

Another problem which is normally faced in this category of land is that of mopping up of unearned income from enhanced urban land values. With the future growth of the city there is a likelihood of an increase in the urban land values which should be regularly monitored by the JDA.

As a matter of policy, spot development should be prevented as far as possible. Only comprehensive development should be permitted. Zoning regulations need to be applied simultaneously with other planning controls. Adequate reservation of land for future needs and contingencies should be an important element of this policy measure.

Public Agencies have traditionally used the land Acquisition Act, 1894, as the main instrument for stocking land for development. The Act can be used to acquire land for housing, education, health and other purposes and for registered or cooperative societies. The Act has been amended twice once in 1967 and again in 1984. Originally land to be acquired under the Act was first notified under Section 4 which simply served the purpose of fixing the market value of land at a level which prevailed on the date of notification. The land was then acquired under Section 6 in a number of stages sometimes over a period of 15 to 20 years as per actual requirement and the ability of the public agency concerned to pay compensation. The latter part of the process did injustice to people whose lands were acquired many years after notification under Sec. 4 as in this case compensation was paid at rates applicable at the time of original notification.

The affected land owners thus dragged public agencies into protracted litigations which prolonged the whole process of urban development. The Land Acquisition (Amendment and Validation) Act, 1967, tried to overcome some of these difficulties. For example, the amendment provided that under Sec. 6 proceedings must be completed within three years of notification under Sec. 4. The Act was comprehensively amended in 1984 and as per the amended Act, the entire process of acquisition of land was required to be completed and the amount of compensation determined within three years of initial notification under Sec.4 otherwise the acquisition process abates automatically. The amended Act also makes the compensation amount more attractive for the owner by providing payment of solatium at the rate of 30% of the market value as compared to 15% earlier.

Due to this amendment public agencies were required to arrange not only for the compensation amount which has to be paid soon after notification under Sec. 4, but also the enhancement which keeps coming over the entire period of development. The amendments to the Land Acquisition Act have therefore increased the compensation liabilities of public agencies involved in the development process and it is now becoming increasingly difficult for these agencies to take up large scale acquisition of land. Therefore, it is imperative to adopt alternative approaches to land assembly which reduce dependence on Government funds at the beginning of the development process.

#### **7.4 Land Assembly and Disposal :**

Land is the medium on which the entire superstructure of human settlements is built. Planning the use of land leads to socio-economic and physical development of urban and rural areas. Land is, however, a scarce commodity as its supply is limited. It is, therefore, most essential to ensure that utilisation of the available land is judicious and in the best interests of the community through the instrument of development plans.

Land value depends on demand and supply and it increases as the demand exceeds the supply. Due to these characteristics, planners and urban economists have often been urging that urban land should be treated as an asset and be planned accordingly.

Implementation of the plan proposals requires procurement of land either by way of private negotiation or through the Land Acquisition Acts. Land procurement through such means naturally requires huge capital investment which is beyond the fiscal capabilities of many of the local authorities. There is a growing consciousness that urban development should be self-financing with minimum burden on local authorities and the central and state governments. In the context of making the development schemes self-financing, some practical and effective system of land assembly have been evolved by states like Maharashtra and Gujarat. These techniques of land assembly/land procurement can be grouped as:

- a) land pooling and redistribution scheme popularly known as town planning scheme;
- b) mechanism of transfer of development rights; and
- c) system of accommodation reservation.

**Land Pooling and Redistribution Scheme (Town Planning Scheme):** A Town Planning (TP) Scheme is a land development technique undertaken by the land owners who pool their land to secure a good layout thereof. The TP scheme is basically a legal procedure for allowing:

- a) pooling of land by different owners;
- b) formulation and approval of the layout showing the 'original' as well as the 'final' plots, including roads and amenities with active participation of the land owners; and
- c) redistribution of 'final' plots after charging betterment contribution and paying compensation for the land used for public purposes and transferred to the local authority.

The local authority, which is also a party to the TP Scheme, prepares the layout, processes it for approval by the state government and is responsible for its execution. In the whole process the land is developed as per plan and without any land acquisition. It is this feature of the Town Planning Scheme which distinguishes it from other methods of land assembly like bulk acquisition of selected lands required for public amenities. When a Town Planning Scheme is finalised, the land so carved out for public purposes vests in the local authority free from all encumbrances and remaining land is distributed amongst the owners in the form of developed plots according to an equitable formula and the development expenses are also shared in a similar manner. The procedure thus provides for smooth vesting of lands, for public purposes, with the local authorities and the usual opposition to acquisition from owners of the concerned lands is non-existent. Town Planning scheme is therefore rightly called 'land acquisition without tears'. This scheme has been successfully tried in case of large cities and with the help of public awareness programmes it can be successful in small and medium towns also. The only drawback with this scheme is that there are very long delays in the process of preparation, approval, arbitration and implementation mainly due to litigation related to compensation receivable by the owners on account of reduction of the land area, utilised for roads and other public amenities.

After considering various causes and alternative solutions to solve the problem of delays in implementing the TP Schemes, it is suggested that:

- a) The scheme be divided into two parts (i) planning and (ii) the financial part. After approval by the state government the planning part should be treated as final and binding on all parties concerned, while an appeal could be filed to the Tribunal for Land Pooling Scheme by the aggrieved person against the decisions contained in the financial part. This will ensure speedy implementation of the scheme.
- b) To save delays in planning, where the scheme is first prepared by the local authority and then it is modified by an Arbitrator, a qualified Town and Country Planner should be appointed who would prepare the scheme in active consultation with the original plot holders by calling two meetings to discuss the draft and final proposals and serve the functions of both the planner and the arbitrator.
- c) The contribution which is based upon the estimated value of land assuming full development as per the scheme should be replaced by estimated cost of the scheme which should include:
  - i. cost of making the scheme;
  - ii. execution of the scheme;
  - iii. execution of such part of the peripheral and bulk services as may be considered reasonable;
  - iv. three-fourths of all sums payable as compensation for land reserved for public purpose;
  - v. legal expenses, if any, incurred by local authority;
  - vi. variation, if any, in the estimated value of the original plot and the final plot due to locational advantages without reference to improvements contemplated in the scheme.

This suggestion would make the financial part of the scheme more acceptable as the various development costs shall be calculated as per the local schedule of rates. This would reduce the number of appeals.

- d) If the original plot holders so agree, transferable Development Right may be given in lieu of compensation payable by the local authority. This would reduce number of disputes.
- e) There should be a permanent Tribunal for Land Pooling scheme. This would save time taken in appointing such a Tribunal for each land pooling scheme.
- f) Land pooling schemes should be prepared only for the areas included in the current development plan and be within its framework. This would drastically reduce the time taken during the process of approval.
- g) To reflect the nature and purpose of the scheme, it should be called Land Pooling Scheme instead of Town Planning Scheme

as it is popularly known in Gujarat and Maharashtra.

**Transferable Development Right :** Concept of Transferable Development Right (TDR) is a recent innovative land assembly technique wherein participation of the land owner is sought for the purpose of implementation of the Plan proposals.

In the TDR concept, the potential of a plot of land identified as intensity of built-space, guided by the Floor Space Index (FSI) or Floor Area Ratio (FAR), has been separated from the land itself and made available to the land owner in the form of Transferable Development Right (TDR) to be utilised by him from an inner-zone (originating area) to an outer-zone (receiving area) specified by regulations.

Under the provisions of the rules, plot-owners of land reserved for public purposes are eligible for TDR and also for receiving the Development Right Certificate (DRC). The DRC allows the plot-owner to use himself the FAR/FSI on the area of plot surrendered to the local authority for public purpose, or transfer the same in full or in parts to any other person at any time. The purchaser of area under DRC would be allowed to use it in addition to the permissible FSI or FAR. The DRC thus becomes a marketable instrument subject to market forces.

**Accommodation Reservation :** The concept of Accommodation Reservation allows the land owners to develop the sites reserved for an amenity in the development plan using full permissible FSI/FAR on the plot subject by agreeing to entrust and hand over the built up area of such amenity to the local authority free of all encumbrances and accept the full FSI/FAR as compensation in lieu thereof. The area utilised for the amenity shall not form part of FAR/FSI calculation. Reservations such as retail markets, dispensaries, etc. can be implemented by this way wherein local authority is not required to acquire the land by incurring expenditure on payment of compensation.

In case of reservations like shopping centres, industrial estates, etc. the owner can be allowed to develop them on his agreeing to give at least upto 25 per cent of the shops to the local authority for the purposes of rehabilitation of the displaced persons from sites reserved for public purposes or amenities in the development plan, on payment of cost of construction. The remaining shops are allowed to be taken care of by the land owner.

In case of road widening and construction of new roads, the local authority can grant additional floor space index on 100 per cent of the area required for road widening or for construction of new roads proposed under the development plan, provided the owner surrenders the land for widening or construction of new roads to the local authority free from all encumbrances and accept the additional FAR/FSI as the compensation in lieu thereof. This mechanism has considerably relieved the local authorities from incurring huge expenses for the purpose of acquisition of such lands.

## **7.5 Policy for Land Assembly, Development and Disposal :**

Recognising the need of private sector involvement in playing an effective role in land assembly, development, disposal and construction, the relevant provisions of the Development Act need to be amended so as to ensure suitable participation by the private sector. The minimum area for land assembly and development by a coloniser may be 5 Ha. of contiguous land for plotted development. However, in case of Group

Housing if the land is part of the development area, the minimum area required for land assembly may be 2 Ha. The density of population may be in accordance with the stipulations of the Master Plan/Division Plan/Zonal Plan.

55% of the land in the colony may be saleable area and 45% left for essential amenities, services, parks and playgrounds, roads, footpaths and other common purposes. Site for creche, nursery school, etc. is required to be developed by the colonisers at their cost and handed over to JDA/other agency as the case may be.

Licence fee is required to be submitted to JDA together with documents regarding ownership entitled to the land, income tax clearance certificate, site plan, layout plan, services plan as prescribed by JDA. Prior to commencement of work and grant of licence, the coloniser is also required to provide a bank guarantee equal to 25% of the estimated cost of the development work. Licence fee shall be levied @ Rs.1.25 lakh per Ha. for plotted development and Rs.1.50 lakh per Ha. for group housing in addition to scrutiny fee of Rs.5 per sq.m., service charge of Rs.5 per sq.m. and conversion charges of Rs.50, 30 and 25 per sq.m. for national highway, scheduled roads and other roads respectively.

The coloniser is required to provide internal services such as roads and footpaths, plantation, open spaces, street lighting, internal water supply system, internal sewerage lines, storm water drainage etc. apart from any other work as directed by JDA in the interest of proper development.

External services linking the colony shall be provided by JDA for which external development charges (EDC) shall be paid by the coloniser.

The licence may initially be granted for a period of 3 years, renewable from time to time for a period of 1 year each on payment of fee as prescribed by JDA.

Apart from the bank guarantee, colonisers are also required to deposit 50% of the amount to be realised by them from plot holders, from time to time within 10 days of realisation in a separate account to be monitored by JDA. This amount may be used for meeting the cost of internal development works of the colony.

Of the total plots developed by the coloniser, 20% plots shall be reserved for EWS/LIG and 25% plots shall be given on no profit no loss basis in accordance with the directives of JDA. Out of these, 75% shall be allotted in the general category and the balance to (i) non-resident Indians against foreign exchange, (ii) alternate allotment to those whose lands were taken by the owner and (iii) 5% at the discretion of the owner.

In case of default, the licence of the coloniser may be revoked by JDA and in case of continued default or lapse he may be booked under a cognisable offence.

Zoning regulations and building bye-laws are basic tools for implementation and enforcement of a development plan within the frame of the landuse proposals with the intention of achieving orderly growth and development of the town as envisaged.

Zoning regulations help in controlling density as well as landuse in ensuring standards provided for the future expansion of each zone in an appropriate manner. The enforcement of zoning regulations is like the enforcement of building bye laws. It will therefore be simpler to follow and can also be enforced by the Jammu Development Authority through an a qualified Town and Country Planner holding delegated powers.

The enforcement of zoning regulations will require a detailed development plan of the planning area. The adoption of the regulations will, therefore, guide to undertake the necessary physical surveys and also to keep the land record up-to-date so as to enable the effective enforcement of the zoning regulations.

Zoning regulations shall be applicable to the entire planning area except areas designated otherwise like special areas. There will be a separate set of norms to deal with such areas. The zoning regulations are broad in nature. The detailed regulations will be framed or restructured at the time of preparation of Divisional/zonal plans.

### 8.1 Indicative Zoning Regulations :

#### Definitions :

For the purpose of these regulations, the following definitions shall apply:

- i. Words: used in the present tense shall include the future, the singular number includes the plural and the plural the singular.
- ii. Building : Any construction for whatsoever purpose and of whatsoever material and every part thereof whether used for human habitation or not and includes foundation, plinth, canopy, walls, chimneys, drainage works, fixed platforms, verandah, balcony, cornices or projection, part of building or anything affixed thereto or any wall enclosing or intended to enclose any land or space;
- iii. Building Height : The vertical distance measured from the average level of the centre line of the adjoining street in the case of flat roofs, to the highest point of the building adjacent to the street wall; in the case of pitched roofs, upto the point, where, the external surface of the outer wall intersects the finished surface of the sloping roof and in the case of gables facing the road, the midpoint between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights. If the building does not abut a street, the height shall be measured above the average level of the ground and contiguous to the building.

- iv. Storey: The portion of a building included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between any floor and the ceiling next above it. When measured, the height of a habitable basement extending at least 1.5m above ground level or a habitable attic shall be counted as storey.
- v. Building Set back: The distance by which any building or structure shall be separated from the corresponding boundary lines of the plot.
- vi. Dwelling : A building which is designed or used wholly or principally for residential purposes. This shall not include boarding or rooming houses, tents, tourist camps, hotels or other structured designed and used primarily for transit residents.
- vii. Clean Industry : Industries which do not emit smoke, noise, offensive odour or harmful industrial waste and employing not more than 40 workers and with/without power.
- viii. Service Industry : Industries which are not engaged in the manufacturing of goods or articles but are mainly concerned with repair, maintenance, servicing etc.
- ix. Light Industry : Industries which do not emit excessive smoke, noise, offensive odour or harmful industrial waste, employing not more than 100 workers and using power of not more than 100 h.p. except in the case of foundries and smithies which do not consume any solid fuel.
- x. Non-conforming building or use: A building, structure or use of land existing at the time of commencement of these regulations and which does not conform to the regulations pertaining to the zone in which it is situated.
- xi. Plot: A piece of land occupied or intended for occupancy by a main building together with its accessory buildings and uses customary and incidental to it, including the open space required by those regulations and having frontage upon a street or upon a private way that has officially been approved by the competent authority.
- xii. Plot Width: The shorter distance from one side of the plot line to the other measured through that part of the plot to be occupied by the building.
- xiii. Required Open Space: The space between the plot lines and the minimum building set back lines.
- xiv. Street or Road: Any highway, road, street, lane, pathway, alley stairway, passageway, carriageway, footway, square, place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme and includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fence, barriers and railings within the road lines.

- xv. Structure: Any combination of material including buildings constructed or erected, the use of which requires location on the ground including among other things, signs, sign boards, fences and walls that are more than three feet high.
- xvi. Floor Area Ratio (FAR): It is the ratio of the total area of all the floors of a building including habitable attics and basements divided by the total plot area. It is generally taken in percentage.
- xvii. Erection : To construct a building for the first time or to reconstruct existing building after its demolition according to some pre or revised plans.
- xviii. Material alterations: To make any modification in any existing building by way of addition or alteration or any other change in the roof, wall, compound in any respect whatsoever. Opening of a window and inter-communication doors shall not be deemed to be material alterations. Similarly, modifications in respect of gardening, white washing, painting, retiling and other decorative works shall not be deemed to be material alteration.
- xix. Re-erection : To construct a building or part of a building after demolishing it on the same plot as has been previously sanctioned for a second time or subsequent times.
- xx. Conversion of Building:
  - a. Conversion of a building or any part thereof for human habitation from one dwelling house into more than one dwelling house or vice versa.
  - b. Conversion of a building or a part thereof suitable for human habitation into a dwelling house or vice versa.
  - c. Conversion of a dwelling house or a part thereof into a shop, warehouse or factory or vice versa.
  - d. Conversion of a building use or one intended to be used for purposes such as shop, ware house or factory, etc., into one or another purpose.

## **8.2 Permissible Uses:**

The uses permitted in the various land use zones and permissible on approval by the Competent Authority are given as under. The area of basement shall not be counted in FAR if used for parking and storage. Mezzanine shall be taken into Floor Area Ratio.

### **Residential :**

#### **(a) Uses Permitted:**

Dwellings of all types, guest houses, boarding houses, dharamshala, night shelter, rooming houses, customary home occupation, schools offering general educational courses, libraries, parks, playgrounds, golf courses, nurseries, green houses, and general purpose farms, churches, temples, mosques and other religious

buildings, clubs, cultural and philanthropic associations of non-commercial nature, swimming pools for community use, professional establishments satisfying the requirements of some customary occupations and private nursing homes, convenience shopping, local shopping.

**(b) Permissible on Application to Competent Authority :**

Petrol filling stations, cemeteries, multi-purpose or junior technical schools not giving rise to smoke, noise or other nuisance; auditoria, public assembly halls, sports stadia, transit visitors camp, taxi and scooter stands, bus terminals, public utility buildings, hospitals except those treating contagious diseases or mental patients, animal clinics.

**(c) Prohibited:**

All uses not specifically mentioned herein including the following:

Quarrying of gravel, stone, clay, sand, etc. except for the purpose of development of the area.

Commercial entertainment like travelling cinema, circus, and other shows.

Commercial use in basements/other floor of a residential dwelling.

Polytechnic and higher technical institutes requiring machinery etc., irrigated area sewage farms.

**(d) Minimum Size Plots:**

The minimum plot size for economically weaker sections of society may be 50 sq.mt. Plot coverage, FAR, Number of dwelling units and maximum height are given in the following tables. Basement shall not be included in FAR if used for parking and storage but shall not exceed ground floor coverage. However, area under stilts irrespective of whether it is used for parking, children play, land scapping etc. shall be included in FAR.

**Plotted Housing :**

Sl. No	Plot Size Mxm	Area Sq.mt.	Cov-erage	FAR	Max. Ht (In mts)*	Type of Construc-tion	Set Backs (M)			
							F	R	One side	other side
1.	5x10	50	65%	225	12	ROW	2.5	1.2	X	X
2.	5X15	75	65%	225	12	ROW	3	1.5	X	X
3.	6X12.5	75	65%	225	12	ROW	2.5	1.5	X	X
4.	7.6X 15.5	118	65%	200	12	Row	3	1.5	X	X
5.	9X17.9	156	65%	200	12	Row	3.6	1.5	X	X
6.	8X18.9	170	65%	200	12	Row	3.6	1.5	X	X
7.	10X20.3	203	60%	200	12	Row	5	2.5	x	x
8.	14x18.2	255	60%	200	12	Semi Detached	5	3	3	x
9.	12x25	302	60%	200	12	-do-	6	3	3	x
10	15x31.4	472	40%	120	12	detached	8	3	3	3
11	16.60x30	495	40%	120	12	-do-	8	3	3	3
12	18.5x27.6	510	40^%	120	12	-do-	8	3	3	3

\* Height of 12 M. is 3 each per floor plus Mumty Ht. plus D.P.C. Level from C/L of the Road/Lane on which building will exist.

For multi storeyed buildings, which will have height of 15 metres and above, and for the special buildings like public, semi public, assembly, institutional, storages and any other such building or occupancies, the following shall be the exterior open spaces around such building:

S.No.	Ht. of Building (Mt)	Exterior Open Space on all sides, besides prescribed building line on which building abutts (in Mt)
1.	15	5
2.	18	6
3.	21	7
4.	24	8
5.	27	9
6.	30	10

## Group Housing :

1. Minimum Plot Size = 0.40 ha. (4000 sq.mt)
2. Ground Coverage = 25% (Maximum)
3. F.A.R. = 150 (Maximum)
4. Density = 150 ppha.
5. Set Backs Minimum From Plot Boundary = To be determined @ 1/3rd of height. of each building.

## Special Area

Sl.No.	Minimum Size of Shop/Estab/Plot	Minimum Frontage of Shop/Plot	Ground Coverage	Max, FAR Allowed	Basement	Set Back (Minimum)			
						Front	Rear	Side One	Side other
A. FOR ISOLATED SHOPS, MINIMUM FOUR IN ROW									
	10'X10" (3MX3M)	10'-0" (3M)	80%	210	x	Shall be governed by the building line of road on which the const. is proposed	Optional	Optional	Optional
B. FOR SHOPS/ESTABLISHMENTS MORE THAN 4 IN ROW									
	10'X15' (3MX4.5M)	10'X0" (3M)	50%	150	X	Shall be governed by building line of road on which the const. is proposed	10'-0" (3m)	10'-0" (3m)	10'-0" (3m)
C. FOR LODGES/HOTELS/COMMERCIAL OFFICES									
	Plot area of 5400 sft Minimum (510 sq.mt.)	40'-0" (12 M)	50%	160	To be const.ructed for Car Parking only	Shall be governed by the Building line of road on which the const. is proposed	one third of Ht. of Bldg.	10'-0" (3m)	10'-0" (3m)

Note: Car parking area shall be provided @ 1.5 car space for every 1000 sq.ft. (95 sq.mt.) of floor area.

## Commercial :

### SUB CBD for a Population of 8-10 lakh

#### (a) Uses Permitted:

Dwellings of employees working in the area; offices, retail business, departmental store, hotels, restaurants and their accessory uses, professional business including educations coaching, theatres, cinemas, public assembly halls, cultural centres, social and welfare institutions, libraries, electric sub-station, fire station, post office, police post, clinics, nursing homes, public facility buildings, temples, mosques, chruches and other religious buildings, car and scooter parking, taxi and auto rikshaw stands, garbage dalao.

**(b) Permissible on application to Competent Authority:**

Service industries which neither involve manufacturing nor requiring extensive land, petrol filling stations, commercial entertainment of a transient nature like a circus. Clean industries employing not more than 40 persons, with or without power. Coal & Fire wood/timber storage yards, transport terminals for both goods and passengers.

**(c) Prohibited:**

All uses not specifically mentioned herein including the following:

Quarrying of gravel, sand, clay, and stone except for the purpose of development of the area, agricultural uses except nurseries, hot houses and green houses. Warehousing and storage of perishable and inflammable commodities.

**(d) Minimum size plots:**

For dwellings - As in the residential zone.  
For all other structures 500 sq.mt. (maximum)  
Minimum average width 15.0 mt.  
Maximum ground coverage 40%.  
Floor Area Ratio : 150

**(e) Set Back lines:**

For all structures except single storey structures of accessory use.

(i) Dwellings:  
As in the residential zone.

(ii) All other structures:  
Front - 4.5 mt.  
Rear - 1/3rd of height  
Side - 3.0 mt. on each side

**(f) Heights:**

Four storeys or 15 mt. whichever is less.

**ii. Community Centre for A Population of 1.00 Lakh :**

**(a) Uses Permitted:**

All types of retail business, departmental stores, hotels and restaurants with their accessory uses, clinics, nursing homes, professional business establishments, libraries, offices, banks, financial institutions, theatres, cinemas and public assembly halls, park, cultural centres, social and welfare institutions, electric sub-station, fire station, post & telegraph office, police station, commercial entertainment of transient

nature, service industries; petrol filling station with service station, public facility building, car & scooter parking, taxi and auto rikshaw stands, garbage dalao.

**(b) Permissible on application to Competent Authority:**

Hospitals and medical centres, clean industries employing not more than 25 persons with or without power, sport stadia, Swimming pool, other recreational areas, transport terminals for both goods and passengers, warehousing of non-perishable and non-flammable commodities.

**(c) Prohibited:**

All uses not specifically mentioned herein including the following

Agriculture uses of all types, quarrying of gravel, sand, clay and stone except for the purpose of development of area.

Warehousing and storage of perishable and inflammable commodities.

**(d) Minimum Size Plots:**

For dwellings - As in the residential zone.  
For all other structures 250 sq. mt. (maximum)  
Minimum average width 12 mt.  
Maximum ground coverage - 60%  
Floor Area Ratio : 150

**(e) Set back lines:**

For all structures except single storey structure of accessory use-

(i) Dwellings:  
As in the residential zone.

(ii) All other structures:  
Front - 3.0 mt.  
Rear - 1/3rd of height  
One side - 3.0 mt.  
Height : Three storeys or 12.00 m maximum

**Local Commercial for Population of 25,000 Persons :**

**(a) Uses Permitted:**

All retail and wholesale business and their accessory uses, clinics, nursing homes, professional business establishments, offices, banks and financial institutions, hotels and restaurants, commercial entertainment of a transient nature, service industries, petrol filling stations with garages and service station, public facility buildings, newspaper offices with printing presses, warehousing for non perishable and non-flammable commodities, electric sub-station, post & telegraph offices, fire station, police station, telephone exchange, cinema, theatre, LPG distribution centre, transport

terminals for goods and passengers, parking for cars, scooters, taxi and auto rikshaw, garbage dalao.

**(b) Permissible on Application to Competent Authority:**

Transit accommodation, temples, mosques, churches, and other religious buildings, all clean industries not employing more than 20 persons, storage for perishable and inflammable goods. sports stadium, swimming pools and other recreational uses, hospitals, technical education and research institutions.

**(c) Prohibited:**

Dwellings except those of essential watch and ward personnel.

All agricultural uses, quarrying of gravel, sand, clay or stone except for purpose of development of the area.

**(d) Minimum Size Plots:**

For dwellings - As in the residential zone.  
For all other structures 150 sq.mt. (maximum)  
Minimum average width 10 mt.  
Maximum ground Coverage 65%  
Floor Area Ratio : 130

**(e) Set Back Lines:**

For all structures except single storey structures of accessory use

(i) Dwellings:

As in the residential zone.

(ii) All other structures:

Front - 2.5 mt.

Rear - 1/3rd of height

Sides - Optional

Heights : Two storeys or 9.0 mt. whichever is less.

**Industry :**

**Light Industry :**

**(a) Uses Permitted:**

All types of light industries, clean industries and service industries, warehousing and storage for light & service industries, newspaper offices with printing press and accessory uses, petrol filling stations with garages and service stations, parks and playgrounds, nurseries and greenhouses, medical centres, restaurants, public utility buildings, transport terminals for goods and passengers, cars, scooters, auto rickshaw and taxi stands. The minimum road within this use zone shall be 18m R/w.

**(b) Permissible on application to Competent Authority:**

Commercial entertainment of a transient nature like a circus, warehousing & storage of perishable and inflammable goods, sports stadia, swimming pools and other recreational uses.

Junk yards, hospitals, nursing homes, technical education and research institutions.

**(c) Prohibited:**

Dwellings except of essential watch and ward personnel.

Religious buildings, boarding houses, rooming houses, irrigated farms and sewage farms.

Quarrying of gravel, sand, clay or stone except for the purpose of development of the area.

**(d) Industries Prohibited:**

Manufacturing/refining of ammonia bleaching powder, chlorine, asphalt, brick, terra cotta, gypsum, lime, plaster of paris, coke, creosote, glucose, starch, dye, explosives or fire works or storage thereof in excess of 250 kg. fertilizer, gas (fuel or illuminating) in excess of 30 cu.mt. per day or storage in excess of 300 cu.mt., gelatin or glue or dye from fish or animal refuse or offal, hydrochloric or nitric or sulphuric or sulphurous acid, lampblack; linoleum or oil cloth or prexylin. Blast furnace, coal or junk yard, coal, wood or tar or manufacture of any of their distilled products, crop forges, fat, grease, lard or tallow manufacture, refining flour or grist mill, hot rolling mill, incineration, reduction or dumping of dead animals, garbage, offal or refuse except when accumulated and consumed on the same premises without the omission of odour, production or refining or storage above ground of petroleum or other inflammable liquids except heating fuels, slaughtering of animals, tanning or curing, or storage of raw hides and skins, tyre recapping.

**(e) Minimum size Plots:**

For watch & ward dwellings - Limited to 50 sq.mt. covered area.

For all other structures 250 sq.mt.

Maximum ground coverage - 60%.

Floor area ratio : 100

**(f) Set back lines :**

For all structures:

Front - 3.0 mt.

Rear - 1/3rd of height

Sides - 3 mt.

Dwellings for watch and ward staff to conform to residential use requirements.

**(g) Heights:**

Two storeys or 9 mt. whichever is less. Workshop height minimum 4.5 m.

**General Industry :**

**(a) Uses permitted:**

All industries except obnoxious or hazardous industries, warehouses, storage, accessory uses, all other uses permitted in the light industrial zone, junk yards, public utility building, car, scooter, auto rickshaw and taxi stands. The minimum road within this use zone shall be 24 mt. R/W.

**(b) Permissible on Application to Competent Authority :**

Storage of perishable & inflammable goods, sport stadia, swimming pools and other recreational uses, technical or research institutions.

Quarrying of gravel, sand, clay or stone.

**(c) Prohibited:**

Dwellings, except those of essential watch and ward personnel.  
Religious buildings, boarding houses and rooming houses.  
Irrigated farms and sewage farms.  
All uses not specifically mentioned herein.

**(d) Minimum size plots:**

For watch & ward dwellings - Limited to 32 sq.mt. covered area.  
For all other structures 500 sq.mt.  
Min. width - 15mt  
Maximum ground coverage 50%,  
Floor area ratio : 100.

**(e) Set-back lines:**

For all structures:  
Front 6.0 mt.  
Rear - 4.5 mt.  
Side minimum - 3.0 mt.

**(f) Heights:**

Two storeys or 9 mt. whichever is less. Workshop height minimum 4.50 mt.

**Open Spaces & Parks :**

**(a) Uses permitted:**

Sports stadium, swimming pools, gardens, parks, playgrounds, golf courses and other recreational uses requiring extensive open space with its accessory uses.

**(b) Permissible on Application to Competent Authority :**

Theatre, public assembly halls, recreational club building, etc. Transient visitors camps on a non- permanent basis. Car, Taxi, auto rickhaw and Scooter stand.

**(c) Prohibited:**

Dwellings except of watch and ward personnel.

All other uses not specifically permitted.

Minimum size plots: 1000 sq.mt.

For watch & ward personnel dwellings - Maximum covered area limited to 32 sq.mt.

**Agricultural (Green Belt) and Periphery Area :**

Dwellings for the people engaged on the farm, farmhouses, accessory buildings, agriculture, horticulture, dairy, poultry farms, animal rearing and breeding, stables for riding, etc., storage, processing and sale of farm produce, petrol and other fuel filling stations, temples, churches, mosques, other religious buildings and public utility building.

**(a) Permissible on application to Competent Authority:**

Quarrying of gravel, sand, clay or stone. Limekilns, brick-kilns, workshops for servicing and repair of farm machinery, service stations and warehousing.

**(b) Prohibited:**

All other uses not specifically permitted herein.

Minimum size Plots: 1 ha.

Coverage : 2.0% Limited upto 500 sq.km.

Basement : Not allowed

**(c) Set-back Lines:**

Set back to all structures including dwellings should be 30 mt. from any boundary line of the property. Where, the property abuts an urban road, the building should be set back from the centre line of that road by a minimum of 45 mt. Where the property abuts a village road the building set back from the centre line of the road should be a minimum of 30 mt. All structures including dwelling units on agricultural land abutting National and State Highways shall have minimum set back of 150 mt. from the centre line of such highways.

**(d) Heights :**

Single storey or 6.0 mt. whichever is less from road level.

### 8.3 Sub-division Regulations:

Sub-division regulations for development of land within the proposed urbanisable limits for residential use shall be based on the following standards till the Division Plans are prepared. After publication of Division Plans, regulations provided in the same for specific area shall apply.

#### Road Width and Length:

The following road width should normally be provided. In case of a ring road /bye-pass/major town road or sector road which falls within the proposed area for development, the space according to the r/w of these roads shall have to be provided within the layout. Area under circulation shall be minimum 12-15% of total land area proposed for development.

Roads	Minimum Width (mt.)	Max.length (mt.)
i. Cul-de-sac	7.5	200
ii. Loop street/	12	900
iii. Local roads	18	2000
iv. Sector road	24	3000
v. Master Plan road	30	-
vi. Sub-arterial road	45	-
vii. Arterial road	60	-
viii.Highway Bye/pass	90	-

#### Cinema:

The total land requirement shall be worked out at the rate of 3.5 sq.m. per seat of the auditorium capacity considering coverage as 30%. Other controls as per Division/Zonal Development Plan.

Incidental shops may be permitted in the cinema premises provided that the total coverage including auditorium building and shops does not exceed more than 30% of the plot area. Adequate parking space for cars, scooters and cycles must be provided within the plot area.

#### Off-street parking of motor vehicles:

Off street parking space shall be provided on any plot on which uses specified are herewith established. Such parking space shall be provided with adequate vehicular access to a street. Each off street parking space provided shall not be less than 20 sq.m.in area. The area of drives, aisles and such other provisions required for adequate access shall not be counted as part of the 20 sq.mt.

**Minimum off street parking space:**

## I. Type of use:

Theatres and auditoria - one car parking space for every 10 seats.

## II. Retail business and office building :

1.5 car parking space for every 100 sq. mt. of building area.

## III. Restaurant/hotels:

One parking space for every 10 seats/2 guest rooms.

## IV. Wholesale and warehousing/storage :

Open car parking space for every 1000 sq.mt. of floor area.

## V. Multi Family Building:

One car parking space for every four dwelling units.

The provisions of these regulations are minimum requirements to be adopted for the promotion of public health, safety, morals and general welfare of the people. Wherever the requirements of these regulations are at variance with the requirements of any other fully adopted rules, regulations, ordinance, deed restrictions or convenents, the most restrictive or that imposing the higher standards shall govern.

**8.4 Complaints regarding violations:**

Wherever a violation of these regulations occurs or is alleged to have occurred, any person may file a written complaint to the Authority. Such complaint stating fully the cause and the basis thereof shall be filed with the officer holding the Authority. The officer shall record properly such complaint, immediately investigate and take action thereon as provided by these regulations.

**8.5 Penalties for Violations:**

Violation of the provisions of these regulations or failure to comply with any of its requirements shall constitute a mismanoeuvre. Any person who violates these regulations or fails to comply with any of its requirements, shall be punishable:

- a. With a fine extending to Rs. 10,000 or
- b. A fine which may extend to Rs. 10,000 or in the case of continuing conviction, with an additional fine which may extend to Rs. 1000 for every day during which the contravention continues after conviction for the first such contravention.

- c. A fine may extend to Rs. 1000 for every day during which the contravention continues by the person contravening the regulations after the receipt of the notes from the officer designated by the Jammu Development Authority requiring such person to discontinue such contravention provided with a contravention of any regulation relating to safety of person may be punishable with imprisonment which may extend to three months or with a fine which may extend to Rs. 50,000 or both.
- d. Nothing herein contained shall prevent the JDA or the officer holding delegatged powers from taking such other lawful action as is necessary to prevent or remedy any violation.
- e. In case of continuation of activities in contravention of any of the terms and conditions prescribed in the Regulations, the premises shall be liable to be sealed under the orders of an officer empowered by the Authority. Whenever the seal of the premises is found broken without the permission of the authorised officer empowered under the Regulations, the case may be punishable by a fine to the extent of Rs. 1,00,000 or imprisonment upto 3 year or both. The offence shall be cognisable and non-bailable. Provided that no such order shall be inforced without the owner having been given reasonable time to show cause why it should not be passed.

#### **8.6 Separability Clause:**

Should any provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

#### **8.7 Repeal of conflicting regulations & effective date:**

All regulations and bye-laws or part of regulations and bye-laws in conflict with these zoning regulations, or consistent with the provision of these regulations, are hereby repealed to the extent necessary to give those regulations full force and effect from the date from which the development plan and those regulations come into force.

#### **8.8 Amendments and Repeals:**

The requirements, restrictions and boundaries set forth in these regulations may from time to time be amended, supplemented, changed or repealed provided that no such amendment, supplement, change or repeal shall come into force until the JDA has aproved; provided also that the procedure laid down or notification for calling objections, affording facility for hearing, etc. have been valid. In the case of such amendment, change or repeal, at least 60 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the town.

In order to effectively implement and enforce the master plan proposals, an effective institutional set up is required to be established. To this end, the Jammu Development Authority may be declared the nodal agency to acquire land (if the need arises), identify pockets of land for taking up public private parternerships and exercise total control over all land within the new urbanisable limits for the purpose of

implementation, enforcement and managing development for a specific period. The Town Planning Wing of JDA may be adequately strengthened so that it is in a position to plan, design, implement and enforce the proposals. Accordingly, it is proposed to develop 2 new divisions in the south and north-west respectively and expand the limits of division C. The division in the south covers existing division D (Bari Brahman Industrial Area) and includes the area from the south of Sainik Colony to Pattikhad upto Bhatiyari and Miran Sahib. Division E covers the area between the 1994 Master Plan limits and the road linking Porkhu-Bhulwal between Akhnoor and Ambgrota roads.

In order to implement the proposals highlighted in the Master Plan, proper phasing is required to be done at the initial stage so that development may be taken up in an organised manner. In respect of Jammu, the proposals for prospective 2021 have been spilt into three phases. Phase-I covers new divisions E and K to the north-west and south-east respectively. Development of these divisions will help check unauthorised growth and also serve as an incentive for people to settle in these areas. By far, division K is required to be given special attention as it exists on the periphery, has excellent linkages and accessibility to work centres. The area comprising of the 1994 Master Plan limits may be taken up as part of phase-II and financially the rest of the divisions namely F, G, H and D.

Constant monitoring of implementation is required to be done for which a monitoring cell may be set up within the nodal agency i.e. JDA. This cell will also be responsible for obtaining feedback from the people at large so as to provide relevant inputs in the development exercise. Above all, a periodic review at five yearly intervals is also required to be taken up in order to appreciate the aberations in implementation which may occur on account of site conditions. Refer figure 5.

# MASTER PLAN FOR JAMMU - 2021

## PHASING

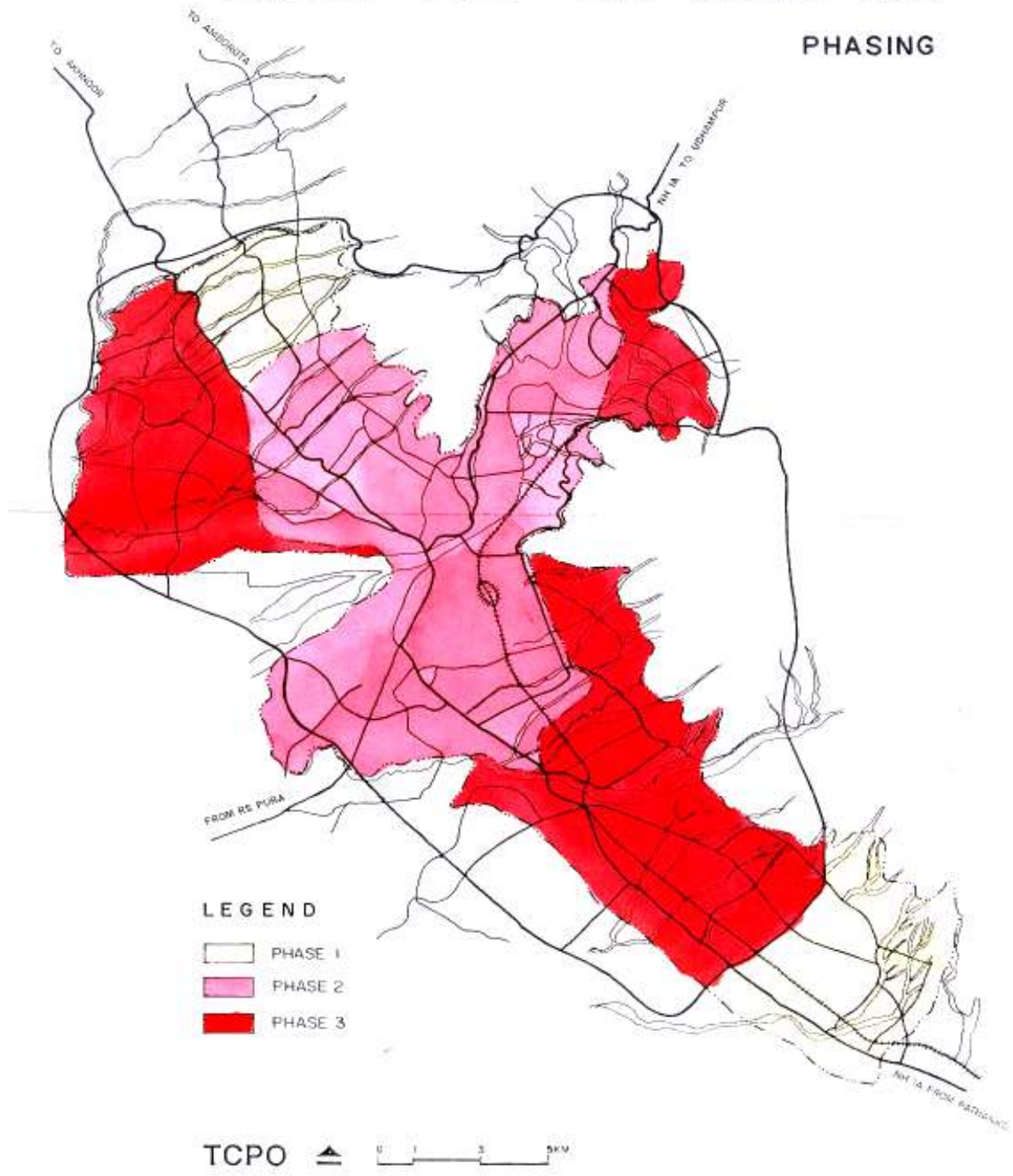


Fig.5

## Annexure-I

### Population, Number of Villages and Towns of Jammu District 1981

S. No.	Name of Tehsil	Total			Rural			Urban			No. of villages		
		Persons	Male	Female	Persons	Male	Female	Persons	Male	Female	Total	Inhabited	No. of Towns
1.	Samba	159027	81748	77279	132237	67997	61240	26790	13751	13039	317	277	3
2.	Ranbir Singh Pura	138913	72648	66265	128432	66748	61684	10481	5900	4581	215	171	1
3.	Jammu	430277	226771	203906	206916	107949	98967	223361	118822	104539	342	-	2
4.	Akhnoor	146802	75608	71194	140081	72095	67986	6721	3513	3208	226	206	1
5.	Bishnah	68376	35197	33179	56085	28958	27127	12291	6239	6052	92	85	2
	Total District	943395	491972	451423	663751	343747	320004	279644	148225	131419	1192	1054	9

Source: Census of India 1981, District Census Handbook, Jammu district.

## Annexure-II

### Land prices prevalent in Jammu under JDA Schemes, April 1999

Sl.No	Name of Scheme /Area/Locality	Year in which approved	Plot Size	Market price (Rs.)
	Residential			
1.	Bantalab Phase-1	1990	30'x60' 40'x80'	60,000-1,20,000 1,00,000-2,05,000
2.	Bantalab Phase-2	1994	30'x60' 40'x80'	60,000-1,25,000 1,00,000-2,25,000
3.	Roop Nagar	1978	60'x90' 40'x80' 30'x60'	3,50,000-8,00,000 1,25,000-4,50,000 70,000-3,50,000
4.	EWS Roop Nagar (Muthi) Colony	1989	25'x50' 30'x60'	1,00,000-3,00,000 80,000-1,30,000
5.	Paloura Phase-I,II & III	1994	16'-6"x30' 16'-6"x50'	20,000-25,000 40,000-55,000
6.	Bahu EWS Colony	1984	20'x40'	60,000-1,00,000
7.	Trikuta Nagar	1973-74	60'x90 40'x80' 30'x60'	14,00,000-40,00,000 12,00,000-25,00,000 8,00,000-15,00,000
	Commercial			
9.	Transport Nagar Complex	1989	12'x15' 8'x10' 15'x40' 6'x6'	60,000-2,50,000 30,000-1,50,000 2,50,000-3,50,000 30,000-50,000
10.	Fruit & Vegetable complex, Nagwal	1980	20'x60' 16'x60' 15'x30	8,00,000-12,00,000 40,000- 3,00,000 2.00,000-6,00,000
11.	-do- shops	1980	15'x20' 15'x30' 17'x60' 15'x30'	2,00,000-7,00,000 2,00,000-9,00,000 4,00,000-18,00,000 2,00,000-9,00,000

Source: Property Dealers, 1999, Jammu.

ANNEXURE-III

**LIST OF VILLAGES FALLING IN 2021 A.D. LOCAL AREA AS PER THE SURVEY SHEETS AND SRO 44 DATED 2.2.71 FOLLOWED BY SRO 130 DATED 1.3.78 AND SRO 388 DATED 10.8.84.**

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Sl.No.	Name of village	Tehsil
<b>A. As per SRO 44 dated 2.2.71</b>		
1.	Kalu Chak	Jammu
2.	Raka Gadi Garh	
3.	Bablyana	
4.	Bhour	
5.	Chatta Lahori Shah	
6.	Hakal	
7.	Hazuri Bagh	
8.	Chak Gulami	
9.	Gujaral	
10.	Chak Changarwan	
11.	Keran	
12.	Chinor	
13.	Muthi	
14.	Dharmal	
15.	Patoli Mangotian	
16.	Patoli Brahmana	
17.	Barnai	
18.	Gurah Brahmana	
19.	Paloura	
20.	Top Sherkhanian	
21.	Gurah Chabilian	
22.	Rakh Raipur	
23.	Nawabad	
24.	Rajpur Mangotrian	
25.	Narwal Bala	
26.	Narwal Pain	
27.	Channi Himat	
28.	Channi Bija	
29.	Channi Kamala	
30.	Digyana	
31.	Gangyal	
32.	Deeli	
33.	Satwari	
34.	Raipur	
35.	Thanger	
36.	Gole	
37.	Bahu	
38.	Rakh Bahu	

**B. As per Survey Sheets in extended areas**

39. Tirlok Pur
40. Ghulami Chak
41. Khaiarin
42. Khanpur
43. Seri Rakhuualan
44. Raipur
45. Podror
46. Bhagpur
47. Ghomanhasan
48. Nagrota
48. Tehri Takuualan
49. Shahpur
50. Chak Dhal
51. Chak Laldin
52. Surora
53. Paune Chak
54. Aquilpur
55. Pathnehai
56. Chahane Chak
57. Shahzadpur Bhopa
58. Shahzadpur
59. Durgo Chak
60. Tikri
61. Deore Kubb
62. Ismailpur
63. Dhatrial
64. Malheal Chak
65. Parkhah
66. Pathiali Chak
67. Nagbani
68. Netrakothe
69. Phalora
70. Lador
71. Jugbarhi
72. Domana
73. Gori
74. Macahlin
75. Purkhu
76. Kot
77. Balwal
78. Malpur
79. Bajuan
80. Thather
81. Gurah Kiran
82. Bantalab
83. Jagti
84. Khotholi
85. Nador
86. Sarmor

87. Littaryari
88. Dhok Bajjran
89. Chak Guwalan
90. Bharjala
91. Bhur Camp
92. Rohi
93. Bandouuwali Rakh
94. Gali Ghat
95. Vali Charana
96. Kuliyan
97. Sikh Gar Kulian
98. Camp
99. Sunjwan
100. Bhathindi Upper
101. Narwal Bala
102. Rakh Reaka
103. Channi Chuadi
104. Channi Rama
105. Langar

**C. As per SRO 130 dated 1.3.78**

106. Satani
107. Kamini
108. Khanpur

**D. As per SRO 388 dated 10.8.84**

109. Dhok Rathore
110. Nagrota
111. Korjagir
112. Nadoor
113. Narajan
114. Chak Rakwala
115. Ban

**E. As per SRO 130 dated 1.3.78**

116. Sidra
  117. Majeen
  118. Rangoora
  119. Dawara
- Samba

**F. As per the Survey Sheets in extended area**

120. Muhal
121. Gowal
122. Salmehri
123. Budhwal
124. Udham Mandi
125. Nathwal
126. Rajandra Pura
127. Suchani

128. Raya
129. Ranjit Pura
130. Jakh
131. Chhanni
132. Kainthpur (Thandi Khui)
133. Chhanni Manhasan
134. Kamala
135. Tirlok Pur
136. Pati
137. Kheriyan
138. Ismailpur
139. Bardori
140. Gura
141. Birpur
142. Narwal
143. Raipur Kaular
144. Ratnu Chak
145. Jakh
146. Baribrahmna - Kartholi
147. Mihin Sarkar
148. Dansal
149. Phogah
150. Kargal
151. Rakh Dhiansar
152. Torore
153. Dhanor
154. Salmehri
155. Basi Kalan
156. Tanda
157. Jawanabad
158. Kalibari
159. Khadorwal
160. Goal
161. Dharnor
162. Sidhra
163. Majhin
164. Rangoora
165. Bain Bajalta
166. Kuppar
167. Parkalta
168. Malhor
169. Palli
170. Sahaura
171. Jarale Chak
172. Dolian
173. Nowanabad
174. Chak Chuhe

Bishnah

## Annexure-IV

### Water Requirements for Institutional Buildings

Sl. No.	Institutions	Liters per head per day
1.	Hospital (including laundry) a. No. of beds exceeding 100 b. No. of beds not exceeding 100	450 (per bed) 340 (per bed)
2.	Hotels	180 ( per bed)
3.	Hostels	135
4.	Nurses' homes & medical quarters	135
5.	Boarding schools/colleges	135
6.	Restaurants	70 (per seat)
7.	Airports & Seaports	70
8.	Junction stations & intermediate stations where mail or express stoppage (both railway and bus stations) is provided	70
9.	Terminal stations	45
10.	Intermediate stations (excluding mail and express stops)	45 (could be reduced to 25 where bathing facilities are not provided)
11.	Day schools/colleges	45
12.	Offices	45
13.	Factories	45 (could be reduced to 30 where no bathing rooms are required to be provided)
14.	Cinema, concert halls and theaters	15

Source : Manual on Water Supply, CPHEEO, Govt. of India

## Annexure-V

### Water Requirements for Industrial Units

Industry	Unit of Production	Water Requirement in Kiloleters per unit
Automobile	Vehicle	40
Distillery	Kilolitre (proof alcohol)	122-170
Fertilisers	Tonne	80-200
Leather	100 Kg. (tanned)	4
Paper	Tonne	200-400
Spl. quality paper	Tonne	400-1000
Straw Board	Tonne	75-100
Petroleum Refinery	Tonne (Crude)	1-2
Steel	Tonne	200-250
Sugar	Tonne (cane crushed)	1-2
Textile	100 Kg. (goods)	8-14

Source : Manual on Water Supply, CPHEEO, Govt. of India