

Government of Rajasthan
Urban Development & Housing Department

No. F.18(36)UDH/NAHP/2014Part

Jaipur dated :- **3 APR 2017**

NOTIFICATION

Subject :- Ammendments in various Provisions of Chief Minister's Jan Awas Yojana-2015.

Looking to the targets to be achieved for providing "Housing for All" in the State and keeping in views the feedback received from various stakeholders like Jaipur/Jodhpur/Ajmer Development Authorities, UIT's, ULB's and various associations of developers, a review of various provisions of the policy was undertaken. Stakeholders meetings were conducted at appropriate levels by the department, proposals for amendments in the Policy were submitted to the cabinet for the decision in its meeting dated 02.08.2016. As per Cabinet Order 101/2016, Cabinet Sub Committee was constituted. Recommendations of the Cabinet Sub Committee were placed before the Cabinet on 29.11.2016, vide Cabinet Order 145/2016 Hon'ble Chief Minister, Govt. of Rajasthan was authorized to take final decision on amendment proposals in Chief Minister's Jan Awas Yojana-2015. After the approval at appropriate level following ammendments/clarifications in some of the Provisions of the Policy are hereby notified as below :-

1. Provision 1A – Mandatory Provisions for Residential Schemes of ULBs/UITs/ Development Authorities/RHB and Private Developers.

General Parameters – Existing Provision 2 (iii) is replaced by :-

2.(iii) For Private Developers –

In Residential Schemes proposed by private developers on their own land 10% of saleable area in case of plotted development and 7.5% of FAR area in case of flatted development is to be reserved for EWS and LIG plots/flats as the case may be. However in case of schemes of area less than 2 Ha. (plotted development) and less than 5000 sq.mtrs. (for flatted development), the developer has option of paying charges as follows :-

- (a) in case of scheme of plotted development cost of land of the 10% saleable area is to be levied on prevailing reserve price and in areas where reserve price is not available, on DLC rate and
- (b) in case of scheme of flatted development cost is to be charged for 7.5% FAR area at the rate of Rs. 100 per sq.ft.

2. Provision 1C -

New provision inserted for such industrial units in urban areas of Rajasthan which are sick and non operational for last three years, such type of cases are categorized into following three categories :-

S.No.	Description of Provisions	Parameters
1.	<u>Provision 1C (i) -</u> Such lands of sick industrial units which are not operational for atleast last 3 years and which are allotted by RIICO or State Govt. at DLC rate or any other prescribed rate, can be used for housing purpose under this policy. The proposals of such schemes under Provision 1C(i) are to be placed in the Screening Committee to be constituted at District Level under the chairmanship of District Collector with Zonal Senior Town Planner as member and Chief Municipal Officer in case of Local Bodies or Secretary in case of UIT or Development Authority as member secretary. On the recommendation of District Screening Committee, at State Level Group of Ministers comprising Minister Incharge of UDH Department, Minister Incharge of Industry Department and Minister Incharge of Revenue Department will take final decision in the light of directions issued by Hon'ble Courts/Lokayukt etc. After the consent of Group of Ministers, Govt. approval of the project would be accorded by UDH Department to the concerned Local Body. The land surrendered for facility shall be in one parcel of land (may be in more than one parcel if the area of surrendered land is more than 5000	a. Minimum 50% of total land area to be reserved for EWS/LIG housing atleast 20% would be EWS category, b. 10% of total area to be surrendered to local authority for facilities, c. Remaining 40% would be allowed for housing purpose including commercial component as per Township Policy/ Building Byelaws. 50% of setback area is to be used for dense plantation. Other parameters shall be as per Table - Provision 1C.

	sqm.) having independent approach. Such lands would preferably be either on the periphery of industrial areas or isolated stand alone plots and not in proximity of any hazardous industry which emits hazardous waste or gases.	
2.	<u>Provision 1C (ii) –</u> Schemes proposed on lands of sick industrial units which are not operational for atleast last 3 years, which were acquired by RIICO or State Govt. for particular investor/ industrialist for industrial purpose for which cost of acquisition was borne by the industrialist / investor. For the proposals of such schemes no objection certificate from RIICO or concerned department would be mandatory. The State Govt. shall take final decision in the light of directions issued by Hon'ble Courts/Lokayukt etc. Govt. approval of the project would be accorded by UDH Department to the concerned Local Body.	a. Minimum 50% of total land area to be reserved for EWS/LIG housing atleast 20% would be EWS category, b. Remaining 50% would be allowed for housing purpose including commercial component as per Township Policy /Building Byelaws. 50% of setback area is to be used for dense plantation. Other parameters shall be as per Table – Provision 1C.
3.	<u>Provision 1C (iii) –</u> Schemes proposed on lands of "Niji Khatedar" of sick industrial units which are not operational for atleast last 3 years, which are allotted by competent authority after conversion of agriculture land for industrial purpose. The State Govt. shall take final decision in the light of directions issued by Hon'ble Courts/Lokayukt etc. Govt. approval of the project would be accorded by UDH Department to the concerned Local Body.	a. Minimum 40% of total land area to be reserved for EWS/LIG housing atleast 20% would be EWS category, b. Remaining 60% would be allowed for housing purpose including commercial component as per Township Policy /Building Byelaws. 50% of setback area is to be used for dense plantation. Other parameters shall be as per Table – Provision 1C.

Provision -1C

General Provisions for permitting residential use on industrial land of non operational Industrial units which are non operational and unutilized even after transfer to other owner (Applicable on Provision 1C(i), 1C(ii) & 1C(iii)).

General Parameters :-

1.	Minimum area	5000 sq. m.
2.	Land distribution for EWS/LIG category	As mentioned above for provision 1C(i), 1C(ii) & 1C(iii)
3.	Sale price	Sale Price for EWS/LIG component shall be Rs. 1200/- (Including Rs. 50/- sq.ft for maintenance funds and Rs. 50/- sq.ft for EDC to ULB) for both EWS and LIG Units, out of which Rs.1100 /- sq.ft. shall be paid to developer.
4.	Allotment by	The developer will invite applications within 60 days of approval of maps, and carry out scrutiny of applications. Provision for keeping 10% reserve list should also be kept, to cater to any subsequent cancellations. In allotment process by developer the advertisement for the allotment of EWS/LIG units will be issued as per, income criteria fixed in the Policy. Allotment shall be done through lottery and a representative of ULB is to be included in allotment process. Final list of allottees shall be submitted to concerned authority/municipality/ UIT with relevant documents. Developer would also be responsible to collect cost of unit from the allottees directly.
5.	Completion period	The time line for completion will be as prescribed in this policy. Completion certificate for main project shall not be issued till EWS/LIG houses are completed.

Technical Parameters for EWS/LIG component

6.	Ground Coverage	Up to 50%
7.	Side & Rear Setback	Shall be minimum 3m for building height up to 15m and minimum 6m for building height above 15m in the component of EWS/LIG housing, for remaining area it shall be as per building byelaws.
8.	Height	As per building byelaws
9.	Parking	1 two wheeler for each unit of EWS and 2 two wheelers for each unit of LIG
10.	Approach road	Minimum 9m

11.	EWS/LIG unit area	As per provisions of policy.
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Note: Other technical parameters will be applicable as per prevailing Building Byelaws/Township Policy.

Incentives to Developers

12.	Land Conversion/ Change of land use charges	The area proposed for EWS/LIG shall be exempted from Change of Land Use Charges and this shall be charged only on the remaining portion which is to be used by developer for residential purpose other than EWS/LIG segment and facility area to be surrendered to ULB, as the case may be.
13.	External development charges	Not applicable.
14.	Building Plan approval charges for EWS/LIG	100% waiver on approval charges of EWS/LIG component only. On the land proposed to be use as developer component building plan approval charges shall be levied as per Building Byelaws.
15.	FAR	As per Building Byelaws however minimum 120 EWS/LIG units per acre shall be constructed on EWS/LIG segment and the FAR proposed for EWS/LIG shall not be counted in the FAR calculation of main project. FAR of total land may be used in developers component, without any charges.
16.	Split location permissible	Not permissible
17.	Commercial use	As per building byelaws proportionate to FAR consumed in different-segments.
18.	TDR facility	Not applicable.

3. Provision 2 –

General Parameters Sr. No. 4 and 18 are replaced by following :-

4	Allotment by	The developer will invite applications within 60 days of approval of maps, and carry out scrutiny of applications. Provision for keeping 10% reserve list should also be kept, to cater to any subsequent cancellations. In allotment process by developer the advertisement for the allotment of EWS/LIG units will be issued as per, income criteria fixed in the Policy. Allotment shall be done through lottery and a representative of ULB is to be included in allotment process. Final list of
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		allotees shall be submitted to concerned authority/municipality/ UIT with relevant documents. Developer would also be responsible to collect cost of unit from the allottees directly.
18.	TDR facility	In case FAR is not achievable in the project due to restrictions in Building Byelaws or in the specific area, unused FAR may be allowed in the form of TDR as per TDR Policy.

4. Provision 3A – Development of EWS/LIG Flats by Private Developer on private land (flatted development in G + 3 and above format)

Existing parameters are replaced by following :-

General Parameters :-

1	Minimum area	0.5 Ha.
2	Land distribution for EWS/LIG category	Minimum 75% of total land area, remaining area may be used for residential development of other categories.
3	Sale Price	To be decided by the developers
4	Allotment by	The developer will invite applications within 60 days of approval of maps, and carry out scrutiny of applications. Provision for keeping 10% reserve list should also be kept, to cater to any subsequent cancellations. In allotment process by developer the advertisement for the allotment of EWS/LIG units will be issued as per, income criteria fixed in the Policy. Allotment shall be done through lottery and a representative of ULB is to be included in allotment process. <u>Final list of allottees shall be submitted to concerned authority/municipality/ UIT with relevant documents. Developer would also be responsible to collect cost of unit from the allottees directly.</u>
5	Completion Period	As prescribed in the Policy.

Technical Parameters for EWS/LIG Component -

6.	Ground Coverage	Up to 50% and for developers components as per Building Byelaws.
7.	Side & Rear Setback	Shall be minimum of 3 mtrs. for building height up to 15 mtrs., minimum 6 mtrs for building height above 15 mtrs. and for developers components as per Building Byelaws.
8	Parking	1 two wheeler for each EWS unit, 2 two wheelers for

		each LIG unit and for developers components as per Building Byelaws.		
9	Height & Incentive FAR	Road width	Height	Incentive FAR
		9m and above upto 12 m	15 m	0.50
		Above 12m and less than 18 m	24 m	1.00
		18m and less than 24 m	36 m	1.50
		24m and less than 30 m	45 m	2.00
		30 m and above	As per Building Byelaws	2.25
10	Approach road	Minimum 9 m		
11	EWS/LIG unit area	As per Policy.		

Note :- Other technical parameters will be applicable as per prevailing Building Byelaws and Township Policy.

Incentives to Developers -		
12	Land conversion/land use change charges	100% waiver on complete land
13	External Development Charges	To be paid by the developer as applicable under Township Policy or Developer may undertake external development works such as approach road, power including GSS, water and sewerage on his own.
14	Building Plan Approval Fee	100% waiver
15	Split Location	Not applicable
16	Commercial use	As per Building Byelaws.
17	FAR	Maximum FAR 2.25 plus incentive FAR as per Sr. No. 9, however FAR without betterment levy shall be upto 2.25 only and above 2.25 FAR betterment levy shall be charged as per Building Byelaws.
18	TDR Facility	Not applicable.

Note :- Scheme proposed under this provision shall be permissible in residential and mixed land use. In case schemes under this provision are applied which are not in above specified land uses then SLSMC may take decision to allow affordable housing in those land uses.

5. **Provision 3B** – Development of EWS/LIG houses by Private Developer on private land (plotted development in the format upto G + 2 floors)

Existing parameters are replaced by following :-

General Parameters :-

1	Minimum area	0.5 Ha.
2	Land distribution for EWS/LIG category	Minimum 75% of total land area, remaining area may be used for residential development of other categories. Maximum saleable area shall be 70% and minimum 5% of the land area can be reserved for park or green spaces and 5% for facilities.
3	Sale Price	To be decided by the developers
4	Allotment by	The developer will invite applications within 60 days of approval of maps, and carry out scrutiny of applications. Provision for keeping 10% reserve list should also be kept, to cater to any subsequent cancellations. In allotment process by developer the advertisement for the allotment of EWS/LIG units will be issued as per, income criteria fixed in the Policy. Allotment shall be done through lottery and a representative of ULB is to be included in allotment process. Final list of allottees shall be submitted to concerned authority/municipality/ UIT with relevant documents. Developer would also be responsible to collect cost of unit from the allottees directly.
5	Completion Period	As prescribed in the Policy.

Technical Parameters for EWS/LIG Component -

6.	Saleable Area	Up to 70% of the land area used for EWS/LIG housing and for developer's component as per Building Byelaws.
7.	Setbacks	Front setback shall be minimum of 1.5 mtrs. in individual plot whereas zero sides and rear setbacks may be allowed on the plots of EWS/LIG category and for developer's component as per Building Byelaws.
8	Parking	1 two wheeler for each EWS unit, 2 two wheelers for each LIG unit and for developer's component as per Building Byelaws.
9	Height	Up to G + 2 floors (9 mtrs)
10	Approach road	Minimum 9 m
11	EWS/LIG unit area	As per Policy.

Note :- Other technical parameters will be applicable as per prevailing Building Byelaws and Township Policy.

Incentives to Developers -		
12	Land conversion/land use change charges	100% waiver on complete land
13	External Development Charges	To be paid by the developer as applicable under Township Policy or Developer may undertake external development works such as approach road, power including GSS, water and sewerage on his own.
14	Building Plan Approval Fee	100% waiver
15	Split Location	Not applicable
16	Commercial use	As per Building Byelaws/Township Policy.
17	FAR	Not applicable
18	TDR Facility	Not applicable.

Note :- Scheme proposed under this provision shall be permissible in residential and mixed land use. In case schemes under this provision are applied which are not in above specified land uses then SLSMC may be take decision to allow affordable housing in those land uses.

6. **Provision 4C** - Provision 1 (iii) is replaced by :-

1 Broad Procedure

- (iii) For each land parcel, Urban Local Authority would decide the share of EWS/LIG which shall not be less than 30% of FAR (No. of EWS units shall not be less than 35% of total units of the project).

Stage – I Sr. No. 2 (ii) – Financial Track Record – An average turnover shall be Rs. 150 Cr. for Project area of more than 10 Ha. and Rs. 100 Cr. for project area 5 to 10 Ha.

The shortlisted Developer shall have to deposit Earnest Money of 50% of cost of land or Bank Guarantee calculated on prevailing reserve price of the area.

Stage - 2 (iii) – Bid Criteria – Minimum 30% of FAR of total project used for EWS/LIG component would be handed over to ULB free of cost. Bid parameters would be payment to ULB per sq.ft. of construction in the balance FAR area. This amount will be paid to the Local Authority in 6 monthly equated installments within 3 years from the date of approval, failing which penalty shall be levied as prescribed (for commercial area rate will be double of residential rate quoted by developer to be given to ULB).

While evaluating bids ULB should ensure that minimum share to ULB out of the estimated profit on the component other than EWS/LIG is not less than 10%. Earnest money deposited would be adjusted against the returns to local authority in the last installment.

Roles and Responsibilities - Changes made in the table below shall be applicable correspondingly in Roles and Responsibilities also.

Table of parameters is replaced by following :-

General Parameters :-

1	Minimum area	5 Ha.
2	Land distribution for EWS/LIG category	The developer would take up development of total land as per stipulated FAR however construction of EWS/LIG shall be of minimum of 30% FAR of the total project (No. of EWS units shall not be less than 35% of total units of the project). Developer shall be free to construct MIG-B/HIG flats/houses (high rise permitted) on the remaining area.
3	Sale Price	Sale price shall be Rs. 1200/- sq.ft. (including Rs. 50 sq.ft. for maintenance funds and Rs. 1150/- sq.ft. for ULB) for both EWS and LIG Units. For other categories sale price is to be decided by developer.
4	Allotment by	Housing units of EWS/LIG segment by Local Authority to the eligible beneficiaries as prescribed in the policy. For other categories allotment is to be done by developer.
5	Completion Period	For EWS/LIG component as prescribed in the Policy for remaining area as per Building Byelaws/ Township Policy. Completion Certificate for complete project shall be issued in proportion to completion of EWS/LIG units.

Technical Parameters for EWS/LIG Component -

6.	Ground Coverage	Maximum up to 50% on EWS/LIG component and for developer's component as per Building Byelaws.
7.	Side and Rear setbacks	Shall be minimum of 3 mtrs. for building height up to 15 mtrs., minimum 6 mtrs for building height above 15 mtrs.
8	Parking	1 two wheeler for each EWS unit, 2 two wheelers for each LIG unit and for developer's component as per Building Byelaws.
9	Height	As per Building Byelaws
10	Approach road	Minimum 9 m
11	EWS/LIG unit area	As per Policy.

Note :- Other technical parameters will be applicable as per prevailing Building Byelaws and Township Policy.

Incentives to Developers -		
12	Land conversion/land use change charges	Not applicable
13	External Development Charges	To be paid by the developer as applicable under Township Policy.
14	Building Plan Approval Fee	As per prevailing byelaws to be paid by developer on the area other than EWS/LIG component.
15	Split Location	Not applicable
16	Commercial use	As per Building Byelaws/Township Policy.
17	FAR	Standard FAR 1.33 and Double of FAR used for EWS/LIG component shall be allowed without betterment levy on the total project.
18	TDR Facility	Not applicable.

7. General Conditions – Following existing conditions amended as below :-

1(A)(iii) – For Provision 2, 4A and 4B a developer should have experience of construction of 10000 sq.mtrs. built up area in last 3 years or development of plotted development scheme of minimum 2 acres.

1(B)(i) – The maximum annual income of applicants should be as follows or as per guidelines issued from time to time by the State Govt. or revision in future under Prime Minister Awas Yojana shall be applicable for this policy also :-

Income Group	Maximum Annual Income
Economically Weaker Section (EWS)	Up to Rs. 3.00 Lakhs
Lower Income Group (LIG)	Above Rs. 3.00 Lakhs up to Rs. 6.00 Lakhs

2 E(i) – Unit area for EWS/LIG house/plot –

- EWS – Minimum 350 sq.ft. super built up area but carpet area shall not exceed 30 sq.mtrs., plot area in case of plotted development shall be 30 to 45 sq.mtrs.
- LIG – Minimum 500 sq.ft. super built up area but carpet area shall not exceed 60 sq.mtrs., plot area in case of plotted development shall be above 45 up to 75 sq.mtrs.
- Super built up area of the flat shall be calculated including area of rooms, kitchen, toilet, walls, proportionate common areas & 50% area of balcony/verandahs.
- Carpet area – Area enclosed within the walls, actual area to lay the carpet, this area does not include thickness of inner walls.

2E(iv) – A minimum of 120 EWS/LIG units per acre shall be constructed in all cases except for the project proposed under Provision 3B.

2E(vi) (New) – In the schemes proposed under Provision 1C, 3A and 3B minimum of 20% EWS units shall be constructed.

4A – Timeline for completion of EWS/LIG component of the projects proposed under all Provisions shall be as below :-

- (i) Up to 200 EWS/LIG units – 24 months
- (ii) Above 200 up to 400 EWS/LIG units – 30 months
- (iii) Above 400 up to 600 EWS/LIG units – 36 months
- (iv) Above 600 EWS/LIG units – 42 months

Note :- In the project of category (ii), (iii) and (iv) a minimum of 200 units are to be completed in 24 months. Time taken by any Govt. agency in issuing required certificate/approval will be deducted from the total construction period.

4E – In case developer fails to construct EWS/LIG housing unit within the stipulated time, penalty shall be enforced as follows :-

- (i) For first 3 months – Rs. 5,000 per unit
- (ii) For next 3 months – Rs. 10,000 per unit
- (iii) For next 6 months – Rs. 20,000 per unit

In case construction is not completed in the extended period of 12 months necessary action will be taken against the developers as per rules.

6A –

- (i) Soon after approval of any scheme under Provision 2 & 4 of this policy but not later than 60 days after approval of the building plan, the Local Authority would invite applications from eligible persons for registration along with following refundable (to unsuccessful and rejected applicants) registration amount :-

- (a) Rs. 2000 for EWS
- (b) Rs. 3500 for LIG

6A –

(New Provision) (vii) – In future allotment of EWS/LIG houses/flats/plots shall be in the name of female member of the family or in the joint name of male and female member of the family. Allotment can be made in the name of male member only in case there is no adult female member in the family.

8A –

A committee headed by Minister, Urban Development & Housing Department shall be constituted for removal of any difficulties in implementation of the Policy, fixing and revision of sale price in any of the Provisions of the Policy.

9 – Payment to Developers –

A. For Provision 2 & 4 – The amount deposited by allottees or against allottees to the ESCROW account will be released by the Local Authority in 8 installments to the developer at different stages of construction as follows based on the certificate issued by 3rd Party/nodal agency, after the verification of the progress of work under the approved work plan and cash flow :-

- (i) On completion of foundation work – 10%
- (ii) Roof level of ground floor including walls – 15%
- (iii) Roof level of first floor including walls – 15%
- (iv) Roof level of second floor including walls – 15%
- (v) Roof level of third floor including walls – 15%
- (vi) On handing over to ULB – 20%
- (vii) After six months of handing over – 5%
- (viii) After twelve months of handing over – 5%

Note :- For construction above G + 3 format local authority may frame payment schedule at their level.

10 – Quality Control –

A panel of expert agencies (Govt. Engineering Colleges/Institutions/ Departments) will be prepared by Nodal Agency. Developer may get third party inspection certificate from any of the empaneled agency. After submitting inspection report in case of Provision 2 & 4 running bill will be paid within 30 days. Developer may also obtain material testing certificate from any of the NABL accredited laboratory. Third party quality inspection is to be ensured by the developer.

11. O General Parameters (New Parameter) –

In the schemes of more than 2 Ha. area proposed under this policy in case single patta 5% facility area is to be surrendered to Local Authority. For the schemes with area 2 Ha. or less than 2 Ha. either 5% of total area is to be surrendered to Local Authority or community hall/livelihood centre or any public and social facility may be created equivalent to 1% of total built up area of EWS/LIG component. Such facilities will be maintained by resident welfare society.

11. P General Parameters (New Parameter) –

BSUP shelter fund shall not be levied on EWS/LIG component of the scheme.

11. Q General Parameters (New Parameter) –

100% waiver on sub division and reconstitution charges, wherever applicable.

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11. R General Parameters (New Parameter) –

In the schemes applied under this policy labour cess shall be calculated on cost of construction assuming as Rs. 1100 per sq.ft. whereas in case of schemes under Provision-4 shall be calculated on actual bid price.

11. S General Parameters (New Parameter) –

Provisions/relaxations of this policy shall also be applicable in U-2 & U-3 areas of Master Development Plan-2025 of Jaipur.

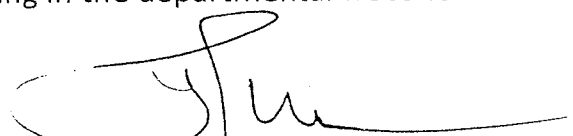
Charges which are waived by this notification shall be applicable to the cases in which final approval has not been issued. In cases where final approval has been accorded and charges already deposited shall not be refundable.

By order of the Governor,


(R. S. Shekhawat)
Joint Secretary-I

Copy for kind information & necessary action to :-

- 1 P.S. to Secretary, Hon. Chief Minister, Rajasthan, Jaipur.
- 2 S.A. to Hon'ble Minister, Industries Department, Jaipur.
- 3 S.A. to Hon'ble Minister, UDH Department, Jaipur.
- 4 S.A. to Hon'ble Minister, Revenue Department, Jaipur.
- 5 P.S. to Chief Secretary, Govt. of Rajasthan, Jaipur.
- 6 P.S. to Additional Chief Secretary, Deptt. of Urban Development & Housing Govt. of Rajasthan, Jaipur.
- 7 P.S. to Additional Chief Secretary, Industries Department, Jaipur.
- 8 P. S. to Principal Secretary, Finance Department, Jaipur.
- 9 P.S. to Principal Secretary, Local Self Govt. Rajasthan, Jaipur.
- 10 P. S. to Principal Secretary, Revenue Department, Jaipur.
- 11 Joint Secretary - I, II & III, UDH Department, Rajasthan, Jaipur.
- 12 Superintendent, Govt. Central Press, Jaipur with C.D. for publication the notification in extra ordinary issue of gazette immediately. A copy of the gazette notification may kindly sent to this deptt.
- 13 Chief Town Planner, Rajasthan, Jaipur.
- 14 Director, Local Bodies, Rajasthan, Jaipur.
- 15 Secretary, Jaipur/Jodhpur/Ajmer Development Authority., Jaipur
- 16 Secretary, Urban Improvement Trust, All.
- 17 Executive Director, RUDSICO, SLNA, Jaipur.
- 18 Sr. D.S., UDH Department for uploading in the departmental website.
- 19 DLR, UDH Department, Jaipur.
- 20 Guard File.


Additional Chief Town Planner