
4. PS to Principal Secretary, UDH, Rajasthan.
5. PS to Secretary, Local Serlf Government Department, Rajasthan.
6. Joint Secretary, UDH-I/II/III, Rajasthan.
7. Commissioner, Jaipur/Jodhpur/Ajmer Development Authority.
8. Commissioner, Rajasthan Housing Board, Jaipur.
9. Secretary, A& UIT's, Rajasthan.
10. Sr. Joint LR/DLR, UDH, Rajasthan.
11. Sr. DS, UDH for necessary action regarding Gazette Notification as per rules.
12. Guard File.

Joint Secretary to the Government