



Government of Jammu and Kashmir
Jammu Development Authority

Vikas Bhawan, Rail Head Complex, Jammu

Sub: Uniform Policy for settling all pending plot related cases in the Housing Colonies developed by the Government and its agencies in the UT of J&K.

Ref: 1) Government Order No.04-JK (HUD) of 2019 dated 11.11.2019.
2) Decision taken by the Board of Directors in its 85th meeting held on 01/11-12-2021.

Notification No: -26-JDA of 2022
Dated: -08-03-2022

In exercise of the powers conferred under Section 52 of the Jammu and Kashmir Development Act 1970, the Jammu Development Authority hereby notifies the implementation of Uniform Policy for settling all pending plot related cases in the Housing Colonies developed by the Government and its agencies in the UT of J&K appended hereto, in its jurisdiction with effect from the publication of this notification in the Government Gazette.

(Pankaj Magotra), JKAS
Vice Chairman,
Jammu Development Authority
Jammu

No:- JDA/vc/2022/554-65
dated 08-03-2022.

Copy for information to the:

- 1) Financial Commissioner, Finance.
- 2) Principal Secretary to Government Housing & Urban Development Civil Secretariat Jammu.
- 3) Administrative Secretary to Govt. Revenue Department.

- 4) Divisional Commissioner, Jammu
- 5) Commissioner JMC, Jammu
- 6) Deputy Commissioner, Jammu.
- 7) Managing Director J&K Housing Board
- 8) Chief Architect, J&K.
- 9) Chief Engineer R&B, Jammu.
- 10) Chief Town Planner, Jammu Development Authority.
- 11) Legal Assistant, Jammu Development Authority.
- 12) General Manager, Ranbir Government Press Jammu for publication in Government Gazette in the extra ordinary issue.



OFFICE OF THE VICE CHAIRMAN, JAMMU DEVELOPMENT AUTHORITY
RAIL HEAD COMPLEX, VIKAS BHAWAN-JAMMU.

Uniform Policy for settling all pending plot related cases in the Housing Colonies developed by the Government and its agencies in the UT of J&K.

1. Short Title, Extent and Commencement

- i. This policy shall be called the "Uniform Policy for settling all pending plot related cases in the Housing Colonies developed by the Government and its agencies in the UT of J&K".
- ii. This policy shall also be applicable in respect of Housing Colonies developed by Jammu Development Authority or transferred to Jammu Development Authority by the Government.
- iii. The policy shall come into effect in Jammu Development Authority from the date notified by the Jammu Development Authority by way of publication in the official gazette.

2. Objective

To provide uniform and transparent redressal of plot/land related pending issues in different organizations under the Administrative control of the Housing & Urban Development Department.

3. Reference

- a. The policy is based on the recommendation of the committee constituted vide Government Order No.04-JK (HUD) of 2019 dated 11.11.2019. The committee comprised of following officers:
 - i. Managing Director, Jammu and Kashmir Housing Board.
 - ii. Vice Chairman, Srinagar Development Authority.
 - iii. Commissioner, Jammu Municipal Corporation.
 - iv. Vice Chairman, Jammu Development Authority.
 - v. Commissioner, Srinagar Municipal Corporation.
- b. Decision of Board of Directors of JDA in 85th BOD meeting held on 01.12.2021 and 11.12.2021 vide agenda item no. 85.08.

4. Salient features of the policy.

- i. Allotment of un-allotted vacant plots.
 - a. Allotment of un-allotted vacant plots to individuals.

- b. Allotment of un-allotted vacant plot to Organizations/ institutions.
- ii. Action on transfer/exchange of possession of plots on mutually agreed basis/agreement to sell/exchange without registration by plot holders.
- iii. Transfer of ownership of plots on succession.
- iv. Allotment of strips to the adjoining plot holders.
- v. Change of status of land from lease to free hold.
- vi. Encroachment of land by the adjoining plot holders.
- vii. Possession of excess, deficit land by the plot holders.
- viii. The Division of allotted plots.
- ix. Violation of building permissions.
- x. Change of land use.
- xi. Prospective use of reclaimed lands.

5. Procedure

S.No.	Features	Procedure
1.	<p>Allotment of Un-allotted vacant plots.</p> <p>a/ Allotment of un-allotted vacant plots to individuals.</p>	<p>i/ The un-allotted plots shall be put to auction in a transparent manner.</p> <p>ii/ Base Price for auction of residential left-over vacant plots to individuals shall be 1.5 times of the notified Stamp duty rates (residential) in that year.</p> <p>iii/ In case of commercial plots, Base Price shall be 1.5 times the notified Stamp duty rates (commercial) in that year.</p> <p>iv/ The applicant shall be a major.</p> <p>v/ The applicant should not have been the beneficiary of any other residential allotment in the Govt. Colony/flats in the UT.</p> <p>vi/ In case the successful bidder happens to be a woman, an upfront rebate of 2% on the highest bid price shall be given to promote gender equity.</p>
	<p>b/ Allotment of un-allotted vacant plots to Organizations/ institutions.</p>	<p>i/ Base Price for allotment of residential plots shall be 1.5 times of the notified Stamp duty rates (residential) in that year.</p> <p>ii/ Base Price for allotment of Commercial plots shall be 1.5 times of the notified Stamp duty rates (Commercial) in that year</p>

2.	<p>Action on transfer/exchange of possession of plots on mutually agreed basis/agreement to sell/exchange without registration by plot holders.</p>	<p>i/ Every allottee before selling his plot shall obtain permission from the concerned department /authority and execute conveyance deed for the transfer of plot.</p> <p>ii/ In future the agreement to sell/exchange without conveyance shall not be allowed once the policy is notified.</p> <p>iii/ In respect of residential plots, the transfer fee shall be charged as 2% of the Base Price in the residential category.</p> <p>iv/ In respect of commercial establishments, the transfer fee shall be charged as 2% of the Base Price in the commercial category.</p> <p>v/ The transfer of lease hold rights shall be granted only after the applicant completes the requisite formalities for reference in the relevant category.</p> <p>vi/ The transferee should be major.</p> <p>vii/ No transfer fee for transfers/gifts between legal heirs shall be charged. Only processing charges will be applicable as per existing rates.</p> <p>viii/ No transfer shall be permissible in case of any litigation.</p> <p>ix/ No transfer shall be permissible in case of encroachment on public land.</p>
3.	<p>Transfer of ownership of plots on succession.</p>	<p>i/ The transfer shall be made only after completing requisite formalities for reference in the relevant category.</p> <p>ii/ The transfer shall be considered only if the land use has not been changed.</p> <p>iii/ In case any excess land is found in such plots the rates for regularization shall be applicable as charged in transfer cases of other plots.</p> <p>iv/ No transfer fee in case of succession. Only processing charges will be applicable as per existing rates.</p>
4.	<p>Allotment of strips to the adjoining plot holders.</p>	<p>i/ Strips/land is not allocated for any improvement/development purposes as per the layout plan.</p> <p>ii/ The said regularization of strip/land shall no way affect the legitimate activities of the line department.</p>

		<p>iii/ The allotment/ regularization of strip shall be treated as part of the adjoining plot.</p> <p>iv/ The land/strip is of no use to Jammu Development Authority for any improvement/ development purposes i.e. cannot be used independently.</p> <p>v/ The adjacent plot holder has no outstanding on account of any dues.</p> <p>vi/ No allotment of strips on the front/ back or along the road/rotaries. The designated right of way to be maintained as per original lay out.</p> <p>vii/ Developing the vacant patches as green.</p> <p>viii/ Allotment permissible only between the two plots, with errors. Maximum error of margin for allotment of strips in between two adjoining plots will be allowed upto 10 %.</p> <p>ix/ If the vacant land is more than 2.5 marlas then the said land be put to auction.</p> <p>x/ The rate to be charged for allotment of the excess land between the adjoining plots will be 1.5 times of the notified stamp duty rates (residential) in that area.</p> <p>xi/ The land use of the strip should not be changed.</p> <p>In case more than one adjoining/deserving applicant applies for the regularization of strip, then the strip shall be regularized on the basis of draw of lots.</p>
5.	Change of status of land from lease to free hold.	<p>i/ The free hold rights should be granted only after the applicant completes the requisite formalities for reference in the relevant category.</p> <p>ii/ The free hold rights should not be allowed in case of vacant plots. It should be considered only if at least two bed room set has been constructed on residential plot and commercial building constructed on commercial plots as per the building Byelaws/permission</p> <p>iii/ The conversion of status of land from leasehold to free hold only in those colonies where the land is acquired.</p> <p>iv/ The conversion charges @ 3% of the notified stamp duty rates in that area will be applicable.</p>

6.	Encroachment of land by the adjoining plot holders.	<p>i/ Strips/land is not allocated for any improvement/development purposes as per the layout plan.</p> <p>ii/ The said regularization of strip/land shall no way affect the legitimate activities of the line department.</p> <p>iii/ The allotment/ regularization of strip shall be treated as part of the adjoining plot.</p> <p>iv/ The land/strip is of no use to Jammu Development Authority for any improvement/development purposes i.e. cannot be used independently.</p> <p>v/ The adjacent plot holder has no outstanding on account of any dues.</p> <p>vi/ No allotment of strips on the front/ back or along the road/rotaries. The designated right of way to be maintained as per original lay out.</p> <p>vii/ Developing the vacant patches as green.</p> <p>viii/ Allotment permissible only between the two plots, with errors. Maximum error of margin for allotment of strips in between two adjoining plots will be allowed upto 10 %.</p> <p>ix/ If the vacant land is more than 2.5 marlas then the said land be put to auction.</p> <p>x/ The rate to be charged for allotment of the excess land between the adjoining plots will be 1.5 times of the notified stamp duty rates (residential) in that area.</p> <p>xi/ The land use of the strip should not be changed.</p> <p>In case more than one adjoining/deserving applicant applies for the regularization of strip, then the strip shall be regularized on the basis of draw of lots.</p>
7.	Possession of excess/deficit land by the plot holders.	<p>i/ Strips/land is not allocated for any improvement/development purposes as per the layout plan.</p> <p>ii/ The said regularization of strip/land shall no way affect the legitimate activities of the line department.</p> <p>iii/ The allotment/ regularization of strip shall be treated as part of the adjoining plot.</p> <p>iv/ The land/strip is of no use to Jammu</p>

		<p>Development Authority for any improvement/development purposes i.e. cannot be used independently.</p> <p>v/ The adjacent plot holder has no outstanding on account of any dues.</p> <p>vi/ No allotment of strips on the front/ back or along the road/rotaries. The designated right of way to be maintained as per original lay out.</p> <p>vii/ Developing the vacant patches as green.</p> <p>viii/ Allotment permissible only between the two plots, with errors. Maximum error of margin for allotment of strips in between two adjoining plots will be allowed upto 10 %.</p> <p>ix/ If the vacant land is more than 2.5 marlas then the said land be put to auction.</p> <p>x/ The rate to be charged for allotment of the excess land between the adjoining plots will be 1.5 times of the notified stamp duty rates (residential) in that area.</p> <p>xi/ The land use of the strip should not be changed.</p> <p>In case more than one adjoining/deserving applicant applies for the regularization of strip, then the strip shall be regularized on the basis of draw of lots.</p>
8.	The division of allotted plots.	<p>i/ Division/ bifurcation of the allotted plots shall not be allowed.</p> <p>ii/ However, the department/ authority shall allow transfer as co-sharer to all legal heirs of the original allottee (No building permission shall be allowed for division).</p> <p>iii/ Set back as per the Master Plan for original undivided plot shall be maintained.</p>
9.	Violations of Building permissions.	<p>Since Building permissions are granted by Municipal Corporations/Municipal Committees/Councils/ development authorities, the same shall be the enforcing agencies to check building bye laws as per the norms.</p> <p>The legal framework regulating the building activities shall be amended from time to time to curb the violations of the building byelaws/permissions.</p>
10.	Change of land use.	Change of land use shall not be permitted.

11.	<p>Prospective use of reclaimed lands.</p>	<p>In some of the housing colonies natural storm water drains/channels have been tamed by government agencies resulting in surplus parcels of land on either side of these drains. In certain cases, the retrieved land after channelizing of drains is available adjacent the allotted plots all along the feature. There is demand also from such plot holders for allotment of such available strips.</p> <p>The concerned agencies shall identify the quantum of such reclaimed land in the colonies under their Administrative control and accordingly in consultation with Town Planning Organization shall decide land use in light of the recommendations of the appropriate master plans with regard to the maintenance of the buffer on either side of the drain.</p>
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