

GOVERNMENT OF RAJASTHAN
Urban Development and Housing Department

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

Jaipur Dated : 17 SEP 2021

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 74 read with section 43 and 60 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby makes the following rules further to amend the Rajasthan Improvement Trust (Disposal of Urban Land) Rules, 1974 and orders with reference to proviso to sub-section (2) of section 74 of the said Act, 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 Improvement Trust (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 Improvement Trust (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 14-A. The existing sub-rule (1) of rule 14-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 20 years	0.50% per year of the reserve price at the time of auction.
4.	after completion of 20 years, the Trust 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.

sk

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 07 years	Nil
2.	after 07 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 Trust 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 Trust 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 Trust 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 (6A) shall be substituted by the following, namely:-

"(6A) 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

afh

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 Trust, 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 Trust 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:

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 Trust 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 further that the Trust 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.

(6B) Notwithstanding anything contained in sub-rule (6A), 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
- (ii) in clause (l), for the existing expression "15%", the expression "9%" shall be substituted; and

By order of the Governor,

(Maneesh Goyal)

Joint Secretary to the Government.

Copy for kind information & necessary action to :-

- 1 P.S. to Secretary, Hon. Chief Minister, Rajasthan, Jaipur.
- 2 S.A. to Hon'ble Minister, UDH Department, Jaipur.
- 3 P.S. to Chief Secretary, Govt. of Rajasthan, Jaipur.
- 4 P.S. to Principal Secretary, Deptt. of Urban Development & Housing Govt. of Rajasthan, Jaipur.
- 5 P.S. to Secretary, Local Self Govt. Rajasthan, Jaipur.
- 6 Joint Secretary - I, II & III, UDH Department, Rajasthan, Jaipur.
- 7 Director, Local Bodies, Rajasthan, Jaipur.
- 8 Commissioner/Secretary, Jaipur/Jodhpur/Ajmer Development Authority.
- 9 Chief Town Planner, Rajasthan, Jaipur.
- 10 Secretary, Urban Improvement Trust, All.
- 11 DLR, UDH Department, Jaipur.
- 12 DTP, UDH Department, Jaipur.
- 13 Sr. D.S., UDH Department to send online for publication the notification in extra ordinary issue of gazette and uploading in the departmental website.
- 14 Guard File.

Joint Secretary to the Government.