

Government of Rajasthan
Local Self Government, Urban Development & Housing Department

F. 3(50) UDH/3/2012

Jaipur, dated:- 31.05.2012

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 95 of the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009), 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, 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 rules is dispensed with as the State Government, in public interest, considers that they should be brought into force at once, namely:-

CHAPTER 1
Preliminary

1. Short title, extent and commencement.- (1) These rules may be called the Rajasthan Urban Areas (Permission for use of Agricultural Land for Non-agricultural Purposes and Allotment) Rules, 2012.

(2) They shall extent to the urban areas situated in the State of Rajasthan.

(3) They shall come into force at once.

2. Definitions. - (1) In these rules, unless the context otherwise requires,-

- (i) "**Act**" means the Jaipur Development Authority Act, 1982 (Act No. 25 of 1982), the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009), the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959) and the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009) as the case may be;

- (ii) "**Authorised Officer**" means an officer specially authorised by the State Government, by notification to grant permission for using agricultural land for non-agricultural purposes in urban area;
- (iii) "**Commercial purpose**" means use of land or premises for the purpose of trade or commerce or business whether retail or wholesale, which shall include a shop, shopping complex, marriage hall, marriage garden, conference hall, bank, restaurant, hotel, depot, godown, printing press, auto service station, show-room, cinema, multiplex, explosive magazine, weigh bridge, workshop, dhaba (whether pucca or temporary structure) petrol pump and such other purposes or any other activity, notified by the State Government, from time to time, as commercial purpose and shall also include the use thereof partly for residential and partly for commercial purposes but shall not include tourism units;
- (iv) "**Converted land**" means land for which permission under section 90-A of the Rajasthan Land Revenue Act, 1956 is granted for use of agricultural land for non-agricultural purposes and placed at the disposal of a local authority ;
- (v) "**External development works**" means and includes road, water supply, sewerage and drainage system, electric supply or any other works which may have to be executed in the periphery of, or outside, a colony for its benefit;
- (vi) "**Farm house**" means any plot measuring 2500 sqm. or more being developed in ecological area / rural belt / periphery belt or any other zone of the master plan having built up area not more than 10% of the plot area or 500 sqm., whichever is less ;
- (vii) "**Form**" means a form appended to these rules;
- (viii) "**Government**" and "**State**" means the Government and State of Rajasthan;
- (ix) "**Industrial area**" means an area of land to be developed by any person, for setting up an industry or industries including essential welfare and supporting services within the industrial area e.g. residential colony for employees, entrepreneurs, staff of Industrial units. The facilities in the specified permissible facility area may include some of the facilities like recreational facilities, educational institutions, convenient shopping complex, Warehouse, Cold storage, Medical facilities, Bank, post office, Police Station, pollution control treatment plant, Electric Power Station,

Water-supply and sewerage facilities, Fire-fighting Station, Weigh bridge, etc.;

- (x) "**Industrial purpose**" means the use of any premises or land for any industry whether a small or medium or large scale unit including information technology industry, and shall include a brick-kiln or kiln but shall not include use of any premises or land for the commercial purpose.
- (xi) "**Infrastructure projects**" means activity such as Power Projects, Telecommunication Project, Transport Project, Water Supply Project, Solid Waste Management Project, Sewerage Treatment Plants or any project as may be specified by the State Government from time to time;
- (xii) "**Institutional purpose**" means the use of any premises or an open area by any establishment, organization or association for the promotion of some object specially of general utility, charitable, educational or like nature, except public utility purpose;
- (xiii) "**Internal development works**" means roads, foot-paths, parks, playgrounds, water supply, sewers, drains, tree planting, street lighting, provision for community buildings and for treatment and disposal of sewage and silage water wherever is possible, or any other work in a colony necessary for its proper development, as may be specified by the State Government from time to time.
- (xiv) "**Lease**" means a lease-deed executed by the local authority for the allotment of the lease hold rights for a period of ninety nine years;
- (xv) "**Master Plan**" or "**Master Development Plan**" means any Master Plan or Master Development Plan including draft plan prepared for any urban area in accordance with the provisions of the Rajasthan Urban Improvement Act, 1959, the Jaipur Development Authority Act, 1982, the Jodhpur Development Authority Act, 2009 and the Rajasthan Municipalities Act, 2009, as the case may be;
- (xvi) "**Medical facilities**" means and include clinics, dispensaries, hospitals, diagnostic centers, nursing-homes, Naturopathy/ Ayurvedic/ Unani/ Homeopathic hospitals;
- (xvii) "**Mixed Land Use**" means use of any land or premises for more than one purpose;
- (xviii) "**Multiplex**" means a building which contains one or more cinema halls, alongwith space for recreation and commercial activities;

- (xix) **"Public utility/amenities"** means dharamsala, place of religious worship, gaushala, public park, playground for school or college, hostel, nurseries, orchards, facility area, shamshan / kabristan, old age home, leprosy treatment center, naturopathy centers, pensioners rest house, night shelter, training centre for physically challenged or deaf and dumb persons, public water huts, public toilets, public libraries, etc. or any other place of public utilities excluding use of medical facilities;
- (xx) **"Premium"** means premium payable for allotment or regularisation of land under these rules;
- (xxi) **"Residential area/housing colony/township project"** means an area having residential plot/group houses/flats/groups of plots, etc. along-with other essential facilities/amenities, excluding hostels for students, working men or working women;
- (xxii) **"Scheme"** means any plan or scheme prepared for any urban area in accordance with the provisions of the Rajasthan Urban Improvement Act, 1959, the Jaipur Development Authority Act, 1982, the Jodhpur Development Authority Act, 2009, the Rajasthan Municipalities Act, 2009 and the Rajasthan Housing Board Act, 1970;
- (xxiii) **"SEZ"** means Special Economic Zone notified under the proviso to sub-section (4) of section 3 and sub-section (1) of section 4 of the Special Economic Zone Act, 2005 (Central Act No. 28 of 2005) and includes free trade and warehousing zone;
- (xxiv) **"Society"** means a Housing Co-operative Society as per provisions of the Rajasthan Co-operative Societies Act, 2001 (Act No. 16 of 2002);
- (xxv) **"Tourism Unit"** means a tourism project approved by the Department of Tourism, Government of India or by the Department of Tourism, Government of Rajasthan and shall include,-
- (a) a heritage hotel;
 - (b) a motel which provides wayside facilities under one roof, such as accommodation, food, repair shop and the like;
 - (c) a camping site with furnished tented accommodation, having at least fifty tents along with bathroom and toilet facilities;
 - (d) a resort providing sports and recreational facilities, riding, swimming and social amenities with boarding and lodging arrangements ;

- (e) an amusement park providing various type of rides, games and amusement for children as well as for adults;
- (f) a safari park developed with the permission of the Forest Department;
- (g) an aerial ropeway established under the prevailing rules and regulations;
- (h) a health Spa, other medical health related activities such as yoga etc., Golf Academy, Golf Course or other sports related activity attached with units mentioned in sub-clause (a) to (f) above;
- (i) an art gallery, handicrafts market; and
- (j) any other related units declared as Tourism unit by the Department of Tourism, from time to time.

- (xxvi) **"Town Planner"** means Chief Town Planner or Additional Chief Town Planner or Director, Town Planning or Senior Town Planner or Deputy Town Planner or Assistant Town Planner appointed by the State Government or the Local Authority, as the case may be.
- (xxvii) **"Urban assessment"** means annual charges recoverable from the lessee or sub-lessee for the grant of lease hold rights; and
- (xxviii) **"Zonal or Sector Plan"** means the sector or zones in which the urban area is divided for the purpose of development of such area, in the Master/Draft plan or Master/Draft Development plan or scheme or any plan, as the case may be.

(2) Words and expressions used but not defined in these rules shall have the same meanings as assigned to them in the Rajasthan Land Revenue Act, 1956, the Rajasthan Tenancy Act, 1955, the Jaipur Development Authority Act, 1982, the Jodhpur Development Authority Act, 2009, the Rajasthan Urban Improvement Act, 1959, the Rajasthan Municipalities Act, 2009 and rules made there under.

CHAPTER- II

Permission for use of agricultural land for non- agricultural purposes and allotment of land

3. Restrictions.- (1) No permission under section 90-A of the Rajasthan Land Revenue Act, 1956 in respect of agricultural land situated in an urban area shall be granted in the following circumstances, namely:-

- (i) Desired non-agricultural purpose is not permissible in accordance with the law applicable in the area or is not in consonance with the master plan or any other development plan or scheme as amended, from time to time or modified on the direction issued under the Act by the State Government;
- (ii) Land is under acquisition under the provisions of the Land Acquisition Act, 1894 (Act No. 1 of 1894);
- (iii) Land falling within the limits of railway boundary, National Highway, State Highway or any other road maintained by the Central or State Government or any Local Authority as specified in any Act or Rules of the Central or State Government made in this behalf, or within the limit specified in the guidelines of the Indian Road Congress for establishment of industry from the middle point of National Highway / State Highway / Major District Road /Other District Road / Rural Roads, whichever is longer;
- (iv) Land within 200 mts. from the boundary of Historical Monuments and places of Archeological importance, Archaeological Monuments, Heritage Precincts and other restricted area declared by the Government;
- (v) Land falling within the prescribed distance on either side of the center line of the underground pipeline of oil companies;
- (vi) Land falling within the distance as notified from time to time by the Central or State Government regarding boundaries of oil storage depots, gas godowns, petrol pumps or any other explosive storage depots;
- (vii) Gair khatedari land;
- (viii) Land forming part of the forest area or notified as Forest Land under the provisions of the Rajasthan Forest Act, 1953 (Act No. 13 of 1953) or under any other law for the time being in force;
- (ix) Land within restricted area of the Wild Life Sanctuary and National Park under the provision of relevant law;
- (x) Land belongs to any Government department, or belongs to deity or social, religious, spiritual or charitable trust, or waqf or of part of any archeological, cultural, or historical importance site:

Provided that where any public trust registered under the Rajasthan Public Trusts Act, 1959 (Act No. 42 of 1959) or any registered charitable institution intends to use its agricultural land or holding or part thereof, for any non-

agricultural purpose permission may be granted, if returns or proceeds received there from shall be used for the purposes of fulfillment of its aims and objectives;

- (xi) Land on which conversion or permission of allotment has been restricted by any order passed by the Court of competent jurisdiction;
- (xii) Land falling under the water bodies, or lakes, reservoirs, dam including the land falling under submergence and flow area of pond or river or nallah or lake, etc. or land being used as any cremation /burial ground;
- (xiii) Land for which proceedings under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (Central Act No. 33 of 1976), the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 (Act. No. 11 of 1973) and the Rajasthan Land Reforms and Acquisition of Land Owners Estate Act, 1963 (Act No. 11 of 1964) are pending; and
- (xiv) Land falling within the category restricted by the Central Government or State Government.

(2) No permission shall be granted without prior approval of the State Government in the urban areas of Mount Abu, Jaisalmer, Nathduara, or Pushkar, or any other area, as may be notified by the State Government, from time to time.

4. Application for Permission.- (1) Application for grant of permission under section 90-A of the Rajasthan Land Revenue Act, 1956 in respect of land situated in urban area shall be made to the Authorised Officer in Form-1 along with,-

- (i) an affidavit in Form-2;
- (ii) an indemnity bond in Form-3;
- (iii) a copy of receipt in proof of the payment of amount calculated at the rate of 10% of the premium prescribed by the notification under these rules;
- (iv) duly attested proof of the title of the land i.e. copy of jamabandi, copy of the trace of revenue map etc.;
- (v) Key Map, drawn in suitable scale (not less than 1:15,000) showing the site in relation to its location such as existing approach roads and other physical features around the site.;

(vi) Survey Map/Total Station survey of the site including area within a minimum 200 meter periphery of the site. The Survey map will be drawn to a scale of 1:2,500 showing-

- (a) Boundaries of the aforesaid land and the adjoining areas, showing therein the Khasra numbers or plot numbers, as the case may be;
- (b) Existing structures, kachcha or pucca and use to which they are put;
- (c) The details and salient features of existing and proposed roads shown in the master plan/ sector plan/road network plan;
- (d) Approach roads up to the proposed site;
- (e) High / Low tension electric lines and transformer;
- (f) Oil/gas supply line;
- (g) Other existing physical features such as nallahs, water bodies, well-electric lines, telephone lines, water supply and sewer line etc. and levels of the site with respect to the access roads and contours on an appropriate scale;
- (h) The north direction and the scale.

(vii) Layout Plan of the site shall indicate applicant's proposals on a scale of 1:500 showing the manner in which he intends to develop the land and shall include the following, as per the standards laid down in the rules and relevant Township Policy issued by the Government, namely:-

- (a) reference to the various uses of land proposed in the scheme shall be indicated by clearly indicating the areas under Residential, Commercial, Parks and Open Spaces, Educational, Roads and Streets and other uses, and their percentages in relation to the total land area. The layout plan for single patta or plotted development, as the case may be, shall contain all dimensions in meter including the area calculation details in Form-4;
- (b) super imposition of Khasra boundaries on the layout plan, part Sector Plan and part Master plan;
- (c) reference to various sizes of plots as proposed in the scheme shall be made in the drawing. Area calculation details will be given in Form-4;
- (d) reference to rights of way of roads as proposed in the scheme shall be made in the drawing.
- (e) index of all notations used.

(viii) In case applicant desires for single patta, he shall submit Site Plan of the land in lieu of Layout Plan as mentioned in clause (vii).

(2) Application under sub-rule (1) along with its enclosures shall be submitted in quadruplicate (one original set and three sets attested by the applicant himself).

(3) The amount deposited along with application under sub-rule (1) shall be refundable in case of rejection of application and otherwise adjustable against the premium to be deposited under these rules.

(4) All the plans and statements submitted along with the application shall be duly signed and authenticated by the applicant also.

(5) The applicant shall furnish such other relevant information as may be required by the Authorised Officer or as the State Government may direct.

(6) The applicant shall also submit the soft copy of the application along with all the forms/documents/statements.

(7) Application under this rule, if the applicant desires, may be submitted On-line in cases of such Local Authorities wherever the Authorized Officer concerned have appropriate arrangements for this purpose.

5. Register of application.- All applications received by the Authorised Officer under rule 4 shall be entered in a register maintained in Form-5.

6. Scrutiny and enquiry of applications. – (1) The Authorised Officer shall within five days of the receipt of the application, send one set of application to the Local Authority and one set of application to the Tehsildar for their consent, who shall communicate its consent/objection in Form-6 after due examination within fifteen days of the receipt of the application.

(2) If the Tehsildar has failed to communicate its consent/objection than after the lapse of period specified in sub-rule (1), such consent shall be deemed to be accorded.

(3) On receipt of set of application sent by the Authorised Officer, the Local Authority shall scrutinize and examine the application as per details given in Form-7 and ensure that the layout plan is in conformity with the master plan and sector plan of the area.

(4) The layout plan shall be scrutinized by the Local Authority within five days from the date of receipt of application with reference to provisions of the Rajasthan Urban Areas (Sub-Division, Reconstitution and Improvement of Plots) Rules 1975, building regulation or by laws of that Local Authority, norms and conditions provided under the Township policy, time being in force and other policies or directions issued by the State Government from time to time.

(5) After examination of the layout plan, details of the application and scrutiny under sub-rule (3), the consent/objection of the Local Authority shall be communicated, without waiting the final approval of layout plan, within fifteen days from the date of receipt of application to the Authorised Officer in Form-8.

(6) Within seven days of receipt of an application under rule 4, the Authorised Officer shall scrutinize it and verify or caused to be verified in Form-9 the contents and facts envisaged in the application and in other supporting documents, such as, –

- (a) khatedari rights and area of the land as per revenue record;
- (b) report of enquiry, if any, as to whether the land is under acquisition or not;
- (c) report on legal issues, if any, on the subject matter;
- (d) verification of the indemnity bond, and affidavit,
- (e) any other legal documents, which are found necessary and essential by the Authorised Officer.

(7) After the scrutiny under sub-rule (6) the Authorised Officer, without waiting the consent of the Tehsildar or the Local Authority, shall issue a public notice for seven days in Form-10 calling upon objections of any interested person. The notice shall be exhibited by the Authorised Officer on the notice board of his office and shall also be published in a State level newspaper on the cost of the applicant.

(8) If after scrutiny of documents and other details under sub-rule (6), the Authorized officer is of the opinion that any additional relevant information on the subject matter required to be sought, he may require the applicant within a period of ten days from the receipt of the application to submit the same and the applicant shall be bound to submit such additional information within ten days, failing which the application may be disposed off ex-parte within the stipulated period under rule 7.

7. Disposal of application.- (1) Each application submitted under rule 4 shall be examined, and enquired by the Authorised Officer separately under rule 6. The Authorised Officer, considering all the facts including reports from the Tehsildar and the Local Authority under rule 6, is of view that the desired non-agricultural purpose is permissible in accordance with the law applicable and in conformity with the Master Plan, may grant the permission applied for, otherwise refuse the permission. The application shall be disposed off by the Authorised Officer within forty five days from the date of its receipt. If the application is accepted by the Authorized Officer he may issue permission in Form-11. If the Authorised Officer fails to dispose off the application within the stipulated period of forty five days he shall record the reasons thereof.

(2) In case of rejection of application the Authorised Officer shall record the reasons in writing and shall, on demand, refund the amount deposited along with the application under rule 4.

(3) After grant of permission under sub-rule (1) a copy of the same shall be sent to, -

(i) the concerned Tehsildar for mutation of the land in the revenue record in favour of the Local Authority. The Tehsildar shall sanction mutation and send a copy of the same to the Local Authority within seven days from the date of issuance of the permission. If the Tehsildar fails to sanction the mutation within the stipulated period it shall not affect the further proceedings of the Local Authority in the matter under these rules. A consolidated list of all such permissions shall be sent on 5th day of every month by the Authorised Officer to the Collector for monitoring and ensuring the compliance by the Tehsildar;

(ii) the Local Authority for allotment of land for permitted non-agricultural use, and

(iii) the person whose khatedari rights has been extinguished, by registered post.

(4) In case the Authorised Officer fails to pass an order within the period specified under sub-rule (1) he shall submit the file within three days to the Officer appointed by the State Government for this purpose, after recording reasons for delay, who shall extend the period for next fifteen days and shall also inform the applicant:

Provided that if the Authorised Officer has failed to pass the order in the above extended period, then the matter shall be referred again to the Officer appointed by the State Government for this purpose for further extension of period or passing appropriate order for the disposal of the matter. Information of such matters shall be sent by such officer to the State Government every month.

8. Approval of Layout Plan.- After grant of permission the applicant shall get the approval of the Local Authority on layout plan as per prevalent provisions of law.

9. Premium and other charges.- (1) The applicant shall pay such amount of premium as may be notified by the State Government, from time to time.

(2) Premium and urban assessment or lease rent under these rules shall be deposited by the applicant within ninety days of demand raised by the Local Authority concerned:

Provided that if the allottee fails to deposit the premium, urban assessment/ and other charges to the concerned Local Authority within ninety days of the demand raised by the Local Authority, the interest at the rate of fifteen percent per annum shall be charged after the expiry of above period.

Provided further that if the applicant fails to deposit the said amount, even after expiry of six months from the date of receipt of demand notice, the permission under these rules shall be deemed as cancelled.

10. Exemption of premium etc. - (1) No premium shall be payable by any department of State Government for permission to use agricultural land for non-agricultural purpose for any official use.

(2) The State Government shall have the powers to exempt premium or grant such concession on premium in such cases as may be notified by the State Government, from time to time.

11. Allotment of land by Local Authority. - (1) Local Authority after satisfying that the,-

- (i) permission under sub- rule (1) of rule 7 has been granted by Authorized Officer;
- (ii) payment of premium and urban assessment under these rules have been deposited;
- (iii) layout plan has been approved under prevalent provisions of law and other charges with regard to approval of layout plan as specified by the State Government from time to time has been deposited; and
- (iv) external development charges and internal development charges and other charges as may be fixed by the State Government or Local Authority from time to time, has been deposited,

shall pass the order to allot the land and issue the lease deed or single patta to the applicant within fifteen days of fulfillment of above conditions , as the case may be.

(2) The Local Authority shall issue lease deed subject to the directions of the State Government. The State Government may, from time to time, issue directions that in certain type of cases lease deed shall be executed with the prior approval of the State Government.

(3) Allotment of land shall be made in favour of person to whom permission is granted under sub-section (6) of section 90-A of the Rajasthan Land Revenue Act, 1956 or in favour of his successor, assignees or transferees.

CHAPTER -III
Regularisation and allotment of land placed at the disposal of the Local Authority under sub-section (8) of section 90-A of the Rajasthan Land Revenue Act, 1956

12. Application of Chapter III.- Notwithstanding anything contained in Chapter II of these rules, provisions of this Chapter shall apply on the land on which rights and interest has been terminated under sub-section (8) of section 90-A of the Rajasthan Land Revenue Act, 1956.

13. Termination of rights and interest.- (1) Where all rights and interest of a person has become liable to be terminated under sub-section (8) of section 90-A of the Rajasthan Land Revenue Act, 1956, the Authorized Officer, on his own motion or on a reference made by the Local Authority shall serve a notice of seven days in Form-12 to the khatedar tenant.

(2) In addition to the above a public notice in Form-13 shall also be exhibited by the Authorised Officer for a period of seven days on the notice board of his office, calling upon objection of any other interested person or persons. A copy of notice shall also be published in at least one local newspaper. A copy of notice in Form-13 shall also be send to the Tehsildar of the tehsil for his concurrence. In absence of any communication from the Tehsildar , after lapse of fifteen days, it shall be deemed that the Tehsildar has no objection.

(3) After expiry of seven days from the service of notice, the Authorised Officer shall summarily examine the matter and if he thinks fit, may record a statement of any person who appears in pursuance to the notice issued under sub rule (1) or (2).

(4) The Authorised Officer may for the purpose of enquiry,-

- (i) call for any information or record from any officer or authority under the State Government or the Local Authority;
- (ii) examine and record statement of any interested person or any other person or officer under the State Government or the Local authority;
- (iii) inspect the land after due notice to the parties concerned; and
- (iv) direct the Local Authority to get survey of the land.

(5) The Authorised Officer shall,-

- (i) after considering the objection and representation received in writing in pursuance of notice issued under sub rule (1) or (2) has been issued;
- (ii) after examining the records produced before him; and
- (iii) after careful consideration of all the relevant factors and evidence placed before him;

pass an order for termination of rights and interest of such person in the said land and for vesting of the said land in the State Government .

(6) The proceedings shall be conducted summarily and shall be concluded within a period of fifteen days from the first date of the notice published under sub-rule (2).

(7) After issuing orders under sub-rule (5) a copy of the same shall be sent to,-

(i) the concerned Tehsildar for mutation of the land in the revenue record in favour of the concerned Local Authority of the fact that from the date of issuance of such order, said land shall be placed at the disposal of the concerned Local Authority. The Tehsildar shall comply with the order and send a copy of mutation to the Local Authority concerned within seven days from the date of issuance of the order. A consolidated list of all such orders issued shall also be sent to the Collector on 5th day of every month for monitoring and ensuring compliance by the Tehsildar. If the Tehsildar fails to enter such mutation in the revenue record, it shall not affect the further proceedings by the Local Authority/Authorised Officer.

(ii) the Local Authority concerned for allotment of land/sanctioning of layout plan as per the permitted non-agricultural use; and

(iii) the person, by registered post, whose khatedari rights has been terminated.

14. Restrictions on regularisation/ allotment of land for non-agricultural purpose.- (1) Restrictions specified under rule 3 shall also apply for allotment/regularisation of land under this Chapter:

Provided that allotment/regularisation under this Chapter shall not be affected in those cases which are allowed under the orders of the State Government issued, from time to time.

(2) Nothing in this Chapter shall apply to any land belonging to deity, Devasthan Department, any public trust or any religious or charitable institution or a wakf.

(3) No proceedings or orders under this Chapter shall be initiated or made in respect of lands for which proceedings under the provisions of Urban Land (Ceiling and Regulation) Act, 1976 (Central Act No. 33 of 1976), the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 (Act No. 11 of 1973) and the Rajasthan Land Reforms and Acquisition of Land Owners Estate Act, 1963 (Act No. 11 of 1964) are pending.

15. Regularisation and approval of layout plan.- (1) From the date of order passed under sub-rule (5) of rule 13, the land shall be deemed to have been vest in the State Government free from all encumbrances and placed at the disposal of the Local Authority under section 102A of the Rajasthan Land Revenue Act, 1956.

(2) Subject to the provisions of rules, regulations or bye-laws made under the law applicable to that Local Authority, the said land or part thereof shall be available for allotment or regularization by the Local Authority for any permissible non-agricultural purposes.

(3) Allotment or regularisation of land so placed at the disposal of the Local Authority shall be made by Local Authority only after the approval of layout plan in accordance with the rules, regulations or bye-laws made under the law applicable to that Local Authority. If layout plan is not submitted, the Local Authority shall himself make arrangements for survey of the site and prepare the layout plan.

(4) The cases in which colonies developed before 17th June, 1999 with a minimum ten percent constructed area and with a maximum seventy percent saleable area shall be approved by the Local Authority subject to fulfillment of other norms, if any, as may be fixed by the State Government, from time to time:

Provided that the cases of such colonies having constructed area less than ten percent or saleable area of more than seventy percent shall be referred by the Local Authority with full justification to the State Government for appropriate direction.

(5) Not later than seven Days of the approval of layout plan, the Local Authority shall publish a public notice at least in two State level newspapers inviting applications from the persons entitled under sub-section (8) of section 90-A of the Rajasthan Land Revenue Act, 1956 for the allotment.

16. Application for regularisation.- (1) The land available for allotment or regularisation and for which layout plan has been approved shall be allotted or regularised to a person or persons having possession over such land or part thereof, as the case may be, on the basis of allotment made or Patta given by a Housing Cooperative Society or a Will or any other document purporting transfer of land to them either by the person whose rights and interests have been ordered to be terminated under sub-section (8) of the section 90-A of the Rajasthan Land Revenue Act, 1956 or by any other person claiming through such person. Application by such person for allotment or regularisation shall be submitted in Form-14 in triplicate (one original set and two sets attested by the applicant himself) along with affidavit in Form-15, indemnity bond in From-16 and other documents in support of his application.

(2) Application under sub-rule (1) shall be submitted before the Local Authority within thirty days of issuance of public notice under sub-rule (5) of rule 15. The applicant shall attach with the application a copy of challan as a proof of deposit of premium:

Provided that if the applicant fails to submit application and deposit the amount of premium and other charges as may be fixed by the State Government from time to time, with in the above stipulated period the interest at the rate of fifteen percent per annum shall be charged from the date of expiry of above period.

(3) The application shall be accompanied by a proof of the title of the land, sale deed, agreement to sale, power of attorney, Will or patta in original and attested copies of such document, for the satisfaction of the Local Authority that the land belongs to the applicant and in possession of applicant.

(4) The premium under this rule shall be payable on such rates as may be notified by the State Government from time to time.

(5) All the plans and statements submitted along with the application shall be duly signed and authenticated by the applicant also.

17. Register of applications.- All applications received by the Local Authority under rule 16 shall be entered in a register maintained in Form-17.

18. Scrutiny and enquiry of applications.- (1) On receipt of an application under rule 16, the Local Authority shall scrutinize it and verify or caused to be verified the contents and facts mentioned in the application and in other supporting documents, such as –

- (a) verification of the indemnity bond, affidavit;
- (b) verification of sale deed/agreement to sale/power of attorney/Will/Patta etc.;
- (c) proof of possession;
- (d) verification of permissible land use; and
- (e) deposit of premium and other charges as may be fixed by the State Government.

(2) If after scrutiny of documents and other papers Local Authority is of the opinion that any additional relevant information is required, he may ask the applicant in writing within a period of fifteen days from the receipt of the application to submit the same and the applicant shall submit such additional information within fifteen days, failing which the application may be disposed off ex-parte within fifteen days after the expiry of above period:

Provided that if the application is rejected due to non-submission of additional information as required, the applicant may submit new application along with interest and in that case the amount of premium deposited earlier shall be adjusted.

19. Allotment /regularisation of land by Local Authority.- (1) Local Authority after satisfying that the,-

- (i) tenancy rights on the land has been terminated under sub-rule (5) of rule 13 by Authorized Officer;
- (ii) payment of premium and urban assessment under these rules have been deposited;
- (iii) layout plan has been approved under relevant provisions of law applicable to that area and other charges with regard to approval of layout plan as specified by the State Government from time to time has been deposited; and
- (iv) external development charges and internal development charges and other charges as may be fixed by the State Government or Local Authority from time to time, has been deposited.

shall pass the order to regularise the land and issue lease deed or single patta for the land to the applicant or to his successor, assignees or transferees within fifteen days of fulfillment of above conditions, as the case may be.

(2) The Local Authority shall issue lease deed subject to the directions of the State Government. The State Government may, from time to time, issue directions that in certain type of cases lease deed shall be executed with the prior approval of the State Government.

(3) In case rejection of the application reasons shall be recorded for the same in writing by the Local Authority.

CHAPTER-IV Miscellaneous

20. Liability for Urban Assessment or Ground Rent.- (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 for residential, educational, social and charitable institutions, medical clinics and nursing homes, Tourism unit, Multiplex unit and Auditorium purposes and five percent of residential price in case of land to be used for commercial and other purposes:

Provided that the 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, 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.

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

(2) Forty percentage of the collected amount of urban assessment or ground rent may be retained by the Local Authority as a service charge for the collection and sixty percent amount shall be deposited with Government as Government receipts.

(3) The urban assessment or ground rent once fixed under these rules shall be liable to revision after every fifteen years and also at such transfer by sale or gift or otherwise and such increase shall at each stage be twenty five percent of the urban assessment or ground rent at the time of such revision or transfer, as the case may be.

21. Deposit of premium and Urban Assessment.- The amount of premium or urban assessment or interest shall be deposited under the relevant revenue receipt head of the State Government or Local Authority applicable and as specified by the state Government, from time to time.

22. Lease Deed.- Lease deed shall be in such form as may be specified by the State Government.

23. Tenure of lease.- The lease hold rights shall be for ninety nine years. The said period may be extended by the State Government on such terms and conditions and on deposit of such premium or urban assessment as may be specified by the State Government from time to time.

24. Reversion.- Any person who has surrendered his tenancy rights and got the land allotted under these rules may, at any time before the execution of lease deed, apply to the Authorised Officer for reverting the land for the original use. The Authorised Officer, with prior approval of the Local Authority, shall pass an order for reversion and on such reversion the status of land shall be the same as it was before he had surrendered his tenancy rights, but he or any other person shall not be entitled to get refund of any amount paid for conversion for allotment or otherwise.

25. Transfer of land or sub-lease.- (1) The lessee may further transfer or sub-let the land, the terms and conditions and other provisions contained in these rules shall *mutatis mutandis* apply to transferee or sub lessee, as if the land in question has been let out or transferred by the Local Authority.

(2) The period of the sub-lease shall be determined by the lessee but in no case it shall exceed beyond the period of original lease.

(3) The sub-leases shall be governed by all other terms and conditions prescribed in these rules or any separate orders that may be issued in specific matter in this behalf by the State Government, from time to time.

26. Non-construction penalty. – (1) If a person has not constructed a building within seven years from the date of issue of the lease deed of the plot, he shall be liable to pay the penalty for every year of default of construction at the rate of two and half percent per year of the residential price of the area prevailing at the time of allotment / regularisation of land:

Provided that if any person fails to construct the building within the time stipulated above, then the period may be extended by the Local Authority for next five years if such person may deposit the penalty double of the rate specified above.

Provided further that the person has not constructed a building even after the extended period specified in this sub-rule the allotment of such land shall stand automatically cancelled.

(2) Notwithstanding anything contained under sub-rule (1) the State Government may, in appropriate cases, regularise such cancellation of the land and extend the period of construction of building for such period as it deems fit, if the allottee is prepared to pay a penalty for every year of default of construction at the rate of five percent of the residential price at the time of allotment / regularisation of land.

27. Transfer of name.- In case of transfer of land, registered sale deed , gift deed , or Will or other relevant documents shall be submitted along with application to the Local Authority for transfer of name in favour of transferee. The transfer fees at the rate of rupees ten per square meter for every transfer shall be deposited along with the application:

Provided that no fee under this rule shall be charged in death cases.

28. Interest.- A person, who fails to deposit the amount of premium or urban assessment or other charges within the time specified by Local Authority, shall be liable to pay interest at the rate of fifteen per cent per annum from the date of expiry of such period.

29. Recovery of arrears.- Arrears of premium or urban assessment or interest, internal/external development charges outstanding against a person under these rules, shall be recoverable as arrears of the land revenue under the Rajasthan Land Revenue Act, 1956.

30. Application of provisions of other rules, bye- laws etc. .- Except as otherwise provided in these rules, the provision of rules and bye-laws made under the Act shall *mutatis mutandis* apply for land placed at the disposal of the Local Authority.

31. Up keep of receipt register.- In order to make the transparency the details of the case shall be maintained in the register in Form-18 or Form-19, as the case may be. The updated and fortnightly information shall be forwarded to Government through On-line and shall also compulsorily be made available on the web-site of the Local Authority.

32. Documentary evidence of allotment.- For every allotment or regularisation under these rules a document evidencing the same shall be prepared in appropriate forms as may be determined by the State Government which shall be signed for and on behalf of Governor of the State by the Chief Municipal Officer or Secretary of the Local Authority or by the officer authorized by the State Government in this behalf, as the case may be, and shall be duly stamped and registered at the expense of the allottee or the purchaser.

33. Removal of doubts.- If any doubt arises, relating to interpretation, scope or application of these rules, decision of the State Government shall be final.

34. Revocation of allotment.- If after the allotment or execution of lease deed it is found that the allotment or lease deed have been obtained by way of misrepresentation, on the basis of fraudulent documents, with collusion, in contravention of law or any terms and conditions of allotment or lease deed are violated then the Local Authority shall after giving reasonable opportunity of hearing to the allottee revoke the allotment and the land along with any construction thereon, shall be deemed to be vest in the Local Authority free from all encumbrances, and the Local Authority shall not be liable for any damage, whatsoever caused to any person.

35. Power to impose more conditions.- The land allotted on payment of premium shall further be subject to levy of such rent, revenue, betterment tax and development charges

or other charges as may be imposed by the State Government or the Local Authority and shall further be subject to such terms and conditions and restrictions as the State Government or the Local Authority may impose or order under any law or enactment for time being in force in this regard.

36. Power to call records and revise orders.- The State Government may in appropriate cases, exercise the powers conferred under section 83 of the Rajasthan Land Revenue Act, 1956.

37. Power to relax rules.- In exceptional cases where the State Government is satisfied that operation of these rules causes hardship in any particular case or where the State Government is of the opinion that it is necessary or expedient in public interest to do so, it may relax the provisions of these rules in respect of the rate or other charge, interest, penalty, conditions imposed in relation to any allotment to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

38. Repeal and Savings.- (1) All notifications, circulars, orders issued by the State Government from time to time in relation to matters covered by these rules and which are not consistent to these rules, shall stand superseded to the extent of inconsistency as from the date of the commencement of these rules.

(2) Any action taken or things done under superseded notification, circular, orders prior to coming into force of these rules shall be deemed to have been taken or done under these rules.

Form – 1
[See Rule – 4(1)]
Application for permission and allotment

To,

The Authorised Officer,



Sub :- Application for permission of use of agricultural land for non-agricultural purposes and allotment.

Sir,

I/We hereby apply under section 90-A of the Rajasthan Land Revenue Act, 1956 for permission of use of agriculture land for non-agricultural purposes, the particulars where of are given here under;

1.	Details of the applicant (a) Name (b) Father's/Husband's name (c) Complete address	
2.	Details of the area applied for: (a) Name of village and tehsil (b) Khasra no. and area	
3	Enclosures with application	
	(a) Certified copy of power of attorney duly registered/stamped, if application is filed on behalf of others.	
	(b) Certified copy of registration (in case applicant is a firm/institution/company)	
	(c) Certified copy of, memorandum/article of association and resolution of the Board of Directors in favour of the authorised Director (in case applicant is a company)	
	(d) Certificate of registration under the Rajasthan Township	

	Policy Act, 2010 (if applicable)	
	(e) Certified copy of the order of competent authority for change in land use, wherever it is required.	
	(f) Certified copy of documents viz. sale deed, etc . in support of ownership and details of applied land :	
	(g) Affidavit in Form-2 duly attested by a Notary Public	
	(h) Indemnity bond in Form-3 duly attested by a Notary Public	
	(i) Copy of latest Jamabandi (certified by the patwari)	
	(j) Khasra superimposition on layout plan and master plan, sector plan (if any)	
	(k) Trace of khasra Map	
	(l) Lay out plan (Site plan in case of single patta)	
	(m) Key Plan	
	(n) Survey Map	
	(o) Area calculation details in Form-4	
	(p) Identity proof of the khatedar/applicant	
4	Purpose for which the land will be used	
5	If there is any HT/LT line or transformer in the plot boundary	
6	Whether applied land is under acquisition	
7	Whether the proceedings are pending under the Urban Land (Ceiling and Regulation) Act, 1976 in respect of the land applied for.	
8	Whether the land is declared surplus or for which proceeding are pending under the Rajasthan Imposition of Ceiling on Agricultural Holdings Act; 1973 or under the repealed Chapter IIIB of the Rajasthan Tenancy Act, 1955.	
9	Whether the land belongs to deity, Devasthan Department, any public trust or any religious or charitable institution or a wakf .	
10	Distance from the Railway line, National Highway, State Highway and any other road.	

11	(a) Pending court cases (if any)	
	(b) Details of stay order or injunction order passed by any competent court	
12	Width of the approach road to the applied land	
13	Area of the land falling under master plan/sector plan/road area network plan to be surrendered free of cost .	
14	Net area for which layout plan is to be issued (as per Form 4)	
15	Rate of premium charges payable	
16	No. and date of the challan and amount for making of payment under sub-rule (3) of rule 4.(copy of challan to be attached)	
17	Any other relevant information	
18	Total No. of documents	
19	Total No. of pages	
20	Soft copy of application along-with enclosures mentioned at item no. 3 and 16	
21	Date of application	

Declaration

(1) I/we hereby certify that the above particulars are correct according to my/our knowledge and belief.

(2) It is declared that the application with affidavit, indemnity bond and above mentioned documents is hereby submitted for permission for use of land for-----purpose (specify category of non agriculture use). I/we am/are willing to extinguish my/our tenancy rights for using the said land for above non-agriculture purpose therefore grant me/us the required permission in accordance with law.

(3) It is also hereby declared that the aforesaid land for which the permission has been sought for use of non-agriculture purpose is not under any restricted category specified under rule – 3 of the Rajasthan Urban Areas (Permission of use of Agricultural Land for Non-agricultural Purposes and Allotment) Rules, 2012.

Address of applicant

**Signature of applicant
(Name)**

Contact No. and E-mail address

RECEIPT

Applicant----- has submitted the application on dated -----, which has been registered at No - in the register on dated -----. The matter shall be processed and disposed of in accordance with the rules applicable. The date of meeting and information regarding additional documents if any shall be informed within **15 days** either telephonically or will be available on web-site of the Local Authority.

Signature of the receiving authority

Form-2
[See Rule – 4 (1)]
Affidavit



I/We ----- S/O Shri ----- Age -----

R/o-----Village-----Tehsil----- District----- .

I/we do hereby take oath and declare as follows:-

1. That I/we am/are the Khatedar of the land mentioned as under and no stay/injunction order by any court is in force with regard the land applied for granting permission for use of such land for non-agriculture purpose in the application form and the land is free from all encumbrances and disputes.

S.No.	Details of Land (Village and Khasra No.)	Area

2. That I/we am/are willing to get our tenancy rights extinguished for the purpose mentioned in the application and as per the provisions of the relevant laws.
3. That I/we do hereby abide ourselves to pay all the dues and amount as per prevalent laws and rules to the Local Authority.
4. That no sale of plot / land or building shall be made prior to the approval of Lay out Plan of the land applied for by the Local Authority and without prior permission of Local Authority.
5. That all directions and orders issued from time to time by the State Government and the Local Authority will be complied with by the applicants.
6. That the Land applied will be used for the purpose as per permission granted only and will be developed as per prescribed norms of the Local Authority and as per approved Layout Plan.
7. That the documents attached and enclosed to the application are true and authentic to the best of my knowledge and nothing is hidden by me.
8. That I/we do hereby abide ourselves to follow the provisions of relevant building bye-laws, regulations, rules applicable with regard to the Local Authority.

Deponent

Verification

I, the above named deponent do hereby verify that the contents of para 1 to 8 of the above affidavit are true and correct. Nothing is being concealed therein and no part of it is false. So help me God.

Deponent

Identified by me:

Form- 3

[See Rule – 4 (1)]

PHOTO

Indemnity Bond

I/We ----- S/O Shri ----- Age -----
R/o-----Village-----Tehsil----- District----- .

I/we do hereby take oath and indemnify as follows:-

- (i) That I/we am/are the Khatedar of the land mentioned as under for which application being submitted for granting permission for non-agricultural purpose/allotment of converted land under section 90 A of Rajasthan Land Revenue Act, 1956

S.No.	Details of Land (Village and Khasra No.)	Area

- (ii) That I/we do hereby abide ourselves to indemnify the Local Authority for any loss caused if any, due to permission granted by the Local Authority in the matter.
- (iii) That I/we do hereby further abide ourselves to indemnify the Local Authority for any loss caused if any, due to any dispute arisen in the matter due to approval of the scheme or any act committed or omitted by the applicant.
- (iv) That the Local Authority shall have every right to withdraw the permission and cancel the scheme of applicant on breach of any condition, rule or order on the part of applicant and the applicant will be liable for any pecuniary loss caused to anybody in this process.

Applicant

Form -4
[See rule -4(1)(vii)]

AREA CALCULATION FORMAT

A. Single Patta Cases

a) Details of calculation of total plot area is as per sheet attached

S. N	Particulars	Area	Percentage
1	Total Area		
2	Area under sector road / master plan road / highway, etc. (surrender deed shall be taken from the applicant)		
3	Facility Area of sector/master plan @ 5% (if applicable) (surrender deed shall be taken from the applicant)		
	Net Plot Area (1 – 2 – 3)		

B. Details of Scheme Plot Area

b) Details of calculation of total plot is as per sheet attached

S.N	Particulars	Area	Percentage
1	Residential/Industrial/Institutional/ Farm House / Resorts or any other special township plot area		
2	Commercial area (informal sector)		
3	Commercial area general		
4	Area under road including sector roads		
5	Park/open spaces / plantation corridor		
6	Area reserved for facility		
	Total Area		

C. Details of Plots for Scheme

S. No.	Block No.	Plot No.	Area in Sq. Mtr.	Area in Sq. Yds
Total				

Signature of the Applicant

FORM – 5
(See Rule – 5)

**Register of applications for permission for use of agricultural land for
non-agricultural purposes in urban areas**

S.No.	Name of the Applicant with Parentage and postal address	Date of receipt of application	Particulars of the land of which permission is sought			Non - agriculture use for which permission is sought	Particulars of documents received with application	Details of amount deposited alongwith application. with No. and date of challan.	Date on which copy of application sent to concerned Local Authority and Tehsildar
			Name of village/ Tehsil	Kharsa No.	Area				
1	2	3	4	5	6	7	8	9	10

Date on which report received from		Date of final order and whether application accepted or rejected			No. and date of order which was sent to Tehsil for mutation in favour of Local Authority	Whether copy of mutated Jamabandi received from Tehsil	Remarks
local authority	Tehsildar	Date	Accepted	Rejected			
11	12	13	14	15	16	17	18

Form -6
[See rule 6(1)]

(FORMAT FOR CONSENT/OBJECTION OF TEHSILDAR TO THE AUTHORISED OFFICER)

Office of the Tehsildar
(Name of Tehsil and Distt.)

No :

Date:

To

The Authorized Officer,
.....

Sub: - Consent report for -----(Name of applicant) regarding issuance of permission to use agricultural land for non-agricultural purposes under section 90-A of the Rajasthan Land Revenue Act-1956.

Ref: - Your letter No ----- date -----

Sir,

Based on the latest revenue record and site-inspection report consent is being forwarded for further course of action at your end in the subject matter. The Particulars are as under :-

S. No	Particulars	Remark
1.	Name of the applicant	
2	Father's / Husband's name	
3	Address of the applicant in revenue record	
4	Land details (a) Area of land (b)Khasra Number (c) Revenue Village	
5	The land is not under any restricted category	
6	No stay order/injunction order of any competent court is in operation with regard to the land	
7	Granting of permission to use agricultural land for non-agricultural purpose and extinguishing tenancy rights on the land is recommended	

Therefore, You are requested to please convey the order under section 90-A of the Rajasthan Revenue Act, 1956 so that the land may be mutated in favour of the Local Authority within the prescribed period.

OR

After considering all the facts in the matter the view of under signed is that the desired permission for use of agricultural land for non-agricultural purpose should not be granted to the applicant for the following reasons:

- 1 -----
- 2-----
- 3-----

Signature of Tehsildar

Form – 7

[See rule 6(3)]

Format (Check list) for the scrutiny of layout plan and joint survey report)**(To be used by concerned officers of Local Authority)**

S. No.	Particular	Report	Signature
A	Examination and verification at UDC/LDC level		
1	Name of Applicant / Address	Correct / Incorrect as per the record	
2	Date of receiving of application ,registration number and total no. of pages	The application submitted on date at registration number -----the total no. of pages are with the application	
3	In case of P.O.A. / Company/firm, than details of registered documents along with registered sale deed (if any)	The applicant has submitted the desired document place at C/..... to C/.....	
4	Name of Tehsil/Local Authority and total land area	Tehsil ----- village----- kh. No. ----- Area -----	
5	Land title document with the application form		
	i)	Copy of latest Jamabandi certified by the Patwari	Copy duly attested is placed at C/..... to C/.....
	ii)	Khasra trace map certified by the Patwari	Copy is placed at C/..... to C/.....
	iii)	Key Plan (self attested)	Copy is placed at C/..... to C/.....
	iv)	Affidavit duly attested	Copy is placed at C/..... to C/.....
	v)	Indemnity Bond duly attested	Copy is placed at C/..... to C/.....
6	Details of the amount deposited with the Local Authority for approval of layout plan etc. (including details of previous deposits, if any)	Challan no. dated Rs. , copy of which is placed at C/.....	
7	Site plan or lay out plan	Yes/No ,if yes placed at C/--	

8	Latest Photograph of the site covering construction, if any	Yes/No ,if yes placed at C/--	
9	Application form is duly signed	Yes/No	
10	Any other documents submitted by applicant		
Signature of dealing assistant			
B	Examination by Revenue ,Town planning and Engineering wing		
11	(i) Status of the land regarding acquisition, if any. (ii) Details of court case, if any. (iii) Any other observation or dispute, if any.		
12	Super imposition of khasra/site plan with the sector / master plan / road area network plan, showing the clear location of approach road upto the applied land (which ever is applicable)	Super imposition of khasra/site plan i) On master plan placed at c/- ii) On sector plan (if any)at c/- iii) On road area network plan at c/- iv) On layout plan at c/-	
13	Details of the gas pipe line passing through the applied land (if any) (This area shall be the part of the total allotment area but no construction activity shall be permitted in this land other than landscaping development))	The applied land is not affected by the pipe line, if yes, the area under gas pipe line corridor is sqm., the details of which is placed at C/....	
14	The details of the HT/LT line passing through the applied land or transformer in the applied to land (This area shall be the part of the total allotment area but no construction activity shall be permitted in this land other than landscaping or shrubs plantation)	The applied land is not affected by the HT line or transformer if yes, the area under HT/LT line/ transformer is sqm., the details of which is placed at C/....	

15	The details of the plantation corridor belt effecting the applied land (This area shall be the part of the total allotment area but no construction activity shall be permitted in this land other than landscaping or shrubs plantation or parking)	The applied land is not effected / is affected by the plantation corridor belt, the area under plantation corridor belt is sqm., the details of which is placed at C/.....	
16	The area of the applied land falling under sector / master plan road (This area shall be surrendered free of cost in favour of Local Authority and deducted from the total allotment area. In case of previous lease deed/site plan issued by Local Authority the area shall be deducted as per the latest sector or master plan requirement)	The details are as placed at C/.....	
17	The area of the applied land falling under facility (As per provisions of State policy, State Govt orders/circulars (This area shall be surrendered free of cost in favour of Local Authority and shall be deducted from the total allotment area, but shall not be deducted in the cases whose lease deed has been released earlier before the date of issuance of Rajasthan Township policy-2010)	The area under facilities is @ 5% of total plot area for which patta is to be issued. The details of the facilities is as per C/.....	
18	The Right of Way and details of the existing approach road with the comments regarding its availability as per the norms	The ROW of the approach road to the applied land is -----meter/Ft which is WBM/BT/CC road <u>or</u> the applied land is not connected with any existing road, but lies on the road as planned in master/sector/road area network plan .The width of the approach road available /planned is as per the minimum width norms applicable the detail are placed at C/.....	

19	Whether the applied land is subjected to any restricted area as specified by the State Government from time to time	No/if yes, the details are placed at C/.....	
20	The purpose of the land as per the master plan	The purpose of the land is in consonance / not in consonance with the master plan, if yes i.e. for purpose if not, the report is placed at C/.....	
21	The details of the site report a) %age of open land b) %age of land under cultivation c) %age of construction on land d) Whether any boundary wall or demarcation of the land exist and feasible at the site. e) Position of HT/Lt line/ transformer if any, f) Status of natural Nalla, submergence/flow area of pond/river etc. , if any g) Any other detail of restricted area / unsafe area. (see rule 3)		
22	The details of any project site either exist or approved near-by the applied land with details of the connectivity of proposed /existing road network with adjoining scheme	No/if yes, the details are placed at C/.....	
23	The applied land is eligible (with respect to internal and external technical parameters) for approval		
24	Any other specific details related with the site: a) b) c) or ----		

Signatures of all concerned officers

Form -8
[See rule 6(5)]

(FORMAT FOR CONSENT/OBJECTION OF LOCAL AUTHORITY TO THE AUTHORISED OFFICER)

Office of the
(name of the Local Authority)

No :

Date:

To

The Authorized Officer,

Sub: - Consent report for -----(Name of applicant) regarding issuance of order for permission to use agricultural land for non-agricultural purpose under section 90-A of the Rajasthan Land Revenue Act-1956.

Ref: - Your letter No ----- date -----

Sir,

Based on the contents of joint survey report consent of the Local Authority is being forwarded as follows for further course of action at your end:-

Sr No	Particulars	Remark
1.	Name of the applicant with parentage, and address	
2	Land details	
	(a) Area of land	
	(b)Khasra Number	
	(c)Village	
3	Eligibility as per provisions of Rajasthan Township Policy/other relevant policies/Rules (if applicable)	
4	Desired land use is in consonance with the master plan/development plan/scheme.	
5	Granting of permission to use agricultural land for non-agricultural purpose and extinguishing tenancy rights on the land is recommended.	

Therefore, You are requested to please convey the order granting permission under section 90-A of the Rajasthan Revenue Act, 1956 so that the action for approval of the layout plan and allotment of land on the application of the applicant may be taken within the prescribed period.

OR

After considering all the facts in the matter the Local Authority is of view that the desired use of land is not permissible and permission for use of agricultural land for non-agricultural purpose should not be granted to the applicant for the following reasons:

- 1 -----
- 2 -----
- 3 -----

**Signature of Secretary/
Chief Municipal Officer
of the Local Authority**

Form -9
[See rule 6(6)]
Format for the Scrutiny of the case under Section 90-A
(This shall be used by the authorized officer during scrutiny)

S. No.	Particular	Report	Signature
1.	Name of Applicant	Correct / Incorrect as per the record	
2.	Address of applicant	Correct / Incorrect as per the record	
3.	Date of receiving of application and total no. of pages	The application submitted on date and the total no. of pages are with the application	
4.	In case of P.O.A. / company/firm, than details of registered documents	The applicant has submitted the desired document placed at C/..... to C/.....	
5.	Revenue document with the application form		
	i) Latest Jamabandi-copy certified by the patwari	Copy is placed at C/..... to C/.....	
	ii) Khasra trace map-copy certified by the Patwari	Copy is placed at C/..... to C/.....	
	iii) Key Plan self attested	Copy is placed at C/..... to C/.....	
	iv) Affidavit duly attested	Certified copy is placed at C/..... to C/.....	
	v) Indemnity Bond duly attested	Copy is placed at C/..... to C/.....	
6.	Details of land	Tehsil -----village----- Kh. No. ----- area -----	
7.	Details of other documents received along-with the application		
8.	Details of the amount deposited under rule 4(3).	Challan no. dated Rs. , Copy of which is placed at C/.....	
9.	Public notice to be published in State level news paper for which details of the payment	Challan no. dated Rs. , Copy of which is placed at C/.....	

Authorised Officer

Form -10
[See rule 6(7)]
OFFICE OF THE AUTHORIZED OFFICER -----

NO:

DATE:

PUBLIC NOTICE

Shri/Smt.S/o/W/o..... by
caste.....Resident ofhas submitted application in this
office for extinguishing his tenancy rights of land mentioned below for use of such land for non-
agriculture purpose i.e.-----.

Name of Tehsil with District	Name of Village	Khasra No.	Area

Therefore, it is hereby informed to all concerned that if, any body has any objection on
granting permission for using the land for aforesaid purposes and extinguishing tenancy rights under
section 90-A of the Rajasthan Land Revenue Act, 1956 and section 63 of the Rajasthan Tenancy Act,
1955, may submit objection along-with supporting documents before the undersigned during office
hours on any working day within 7 days of the publication of this notice.

In absence of any objection within above stipulated time it may be deemed that no body has
objection and matter will be disposed off accordingly.

This notice is issued on this dayunder my signature and seal.

Name & Seal of Authorized Officer

* Soft copy (CD) of this form shall be provided by the applicant.

(3) That I have examined the application and documents /statements submitted by the applicant. I have examined the report of concern Tehsildar and concurrence report of the Local Authority. I am of the opinion that the desired use of applied land for non-agricultural purpose is in consonance with the master plan/development plan/scheme and the application of the applicant may be accepted for the grant of permission for using the land for _____ purpose extinguishing tenancy rights over such land in accordance with the provisions of the section 90-A of the Rajasthan Land Revenue Act, 1956 and section 63 of the Rajasthan Tenancy Act and the rules made there under.

(4) Now therefore, it is hereby ordered that tenancy rights of the applicant over the land bearing Khasra Numbers-----measuring ----- (Hect/Bigha) of Village-----Tehsil -----, shall be extinguished for using the said land for -----purpose and the said land stands deemed to be placed at disposal of the Local Authority for allotment of the said land to the applicant/persons nominated by the applicant in accordance with law, rules, regulation or bye laws applicable to the said Local authority from the date of this order.

(5) The land for which this permission is being accorded shall be used for non agricultural purpose by the applicant only after allotment duly made by the local authority after deposit of premium, urban assessment as prescribed as well as other charges specified and approval of layout plan under relevant law.

(6) Terms and conditions prescribed under these rules and imposed by local authority as per relevant law shall be complied with by the applicant.

The order is passed on this date _____ under signature and seal of the undersigned.

Authorized Officer

No. _____

Date _____

Copy forwarded for information and necessary action-

1- Secretary/Chief Municipal Officer, Local Authority.....

2-Tehsildar, Tehsil _____ for mutating the aforesaid land in the name of Local Authority and for sending a copy of the same to the Local Authority and the under-signed within **7 days** of this order.

3-Shri _____ (Khatedar)

Authorized Officer

Form-12
[See rule 13 (1)]

No.....

Date

Notice

To,

Shri

S/o

R/o

Sub:- Notice for termination of rights and interest in the land.

It has been brought into the notice of undersigned that the land or part thereof Kh. No. ----- Area ----- in Village ----- Tehsil ----- Dist. ----- is being used/has been used for non-agriculture purposes since the period before 17th June, 1999 and therefore your rights/interest in the said land or holding part thereof are liable to be terminated under sub-section (8) of section 90-A of the Rajasthan Land Revenue Act, 1956.

Hence it is hereby informed to show cause within 7 days from the date of receipt of this notice why not your rights and interest on the said land may be terminated and therefore why not the land may be vested in the State Government free from all encumbrances .

This notice is issued on this day of (month) of (year) under my signature and seal.

Date:-

Place:-

Authorized Officer
(Signature, Name and Designation)

Form-13

[See rule 13 (2)]

Office of the Authorized Officer,

No.....

Date

Public Notice

It has been brought into the notice of undersigned that the land or part thereof Kh. No. ----- Area ----- in Village ----- Tehsil ----- Distt. ----- is being used/has been used for non-agriculture purposes since the period before 17th June, 1999 and therefore rights/interest of the persons in the said land or holding part thereof are liable to be terminated under sub-section (8) of section 90A of the Rajasthan Land Revenue Act 1956.

Hence it is hereby informed to every person interested in the said land to show cause within **7 days** from the date of publication of this notice why not the rights and interest on the said land may be terminated and therefore why not the land may be vested in the State Government free from all encumbrances .

This notice is issued on this day of (month) of (year) under my signature and seal.

Date:-

Authorized Officer

Place:-

(Signature, Name and Designation)

Form – 14
[See Rule – 16(1)]

Application for allotment /regularization of land



To,

The Secretary/*Chief Municipal Officer,

(Name of Local Authority)

1.	(a) Name of the applicant with parentage and postal address	
	(b) Certified copy of power of attorney if application is filed on behalf of others	
	(c) Certified copy of registration certificate, memorandum/article of association and resolution of the Board of Directors in favour of the authorised Director (in case applicant is a company)	
	(d) Certified copy of registered document (in case applicant is a firm/institution)	
	(e) Certificate of registration under the Rajasthan Township Policy Act 2010(if applicable)	
2.	Details of the area applied for: (a) Name of village and tehsil (b) Khasra No. and area or other details of the land	
3.	Certified copy of documents in support of ownership and details of applied land :	
	(a) Affidavit in Form-15 duly attested by a Notary Public	
	(b) Indemnity bond in Form-16 duly attested by a Notary Public	
	(c) Proof of title/ patta	
	(d) Copy of sale deed/ agreement to sale/ will/power of attorney	
	(e) Lay out plan	

	(f) If there is any HT/LT line or transformer in the plot boundary	
	(g) Proof that land is being used for non agricultural purpose prior to 17 th June, 1999.	
	(h) Identity proof of the applicant	
4	No. and date of challan and amount of premium deposited under rule 16.	
5	(a) Pending court cases (if any)	
	(b) Details of stay order or injunction order passed by any competent court	
6	Total No. of documents	
7.	Total No. of pages	
8.	Date of application	

Application with affidavit duly attested indemnity bond duly attested and above mentioned documents is hereby submitted for regularization of land for-----purpose (specify category of non agriculture use)

Declaration

I hereby certify that the above particulars are correct according to my knowledge and belief.

Address of applicant

Signature of applicant

(**Name**)

* Strike out which is not applicable.

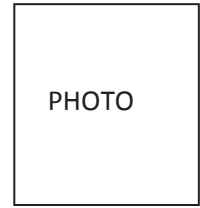
RECEIPT

Applicant----- has submitted the application on dated -----, which has been registered at No -----in the register on dated -----. The matter shall be processed and disposed of in accordance with the rules applicable. The date of meeting and information regarding additional documents if any shall be informed within **7 days** either telephonically or will be available on web site of the local authority.

Signature of the Receiving Authority

Form-15
[See Rule – 16 (1)]

Affidavit



I/We ----- S/O Shri ----- Age -----

R/o-----Village-----Tehsil----- District----- .

I/we do hereby take oath and declare as follows:-

1. That I/we am/are the owner / possession holder of the land mentioned as under and no stay/injunction order by any court is in force with regard the land applied for allotment and issuing lease deed in favor of me/us in **Form 14** and the land is free from all encumbrances and disputes.

S.No.	Details of Land (Colony and Plot No.)	Area

2. That I/we do hereby abide ourselves to pay all the dues and amount as per prevalent laws and rules to the Local Authority.
3. That all directions and orders issued from time to time by the State Government and the Local Authority will be complied with by the applicants.
4. That the land applied will be used for the purpose as per permission granted only and will be developed as per prescribed norms of the Local Authority and as per approved Layout Plan.
5. That the documents attached and enclosed to the application are true and authentic to the best of my knowledge and nothing is hidden by me.

Deponent

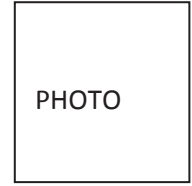
Verification

I, the above named deponent do hereby verify that the contents of para 1 to 5 of the above affidavit are true and correct. Nothing is being concealed therein and no part of it is false. So help me God.

Deponent

Identified by me:

Form- 16
[See Rule –Rule 16(1)]



Indemnity Bond

I/We ----- S/O Shri ----- Age -----

R/o-----Village-----Tehsil----- District----- .

I/we do hereby take oath and indemnify as follows:-

(i) That I/we am/are the owner of the land mentioned as under for which application being submitted in **Form 14** for allotment of land and issuing lease deed in favor of me/us.

S.No.	Details of Land (Colony and Plot No.)	Area

(ii) That I/we do hereby abide ourselves to indemnify the Local Authority for any loss caused if any, due to allotment of land and issuing lease deed by the Local Authority in the matter.

(iii) That I/we do hereby further abide ourselves to indemnify the Local Authority for any loss caused if any, due to any dispute arisen in the matter due to approval of the scheme and allotment of land or any act committed or omitted by the applicant.

(iv) That the Local Authority shall have every right to cancel the allotment and withdraw the approval of layout plan on breach of any condition, rule or order on the part of applicant and the applicant will be liable for any pecuniary loss caused to anybody in this process.

Applicant

FORM – 17
(See Rule – 17)

Register of applications for regularization of land for non-agricultural purpose and allotment of converted land

S.No	Name of the Applicant with Parentage and postal address	Date of receipt of application	Particulars of the land of which regularization / allotment is sought			Non - agriculture use for which permission is sought	Particulars of documents received with application
			Name of village/ Tehsil	Kharsa No.	Area		
1	2	3	4	5	6	7	8

Date of final order and whether application accepted or rejected			No. and date of order which was sent to Tehsil for mutation in favour of Local Authority	Whether copy of mutated Jamabandi received from Tehsil	Remarks
Date	Accepted	Rejected			
9	10	11	12	13	14

FORM-18
[See rule 31]

Register of applications for permission to use agricultural land for non-agricultural purpose and allotment of land

(The details of this register shall fortnightly be forwarded by the Local Authority On-line to the State Government and also shall be compulsorily make available on the web site of Local Authority)

Name of Town

District.....

S.No.	Name of the Applicant with parentage and postal address	Date of receipt of application by Authorised Officer	Date of receipt of copy of application from the office of Authorised Officer u/r 6(1)	Particulars of the land for which permission for non-agricultural use and allotment sought			
				Area (in sq. yds.)	Khasra No.	Name of Revenue village	Zone
1	2	3	4	5	6	7	8

Particulars of documents received with application	Date of joint survey report by Local Authority	Whether the desired use is permissible	No. and date of consent / objection report send to Authorised Officer u/r 6(5)	Date of preparation and approval of agenda note for layout approval
9	10	11	12	13

Date of approval of layout plan by the committee	Date of releasing minutes of layout plan committee	Date of order by Authorised Officer granting permission to use non agriculture purpose	Date of mutation in favour of Local Authority	Date of issuance of demand note (Premium +other charges) with amount	Date of depositing amount	Date of issue of layout plan	Date of issue of lease deed	Name of person to whom lease deed is issued	Remarks
14	15	16	17	18	19	20	21	22	23

FORM-19
[See rule 31]

Register of applications for regularization of land

(The details of this register shall fortnightly be forwarded by the Local Authority On-line to the State Government and also shall be compulsorily make available on the web site of Local Authority)

Name of Town

District.....

S.No.	Date of order by Authorised Officer extinguishing tenancy rights on the land	Date of mutation in favour of Local Authority	Date of layout approval	Date of public notice inviting applications for regularization of land under rule 15(5)	Name of the applicant with parentage and postal address	Date of receipt of application by Local Authority	Particulars of the land for which regularization is sought			
							Area (in sq. yds.)	Khasra No. or Plot No.	Name of Revenue village or Colony	Zone
1	2	3	4	5	6	7	8	9	10	11

Particulars of documents received with application	Whether the desired use is permissible	Date of issuance of demand note (Premium +other charges) with amount	Date of depositing amount	Date of issue of lease deed	Name of person to whom lease deed is issued	Remarks
12	13	14	15	16	17	18

By order of the Governor,
sd/-
(Gurdial Singh Sandhu)
Principal Secretary to the Government

Government of Rajasthan
Local Self Government, Urban Development & Housing Department

No. F3(50) UDH/3/2012

Jaipur, Dated: 31-05-2012

Copy forwarded to the following for informations and necessary action:-

1. Pr. Secretary, Hon'ble Chief Minister, Government of Rajasthan , Jaipur.
2. Special Assistant, Hon'ble Minister, Local Self Government, Urban Development and Housing Department/Revenue Department, Government of Rajasthan Jaipur.
3. P.S. to Pr. Secretary, Local Self Government, Urban Development and Housing Department/ Revenue Department, Government of Rajasthan, Jaipur.
4. P.S. to Pr. Secretary , Law Department, Government of Rajasthan
5. Secretary, Local Self Government, Government of Rajasthan, Jaipur.
6. Secretary, Rajasthan Vidhan Sabha, Jaipur.
7. Commissioner, Jaipur Development Authority, Jaipur.
8. Commissioner, Jodhpur Development Authority, Jodhpur.
9. Commissioner, Rajasthan Housing Board, jaipur.
10. All Divisional Commissioners, Rajasthan
11. All District Collectors, Rajasthan
12. Chief Town Planner, Government of Rajasthan, Jaipur.
13. Director, Local Bodies, Rajasthan, Jaipur.
14. Director, Printing and Stationary, Jaipur with the request that these rules may be published immediately in extra ordinary Gazette .
15. Superintendent, Government Central Press Jaipur with two copies of the rules along-with soft copy for publications in an extra ordinary issue of the Gazette immediately. It is also requested that Five hundred copies of the Gazette may be sent to this Department.
16. All Secretaries, Urban Improvement Trusts, Rajasthan.
17. All Chief Executive Officers/Commissioners/Executive Officers, Municipal Corporations / Councils/Boards
18. Guard file

sd/-

(R.K. Pareek)

Deputy Secretary to the Government