



Rajasthan Tourism Unit Policy 2015



Government of Rajasthan
Department of Tourism

Rajasthan Tourism Unit Policy 2015

November, 2015

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1. Background

Rajasthan is a leading tourism State in the country. Its glorious heritage, colorful living traditions and vibrant culture are special attractions for both, domestic and foreign tourists. The tangible and intangible tourism products of the State offer immense potential for growth of the tourism industry. Development of tourism resources and increasing both, domestic and foreign tourist arrivals is a high priority area for the Union and State Governments. Therefore, there is a need for expanding tourist centric infrastructural facilities to keep pace with the present trends and for potential tourism growth in the State.

Department of Tourism had announced a Rajasthan Tourism Unit Policy in 2007. This Policy will now be replaced by Rajasthan Tourism Unit Policy, 2015 in order to extend more support and incentives for establishment of Tourism Units in the State.

The new Policy has been framed keeping in view the guidelines under the 'Suraj Sankalp' Policy document, new emerging trends in the tourism sector, representations given by various stakeholders including the tourism and trade organisations and also the suggestions received from other departments.

The Rajasthan Tourism Unit Policy, 2015 primarily addresses issues relating to time bound conversion of land for tourism units including new hotels and heritage hotels, time bound approval of building plans, grant of Patta to heritage hotels, allotment of land for tourism units on DLC (District Level Committee) rates, applicability of Rajasthan Investment Promotion Scheme, 2014 (RIPS-2014) for tourism units and smooth and speedy implementation of the provisions of related departments like Revenue, Urban Development and Housing (UDH) & Local Self Government (LSG), Panchayati Raj, etc. It is expected that this Policy will strengthen the existing infrastructure, will foster infrastructure development, income and employment generation and increase the much needed availability of hotel rooms for the tourists. By allowing Heritage Hotels in Rural Abadi/Panchayat areas Rural Tourism is likely to increase manifold.

The definition of Tourism Unit has been expanded to cover various types of tourism units and activities including budget hotels, heritage hotels, resorts, golf courses, adventure sports, etc. It is expected that these steps will bring speedy investment in the State.



2. Definition of a Tourism Unit

Tourism Unit will mean a tourism project approved by the Department of Tourism, Government of Rajasthan or by the Ministry of Tourism, Government of India and shall include:

- I. **A Hotel including Motel** having accommodation of minimum 20 lettable rooms and a minimum investment of Rs.2 crore. The permissible size of the land/plot shall be as per the rules of UDH/Revenue/Panchayati Raj Departments.
- II. **A Heritage Hotel** means a hotel run in a fort, a fortress, a palace, a haveli, a castle, hunting lodge or residences with heritage features, built prior to 1.1.1950 and approved by Ministry of Tourism, Government of India or Government of Rajasthan.
- III. **A Budget Hotel** having accommodation of minimum 20 lettable rooms and a minimum investment of Rs.2 crore, which provides basic amenities at an affordable & economic rates and those which do not fall in the ambit of Luxury Tax.
- IV. **A Restaurant or cafeteria** having an investment of at least Rs.1 crore (excluding land cost) with seating capacity of a minimum of 40 persons/visitors at a time. The unit must have a hygienically maintained kitchen with modern equipment in the premises as well as a separate toilet facility for ladies and gents.
- V. **A Resort** which provides sports/recreational facilities, riding, swimming or social amenities with boarding and lodging arrangements for holidaying in cottages/rooms.
- VI. **A Sports Resort** such as a Golf Course, Golf Academy or adventure related sports or any other sports activity with or without recreational and accommodation facilities, provided that in respect of a golf course, source of water for the course will substantially be recycled water.
- VII. **A Health Resort Spa** is a short-term residential/lodging facility with the purpose of providing spa services such as massages, yoga, meditation and other related treatments for rejuvenating the body.
- VIII. **A Camping Site** with furnished tents, accommodation, having at least 10 tents along with dining, bathrooms/toilet facilities.



- IX. **An Amusement Park** providing various types of rides, games and amusement activities.
- X. **An Animal Safari Park** developed with the permission of the Forests Department.
- XI. **A MICE/Convention Centre:** A covered pillar-less, air conditioned hall having minimum carpet area of 5000 square feet space that provides place for meetings, conventions/conferences and exhibitions, and can accommodate at least 500 persons at one point of time.
- XII. **Museum:** A building in which objects of historical, scientific, artistic or cultural interest are stored and exhibited and is open for general public with or without ticket.
- XIII. **A Ropeway** established under the prevailing Act and Rules.
- XIV. **A Tourist Luxury Coach** shall mean an air-conditioned coach with push back seats used for the normal transportation of tourists to different tourist destinations and for sightseeing of various tourist places, with a minimum seating capacity of 13 seats. It should be operated by valid All India Permit holder Tourist Transport Operators, recognized by Indian Association of Tour Operators (IATO) and Rajasthan Association of Tour Operators (RATO) and registered in the State of Rajasthan.
- XV. **Caravan:** A specially built vehicle registered with any State Transport Department which is used for the purpose of group oriented leisure travel with bed capacity of at least 4 beds.
- XVI. **Cruise Tourism:** Any Boat/Yacht with a minimum seating capacity for 4 persons, which is licensed by the Transport Department, Government of Rajasthan and having capacity to operate in lakes/rivers of the State for pay-and-use facilities. Boats/Yachts used by hotels to transport or entertain their guests and/or goods/raw materials will not be covered under this definition.
- XVII. Hotels and other tourism units classified under the Ministry of Tourism, Government of India guidelines shall also be eligible for obtaining concessions and incentives under this Policy irrespective of number of rooms in it.



Note 1: All concerned departments shall adopt the above definition in their respective Acts/Rules/Regulations. The definition of Tourism Units may be revised and amended from time to time keeping in view the emerging trends in the tourism sector, by the Tourism Department, which will also be incorporated in the relevant Acts/Rules/Regulations.

Note 2: Benefits under the Tourism Policy/RIPS can only be availed as per the terms and conditions laid down in prevailing RIPS.

3. Allotment of Government Land for Tourism Units

The State Government can make land available for establishment and development of all types of Tourism Units as per prevailing procedure, which is indicated below:

- I. All Development Authorities (like JDA), UITs, Municipal Bodies, Rajasthan Housing Board, Gram Panchayat, Industry Department and District Collectors would identify suitable land for the establishment of Tourism units.
- II. Land so identified shall be set apart and reserved for tourism units under intimation to the Tourism Department. Information of such Land Bank would be made available on the website of concerned Local Body/ District Collector/Revenue Department and on Tourism Department website.
- III. The maximum and minimum land areas to be reserved for tourism units shall be as under:

S. No.	Category	Minimum Land Area	Maximum Land Area
1.	Budget Hotels and 1 to 3 Star Hotels	1,200 sqm	Upto 4,000 sqm
2.	4 Star Hotels	6,000 sqm	Upto 12000 sqm
3.	5 Star & above Hotels	18,000 sqm	Upto 40,000 sqm
4.	Other Tourism Units	-	As per requirement/ availability



- IV. The allotment of such land shall be made on the prevailing DLC rate of the local area.
- V. The process of competitive bidding and allotment for such tourism units on DLC rate for the local area shall be as follows:
 - a. The Authority Concerned shall notify to public through national and state level advertisements for allotment of land identified and reserved for tourism units through competitive bidding process. The DLC rate for the local area for allotment of land shall be indicated in the advertisement and this price shall be the base price for allotment of land.
 - b. In case more than one applicant apply for the land within the specified time period, the allotment of land shall be made through competitive bidding. In case no other application is received in the specified time period, the allotment of land, shall be made to the single bidder on the prevailing DLC rate for the local area, in keeping with the other provisions of the Tourism Unit Policy.
 - c. Land made available under this Policy cannot be used for any other purpose for at least 30 years.

4. Conversion of Land for Tourism Units

No conversion charges shall be payable for land held by tenant for establishment of a tourism unit in urban as well as in rural areas.

No development charges shall be payable by Tourism Units. Necessary notification/orders in this regard shall be issued by concerned Departments.

In addition to free of cost conversion and development charges for heritage hotels, UDH & LSG, Panchayati Raj, Revenue Department, etc. will also issue conversion orders for existing and operating heritage hotels/buildings. Similar order will also be issued for those who intend to convert heritage buildings in to heritage hotels after issue of this Policy.



The following additional provisions are being provided for:

(A) Fixing of Time limits for Conversion of Land and Approval of Building Plans:

- I. **Conversion of Land in Urban Area:** The competent authority shall dispose off an application for conversion of land for tourism unit within 60 days from the date of filing of application which is complete in all respects.

In case orders for conversion of land are not issued within prescribed time limit, the land in question will be regarded as deemed converted.

- II. **Approval of Building Plans:** The competent Authority to approve the building plan in urban area shall dispose of the application within 60 days of receipt of application complete in all respects.

Similarly, time limits are also fixed for construction and operation of tourism units by the investor, which are as under:

- i. A tourism unit having less than 200 rooms will be required to be completed within 3 years after conversion of land. In case there is a requirement for seeking approval of building plan, the above permitted time period for completion of tourism unit will commence from the date of approval of building plans by the concerned authority.
- ii. A tourism unit having more than 200 rooms will be required to be completed within 4 years after conversion of land. In case there is a requirement for seeking approval of building plan, the above permitted time period for completion of tourism unit will commence from the date of approval of building plans by the concerned authority.

Provided further that an extension of one more year could be given based on merits of the case by the authorities concerned after which all concessions shall stand withdrawn/ lapsed.

- III. **Conversion of Land in Rural Area:** The competent authority shall dispose off an application for conversion of land within 45 days from the date of filing of application complete in all respects.

Similarly, time limits are also fixed for construction and operation of tourism units by the investor, which are as under:



- i. A tourism unit having less than 200 rooms will be required to be completed within 3 years after conversion of land.
- ii. A tourism unit having more than 200 rooms will be required to be completed within 4 years after conversion of land.

An extension of one year could be given based on merits of the case by the authorities concerned after which all concessions shall stand withdrawn/lapsed and the applicant shall have to register again.

In case orders for conversion of land are not issued within prescribed time limit, the land in question will be regarded as deemed converted.

(B) Conversion of Residential Land and Heritage Properties into Hotels and other Tourism Units

No fee for change in land use for conversion of residential land and heritage properties into hotels and other tourism units shall be charged.

- (C) Heritage hotels situated on narrow roads in urban areas** which arrange for a dedicated alternative parking on a 40/60 feet wide road and provide for the park-and-ride system from hotel to parking place, shall be permitted to operate.

Similarly heritage hotels situated on narrow roads in Rural and Panchayat/Rural Abadi Areas will be permitted to operate.

The same shall be applicable for existing heritage buildings proposed to be used as heritage hotels.

- (D) Minimum Road Width:** New tourism units in rural and Panchayat areas shall be permitted provided there is availability of a 30 feet wide road.
- (E) Permissible Area for Commercial Use by Heritage Properties:** Heritage hotels can commercially convert maximum of 1000 sq meters or 10% of plinth area of the existing heritage building, whichever is less.
- (F) Issue of Patta for Heritage Properties:** Owners of heritage properties who do not have a legal Patta for claiming ownership of those Heritage properties would be given lease/free hold rights by the Municipality in accordance with the Rajasthan Municipalities (surrender of non-agricultural land and grant of freehold lease) Rules,



2015 issued vide notification no. F8 (G) Rules/2015/7960 dated 15.06.2015 by the LSG Department (refer www.rajasthantourism.gov.in). Panchayati Raj Department will formulate rules for issuance of Patta for heritage properties in Rural Abadi area.

- (G) **Lease Amount:** After conversion of land, lease amount for tourism units in urban areas will be charged on rates prescribed for Institutional purposes.
- (H) **Urban Development Tax:** For heritage hotels, UD Tax shall be charged on residential rates on the built up area but there will be no UD Tax on open area.

For budget and 1 to 3 star hotels, UD Tax shall be charged on residential rates on the built up area. For 4 & 5 star hotels, UD Tax shall be charged on double of residential rates on the built up area. But for open area of these hotels, UD Tax will be charged at the rate of 50% of residential rates.

- (I) **BSUP Charge:** Basic Services for Urban Poor (BSUP) charges for heritage hotels would be charged only for the covered area. For all other tourism units, BSUP will be applicable as per existing Urban Development and Housing and LSG Department guidelines.

5. Floor Area Ratio (FAR)

Under the Tourism Unit Policy, 2007, double FAR was available for tourism units in newly developed and new township areas.

At present, standard FAR is 1.33 without betterment levy, and maximum FAR is 2.25 with Betterment Levy is permissible. Tourism units covered under this Policy shall be allowed double FAR i.e. 4.50, out of which 2.25 shall be without betterment levy. Rate for betterment levy shall be calculated on the basis of residential reserve price of the area.

6. Regularization of Existing Hotel Units

- (A) There are some heritage properties and residential land and buildings that are running and operating as hotels or other tourism units without permission. If land and buildings are being used as hotels and tourism units without prior permission, the same shall be regularized under Rule 13 of Rajasthan Municipality (Change in Land Use) Rules 2010. Separate orders will be issued in this regard by the UDH & LSG Department.



- (B) Panchayati Raj Department will formulate rules for regularisation of existing heritage hotels in rural (Abadi) areas, and also for other existing heritage buildings which may be used as heritage hotels in future.

7. Fiscal Benefits and Incentives

- (A) All fiscal benefits as provided in Rajasthan Investment Promotion Scheme, 2014 (RIPS-2014) for the Tourism Sector Enterprises shall be available to the eligible tourism units.
- (B) The projects approved by the Ministry of Tourism, Government of India, if eligible under the provision of the Rajasthan Investment Promotion Scheme, 2014 (RIPS-2014), shall be allowed to avail the benefits as provided under RIPS-2014.

8. Incentives for Skill Development

All Tourism Units registered with the Department of Tourism will be directly eligible to become training partners under the Employment Linked Skill Training Program (ELSTP) subject to availability of infrastructure as per the guidelines of Rajasthan Skill and Livelihoods Development Corporation (RSLDC). If enrolled as a training partner, management of the respective hotels would be required to set up a training center within the hotel premises using existing/additional infrastructure for the selected courses from the approved list of RSLDC, mobilise youth for training, organize training as per syllabus, follow RSLDC guidelines while conducting of skill training programmes, participate in third party assessment and certification process, etc. Moreover, they would also have to ensure that at least 50% of the trained youth is linked to employment in accordance with the norms of Employment Linked Skill Training Programmes (ELSTP).

Heritage hotels, on hiring trained youth (certified under RSLDC) would be eligible to get subsidies/incentives as per norms, if available.

9. Time Period of Licenses for Tourism Units

All concerned Departments shall issue orders extending duration of annual licenses required to operate hotels and other tourism units for a period of ten years in the first instance itself.



10. Constitution of Tourism Advisory Committee

A Tourism Advisory Committee will be constituted to give suggestions regarding measures that can be taken up for growth of tourism in the State. The Committee will also include representatives from tourism & travel trade.

11. Nodal Department

Department of Tourism shall be the nodal department for infrastructural development of tourism units.

12. Policy Period

This Policy will remain in force for five years from the date of issue. However, tourism unit projects already approved by the Tourism Department under Tourism Unit Policy, 2007 but are pending for land conversion/approval of building plan/regularisation before the competent authority will not be required to apply afresh. Such units shall receive all incentives and concessions granted under Rajasthan Tourism Unit Policy, 2015 and RIPS-2014.

13. Implementation of the Policy

In case concerned Departments require amendments in their respective rules/sub-rules and notifications for implementation of this Policy, the same can be done after obtaining approval of Hon'ble Chief Minister, Rajasthan, who has been authorized in this regard by the Cabinet Order No. 103/2015 dated 18/5/2015.



Annex-1

Relevant Excerpts from Rajasthan Investment Promotion Scheme, 2014

In order to promote investment in the State of Rajasthan, and to generate employment opportunities through such investment, the State Government of Rajasthan, in public interest, hereby issues "The Rajasthan Investment Promotion Scheme, 2014" (RIPS-2014) (hereinafter referred to as "the Scheme"). The Scheme shall promote investment made by Enterprise(s) for establishment of new unit and/or investment made by the existing Enterprise(s) for expansion and/or investment made for revival of sick enterprise.

1. Operative Period

The Scheme shall come into effect from the date of issuance of this order and shall remain in force up to 31st March 2019.

2. Definitions

(xxi) **"Manufacturing Enterprise"** means an enterprise employing plant and machinery in processing of goods which brings into existence a commercially different and distinct commodity and shall include an enterprise in the tourism sector, but shall not include such processing as may be specified by the State Government by an order;

(xxxviii) **"Tourism Sector"** means:

(a) A hotel or motel making minimum investment of rupees five crore and having accommodation of minimum 20 let-able rooms; or

(b) A heritage hotel, certified as such by the Ministry of Tourism, Government of India and/or by the Department of Tourism, Government of Rajasthan; or

(c) Or any other immovable tourism unit other than a restaurant, defined as such under the Tourism Policy of the State, subject to the condition that it shall be eligible for only such benefits as may be granted to it by the State Empowered Committee.



3. Applicability of the Scheme

3.1 Subject to clause 3.3 below, the Scheme shall be applicable to the following classes of enterprise(s) and investment, excluding investment mentioned in Annexure-I, appended to the Scheme:

- (i) New and existing enterprises making investment for setting up new units;
- (ii) Existing enterprise making investment for expansion; and
- (iii) Sick enterprises making investment for its revival:

provided that the enterprise shall commence commercial production or operation during the operative period of the Scheme.

3.2 Notwithstanding anything contained in clause 3.1 above, the State Government, on the recommendation of the State Empowered Committee (SEC), may grant the benefit of the Scheme to the first manufacturing enterprise, investing Rs.250 crore or more in a block notified as a most backward area, provided that the investment is not relating to entry number 1 and 4 of Annexure I, appended to the Scheme.

3.3 The Scheme shall not be applicable to an enterprise if its commercial production or operation has commenced before the issuance of this order or an entitlement certificate or any order or any customized package has been issued to provide any incentive or benefit under RIPS 2010 or any other scheme or policy or otherwise for such unit.

4. Benefits to Manufacturing Enterprises

An eligible manufacturing enterprise shall be granted benefits and incentives as given below:

- (i) Investment subsidy of 30% of VAT and CST which have become due and have been deposited by the enterprise for seven years.
- (ii) Employment Generation Subsidy up to 20% of VAT and CST which have become due and have been deposited by the enterprise, for seven years.
- (iii) Exemption from payment of 50% of Electricity Duty for seven years, provided that for enterprises engaged in tourism sector, it shall be restricted to 25% of the Electricity Duty;



- (iv) Exemption from payment of 50% of Land Tax for seven years;
- (v) Exemption from payment of 50% of Mandi Fee for seven years;
- (vi) Exemption from payment of 50% of Stamp Duty on purchase or lease of land and construction or improvement on such land; and
- (vii) Exemption from payment of 50% of conversion charges payable for change of land use.

5. Benefits to Service Enterprises

An eligible service enterprise shall be granted benefits and incentives as given below:

- (i) Reimbursement of 50% of amount of VAT paid on purchase of plant and machinery or equipment for a period up to seven years from date of issuance of the entitlement certificate, provided that for enterprises engaged in providing entertainment, the reimbursement shall be restricted to 25% of such amount of VAT paid;
- (ii) Exemption from payment of 50% of Entertainment Tax for seven years;
- (iii) Exemption from payment of 50% of Electricity Duty for seven years, provided that for enterprises engaged in providing entertainment, it shall be restricted to 25% of the Electricity Duty;
- (iv) Exemption from payment of 50% of Land Tax for seven years;
- (v) Exemption from payment of 50% of Stamp Duty on purchase or lease of land and construction or improvement on such land; and
- (vi) Exemption from payment of 50% of conversion charges payable for change of land use.

6. Special Provisions for Women, Scheduled Castes, Scheduled Tribes and Persons with Disability Enterprise

Eligible Women/Schedule Caste (SC)/Schedule Tribe (ST)/Person with disability (PwD) enterprises shall in addition to the benefits specified in other clauses of the Scheme, be eligible to avail the following additional benefits:

- (i) A manufacturing enterprise shall get additional Investment subsidy to the extent of



10% of VAT and CST which have become due and have been deposited by the enterprise;

(ii) A service enterprise shall get additional 10% reimbursement of VAT paid on the plant and machinery or equipment for a period up to seven years from date of issuance of the entitlement certificate for this purpose.

7. Benefits to Enterprises in Backward and Most Backward Areas

7.1 An eligible enterprise, other than a cement manufacturing enterprise, making investment in a backward area or a most backward area shall be granted the same benefits as would have been applicable if the enterprise was located elsewhere in the state but the period of benefit, except for interest subsidy, shall be extended to ten years.

Provided that the State Government may, on the recommendation of the State Empowered Committee (SEC), grant to a manufacturing enterprise, other than a cement manufacturing enterprise and a service enterprise making an investment in a backward area, such benefits as mentioned in clauses 7.2 and 7.3 respectively, which are applicable for investments in most backward areas, with a view to attract investment in the backward area.

7.2 A manufacturing enterprise, other than a cement manufacturing enterprise, making investment in a most backward area shall, in addition to benefits under clause 7.1 above, get additional investment subsidy of 20% of the VAT and CST which have become due and have been deposited by the enterprise for a period of seven years.

7.3 A service enterprise making investment in a backward area shall, in addition to benefits mentioned in other clauses of the Scheme, get additional 10% reimbursement of VAT paid and a service enterprise making investment in a most backward area shall, in addition to benefits mentioned in other clauses of the Scheme, get additional 20% reimbursement of VAT paid on the plant and machinery or equipment for a period up to seven years from the date of issuance of the entitlement certificate for this purpose.



8. Power to Grant Customized Package

8.1 Notwithstanding anything contained in the Scheme, the State Government, on the recommendation of State Empowered Committee (SEC), may grant a customized package under section 11 of the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011, to the following manufacturing enterprises, other than cement manufacturing enterprises:

- (a) Enterprises investing more than Rs500 crore or providing employment to more than 500 persons; or
- (b) Enterprises investing more than Rs100 crore and using the mineral mentioned in Annexure-III appended to the Scheme, as raw material.

8.2 Notwithstanding anything contained in the Scheme, the State Government may grant a customized package to the service enterprises investing more than Rs200 crore or providing employment to more than 500 persons.

9. Benefits to Manufacturing Enterprises in Thrust Sectors

9.1 Notwithstanding anything contained in the Scheme, the State Government may grant a special package of incentives and exemptions, which may be over and above the incentives and exemptions under Clauses 4 to 7 to a manufacturing enterprise in a thrust sector in addition to the thrust sectors mentioned in sub-clauses 9.3 to 9.12

9.2. Manufacturing enterprises in the sectors mentioned hereunder shall be allowed benefits mentioned in this clause, in addition to benefits related to tax exemptions mentioned at (iii) to (vii) of clause 4 and benefits mentioned in clauses 6 and 7, if applicable, subject to conditions, mentioned against the sector:

Provided that an enterprise of power loom sector and textile sector may opt for benefits provided in clause 4 to 7, if applicable, in lieu of the benefits mentioned in this clause.

9.12 Tourism Sector

9.12.1 Enterprises of the tourism sector covered under sub-clause (a) and (b) of clause 2 (xxxviii) of the Scheme shall be granted the following benefits:

- (a) Investment Subsidy of 50% of VAT and CST which have become due and have



- been deposited by the enterprise for seven years;
- (b) Employment Generation Subsidy up to 10% of VAT and CST which have become due and have been deposited by the enterprise, for seven years;
- (c) Reimbursement of 25% of amount of VAT paid on purchase of plant and machinery or equipment for a period up to seven years from the date of issuance of the entitlement certificate;
- (d) Exemption from payment of 50% of Entertainment Tax for seven years;
- (e) Exemption from payment of 100% of Luxury Tax for seven years;
- (f) Land allotment in urban and rural areas at DLC rates;
- (g) 25% additional exemption from payment of stamp duty chargeable on the instrument of purchase or lease of more than 100 years old heritage property in the State, for the purpose of hotel development under the Scheme declared by the Tourism Department as provided in notification no. F.12 (20) FD/Tax/2005-219 of 24.03.2005; and
- (h) 50% additional exemption from payment of conversion charges for heritage property converted into a heritage hotel.

9.12.2 Notwithstanding anything contained in the Scheme, an enterprise making investment in the tourism sub-sector defined under sub-clause (c) of clause 2 (xxxviii) of the Scheme shall be granted the benefits, as may be provided to it by the State Empowered Committee.

14.8 Terms & Conditions

- a. Benefits under the Scheme can only be availed if, and as long as there is, and for the period/s, consent to "operate", wherever applicable, from Central/Rajasthan State Pollution Control Board is effective.



AMENDMENTS IN RIPS-2014 RELATING TO TOURISM SECTOR

Amendments in RIPS-2014 vide Finance Department order dated 07.01.2015:

Amendment in clause 14.8: In clause 14.8 of the scheme, for the existing expression "consent to "operate" ", the expression "consent to establish and consent to operate" shall be substituted.

Amendments in RIPS-2014 vide Finance Department Clarification dated 23.01.2015:

1. Interpretation of clause 2(xxxviii) of the scheme:
(b) A heritage hotel, certified as such by the Ministry of Tourism, Government of India/ or by the Department of Tourism, Government of Rajasthan;

It is clarified that, heritage hotels, certified by Ministry of Tourism, Government of India and/ or Tourism Department, Government of Rajasthan are covered under the said clause without any minimum investment limit and are eligible to avail benefits under clause 9.12 of the Scheme.
2. Interpretation of clause 2 (xxi) of the Scheme:
Since Restaurant are manufacturing cooked food and other eatables, therefore, it is clarified that Restaurants are covered under the Scheme and are eligible to avail benefits under clause 4 of the Scheme.

Amendments in RIPS-2014 vide Finance Department order dated 09.03.2015:

Amendment of clause 2

In clause 2 of the Scheme,

(i) after the existing sub-clause (iv) and before the existing sub-clause (v), of the scheme, the following new sub-clause (iva) shall be inserted, namely:

"(iva) "convention centre" means a covered pillar-less air conditioned hall having minimum carpet area of 5000 square feet which provides place for meetings, conventions/conferences, exhibitions and can accommodate at least 500 person at one point of time."

(iii) in sub-clause (xxxviii):

(i) the existing sub-clause (a) of the Scheme, shall be substituted by the following, namely:



“(a) A hotel or motel making minimum investment of rupees two crore and having accommodation of minimum 20 let-able rooms; or”

(iv) after the existing sub sub-clause (b) and before the existing sub-clause (c) of the Scheme, the following new sub-clause (bb) shall be inserted, namely:

“(bb) a convention centre or a resort making minimum investment of rupees two crore; or”.

Amendment in clause 9.12.1

In clause 9.12.1 of the scheme:

- (I) in sub-clause (g) of the said clause, the existing expression “; and” shall be substituted by the punctuation mark “;”.
- (ii) the existing sub-clause (h) of the said clause, shall be substituted by the following, namely:
“(h) 50% additional exemption from payment of conversion charges; and”
- (iii) after the existing sub-clause (h) so substituted, the following new sub clause (i) shall be inserted, namely:
“(i) 100% exemption from payment of development charges.”.

**Note: For procedures and other details please refer to website
www.finance.rajasthan.gov.in**



Annex-2

Special Incentives available for Heritage Hotels in Tourism Unit Policy, 2015

1. Minimum investment limit shall not be applicable to heritage hotels for availing RIPS benefits.
2. Heritage hotels situated on narrow roads in urban areas which arrange for a dedicated alternative parking on a 40/60 feet wide road and provide park-and-ride system from hotel to parking place, shall be permitted to operate on such roads.
3. Similarly, heritage hotels situated on narrow roads in Rural /Rural Abadi areas will be permitted to operate.
4. These provisions shall also be applicable for existing heritage buildings proposed to be used as heritage hotels in future.
5. Concerned Departments will issue conversion orders for existing and operating heritage hotels/building. Similar order will also be issued for those which intend to operate heritage buildings as heritage hotels after issue of this Policy.
6. For Rural (Abadi) areas, Panchayati Raj Department will formulate rules for regularization of existing Heritage Hotels and also other existing Heritage buildings which may be used as heritage hotels in future.
7. Heritage hotels will be allowed to convert a maximum of 1000 square metres or 10% of plinth area, whichever is less for commercial use.
8. Additional exemption of 25% on Stamp Duty will be available for more than 100 years old heritage properties as per the scheme declared by the Department of Tourism as provided in the Finance Department notification No.F.12(20) FD/ Tax/ 2005-2019 dated 24.03.2005.
9. Basic Service for Urban Poor (BSUP) charges shall be levied only on the constructed area of Heritage hotels.
10. Heritage Hotels approved by Ministry of Tourism, Government of India/ Government of Rajasthan shall be eligible for all benefits under RIPS.



FINANCE DEPARTMENT (TAX DIVISION)

ORDER
Jaipur, April 10, 2015

In exercise of the powers conferred by clause 16 read with sub-clause (c) of clause 9.12.1 of the Rajasthan Investment Promotion Scheme - 2014 (hereinafter referred to as "the Scheme"). The State Government hereby, clarifies that the reimbursement of 25% of amount of VAT paid on purchase of plant and machinery or equipment to a tourism sector enterprise as defined under the scheme shall be allowed on the purchase of goods mentioned in the list given below, in accordance with the provisions of the scheme.

LIST

S.No. Particulars

1. AC Plants, ACs, Fans & Exhaust Fans, Coolers etc.
2. Pollution control machines for air, water and light
3. Non CFC equipment for refrigeration and air conditioning and other Eco-friendly measures and initiatives.
4. DG Sets
5. Housekeeping machines & equipments.
6. Solar Heaters and Solar Plants/Geysers/Cold & Hot Running water machine
7. Furniture
8. Lifts & Elevators
9. Metal detectors (door frame or hand held)
10. CCTV
11. X-Ray Machine
12. Under belly scanners to screen vehicles
13. Smoke detectors
14. Heating and Cooling systems, machines & plants
15. Safe keeping / in room safe
16. Minibar / Fridge
17. TV
18. Dry-cleaning / laundry related equipment
19. Tea / Coffee making machines, equipments etc.

Note: Goods mentioned above shall be allowed one time for initial set up including the goods mentioned at S.No. 15, 16, 17 which shall be allowed one set per room.

[F-12(14)FD-Tax-2012-pt-I 5]

By order of the Governor

(Aditya Pareek)

Joint Secretary to the Government



REVENUE (GROUP-6) DEPARTMENT

No. F.11(4)Rev-6/2014/16

NOTIFICATION

Jaipur, Dated: 22 May 2015

In exercise of the powers conferred by clause (xi-A) of sub-section (2) of section 261 read with section 90-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, namely:-

1. **Short title and commencement.-** (1) These rules may be called the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) (Fifth Amendment) Rules, 2015.
(2) They shall come into force at once.
2. **Amendment of rule 2.-** In sub-rule (1) of rule 2 of the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, hereinafter referred to as the said rules, -
 - (i) In clause (b), for the existing expression "hotel, restaurant", the expression "hotel other than tourism unit, restaurant other than tourism unit" shall be substituted.
 - (ii) the existing clause (r) shall be substituted by the following, namely:-
"(r) 'Tourism Unit' means a tourism unit or project as such approved by the Department of Tourism, Government of Rajasthan or approved by the Ministry of Tourism, Government of India."
3. **Insertion of new rule 6C.-** After the existing rule 6B and before the existing rule 7 of the said rules, the following new rule 6C shall be inserted, namely:-
"6C. Conversion of Heritage Properties into Heritage Hotels.- Notwithstanding anything contained in these rules if owner of a heritage property, situated on agriculture land, applies on plain paper for conversion of Heritage Property into Heritage Hotel along with recommendation of the Department of Tourism, Government of Rajasthan, an order for conversion to this effect may be issued by the prescribed authority within the time limit prescribed under rule 9. No conversion charges shall be payable for conversion under this rule. Land converted under this rule may be used for commercial purpose up to maximum of 1000 sq meters or 10 percent of plinth area of the existing



heritage building.”

4. **Amendment of rule 8.-** The existing sub-rule (2) of rule 8 of the said rules shall be substituted by the following, namely:
“(2) No conversion charges as prescribed in rule 7, shall be payable for conversion of land held by tenant for establishment of a tourism unit as defined in clause (r) of sub-rule (1) of rule 2.”
5. **Amendment of rule 9.-** In sub-rule (2) of rule 9 of the said rules, after the existing last proviso, the following new proviso shall be added, namely:
“Provided also that in case of heritage hotels, if parking arrangement is made available by the owner in premises or elsewhere, the requirement of width of approach road shall not be applicable.”
6. **Amendment of rule 14.-** In rule 14 of the said rules,-
 - (i) the existing provision shall be numbered as sub-rule (1).
 - (ii) in sub-rule (1), so numbered, after existing expression “non-agricultural purpose” and before the existing expression “, shall be used”, the expression “other than tourism unit” shall be inserted.
 - (iii) after sub-rule (1), so numbered, the following new sub-rule (2) shall be added, namely:
“(2) Any agricultural land converted for tourism unit shall be used for establishment of tourism unit within the time limit specified as under,-
 - (i) three years for a tourism unit having less than 200 rooms.
 - (ii) four years for a tourism unit having more than 200 rooms.

Provided that above period may, in appropriate case, further be extended for a period of one year by the prescribed authority. If the land is not used within such extended period, the conversion order and other concessions shall be withdrawn after giving an opportunity of being heard.”

By order of the Governor,
(Anil Kumar Agrawal)
Joint Secretary to the Government



REVENUE (GROUP-6) DEPARTMENT

No. F.11(4)Rev-6/2014/17

NOTIFICATION

Jaipur, Dated: 22 May 2015

In exercise of the powers conferred by section 100 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Industrial Areas Allotment Rules, 1959, namely:

- 1. Short title and commencement.-** (1) These rules may be called the Rajasthan Industrial Areas Allotment (Third Amendment) Rules, 2015.
(2) They shall come into force at once.
- 2. Amendment of rule 1A.-** The existing clause (viii) of rule 1A of the Rajasthan Industrial area allotment Allotment, Rules, 1959, hereinafter referred to as the said rules, shall be substituted by the following, namely:
“(viii) ‘Tourism Unit’ means a tourism unit or project as defined in the prevailing policy of the Department of Tourism, Government of Rajasthan or approved by the Ministry of Tourism, Government of India.”
- 3. Amendment of rule 2.-** In rule 2 of the said rules,-
 - (i) in clause (a), for the existing expression “Government in the Tourism Department”, the expression “Government in the Revenue Department” shall be substituted.
 - (ii) in sub-clause (i) of clause (b) for the existing expression “Director of Tourism”, the expression “Government in the Revenue Department” shall be substituted.
- 4. Amendment of rule 3A.-** The existing third proviso to rule 3A of the said rules shall be deleted.
- 5. Insertion of new rule 3B.-** After the existing rule 3A and before the existing rule 4 of the said rules, the following new rule 3B shall be inserted, namely:
“3B. Allotment of Land for Tourism Units.-
(1) For establishment and development of Tourism Units, the District Collector shall identify suitable land for the establishment of tourism units. The land so identified shall be set apart and reserved for tourism units under intimation to the Tourism Department



and same shall be uploaded on the web-site of the District Collector and Tourism Department. The maximum and minimum land areas to be reserved for tourism units shall be as under:

S. No.	Category	Minimum Land Area	Maximum Land Area
1	2	3	4
1.	Budget Hotels and 1 to 3 stars hotels	1200 square meters	Up to 4000 square meters
2.	4 stars Hotels	6000 square meters	Up to 12,000 square meters
3.	5 Stars and above hotels	18000 square meters	Up to 40,000 square meters
4.	Other Tourism units	—	As per requirement/availability

- (2) The reserve price for allotment of land set apart and reserved for tourism unit shall be equal to the rates recommended for assessment of market value of agriculture land by district level committee under rule 58 of the Rajasthan Stamp Rules, 2004.
- (3) Allotment of land for tourism units shall be made in the following manner, namely:
- (a) The Allotting Authority shall invite bids for allotment of land for tourism units set apart and reserved for tourism unit under sub-rule (1) through advertisement published in National and State level news paper. The reserve price for allotment of land shall be mentioned in the advertisement.
 - (b) In case more than one bid received within the specified time period, the allotment of land shall be made through competitive bidding. In case only single bid is received in the specified time period, the allotment of land shall be made to the single bidder on the prevailing reserve price or the price offered by the bidder, whichever is higher.
 - (c) Land allotted under this rule shall be used for establishment of tourism unit within the time limit specified as under,-
 - (i) three years for a tourism unit having less than 200 rooms.
 - (ii) four years for a tourism unit having more than 200 rooms.

Provided that above period may, in appropriate case, further be extended for a period of one year by the prescribed authority. If the land is not used within such extended period, the



allotment shall be withdrawn after giving an opportunity of being heard.

(d) Land allotted under this rule shall be used only for the purpose of tourism unit and not for any other purpose at least for a period of thirty years."

6. **Amendment of rule 7.-** In rule 7 of the said rules, for the existing expression "industries", the expression "industries other than tourism unit" shall be substituted.
7. **Amendment of Form-B.-** In Form-B appended to the said rules,-
 - (i) for the existing expression "Tourism Deptt.", the expression "Revenue Department" shall be substituted.
 - (ii) for the existing expression "Director, Industries/Tourism", the expression "Director, Industries/Secretary, Revenue Department" shall be substituted.

By order of the Governor,
(Anil Kumar Agrawal)
Joint Secretary to the Government



REVENUE (GROUP-6) DEPARTMENT

No. F. 11(4) Rev.6/2014/21

Jaipur, Dates: 29.5.2015

Notification

In exercise of the powers conferred by clause (xi-A) of sub-section (2) of section 261 read with section 90-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, namely:

1. **Short title and commencement:** (1) These rules may be called the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) (Sixth Amendment) Rules, 2015
(2) They shall come into force at once
2. **Amendment of rule 9:** After the existing sub-rule (7) of rule 9 of the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, following new sub-rule (8) shall be added, namely:

“(8) Notwithstanding anything contained in sub-rule (3), (4), (5) and (6) if the prescribed authority, fails to dispose off the application of conversion of land for the establishment of tourism unit as defined in clause (r) of sub-rule (1) of rule 2 within 45 days of the receipt of the completed application along with required documents, then such land shall be deemed converted.”

By order of the Governor
(Anil Kumar Agarwal)
Joint Secretary to the Government



TRANSPORT DEPARTMENT

NOTIFICATION

F.6(266)/Pari/Tax/Hqrs/2006/8366-79

Jaipur, Dated: 15.5.2015

In exercise of the powers conferred by sub section (1) of section 3 of Rajasthan Motor Vehicles Taxation Act 1951 (Act No.11 of 1951) and in supersession of this department's Notification No. F6(179)/pair/tax/Hqrs/95/5, dated 9.3.2015, the State Government being of the opinion that it is expedient in public interest so to do, hereby exempts fifty percent of Special Road Tax payable under section 4-B of the said Act, on the air conditioned passenger vehicles, except sleeper coach, having seating capacity more than 12 including driver, subject to the following conditions, namely:

1. that the Vehicle shall be registered in the State of Rajasthan in the name of tourist transport operator;
2. that the tourist permit of the vehicle shall be issued by competent authority of State of Rajasthan in the name of recognized tourist operator; and
3. that the tourist transport operator shall be recognized by Ministry of Tourism, Government of India or Tourism Department, Government of Rajasthan, Indian Association of Tour Operators (IATO) and Rajasthan Association of Tour Operators (RATO) and approved as such by the Transport Commissioner.

This notification shall have effect from 01.5.2015 and shall remain in force upto 30.4.2018.

By Order of the Governor,
(Dr. Manisha Arora),
Joint Secretary to Government



नगरीय विकास विभाग

क्रमांक : प.18(1)नविवि/प.ई.नी./2015

जयपुर, दिनांक: 6.6.2015

पर्यटन विभाग द्वारा पर्यटन इकाई नीति 2015, जारी की जा चुकी है। अतः इस नीति के अन्तर्गत परिभाषित समस्त पर्यटन इकाईयों (भविष्य में पर्यटन इकाई नीति में होने वाले संशोधनों को सम्मिलित करते हुये) को भूमि उपलब्ध कराने भू-रूपान्तरण या अन्य छूट एवं सुविधा प्रदान करने हेतु विभाग द्वारा जारी पूर्व के समस्त परिपत्रों (प.10(61)नविवि/3/06पार्ट दिनांक 24.12.2007, 16.04.2013, 18.03.2014 एवं 26.03.2014) को अधिक्रमित करते हुये निम्नानुसार आदेश जारी किये जाते हैं:

1 होटलों एवं पर्यटन इकाई हेतु भूमि आवंटन –

(i) राज्य सरकार द्वारा विभिन्न पर्यटन इकाईयों, जिसमें समस्त प्रकार के होटल सम्मिलित हैं, की स्थापना व विकास हेतु भूमि की उपलब्धता निम्न प्रकार से की जायेगी –

(अ) जयपुर/जोधपुर/अजमेर विकास प्राधिकरण, नगर विकास न्यासों, नगर पालिकों एवं राजस्थान आवासन मण्डल द्वारा पर्यटन इकाईयां, जिसमें होटल भी सम्मिलित हैं, की स्थापना हेतु उपयुक्त भूमि का चयन कर भूमि बैंक की स्थापना की जायेगी, जिसमें विभिन्न श्रेणी के होटलों व पर्यटन इकाई हेतु भूमि का आरक्षण किया जायेगा:

- (1) बजट होटल (1, 2 व 3 सितारा)
- (2) चार सितारा होटल
- (3) पांच सितारा होटल व डीलक्स श्रेणी के होटल
- (4) अन्य पर्यटन इकाई

(ब) इस प्रकार स्थापित भूमि बैंक की सूचना स्थानीय निकाय एवं पर्यटन विभाग की वेब साईट पर उपलब्ध करायी जायेगी।

(स) विभिन्न श्रेणी की होटलों व अन्य पर्यटन इकाईयों को अधिकतम/न्यूनतम भूमि क्षेत्र का निर्धारण निम्नानुसार किया जायेगा।



क्रं सं	होटल श्रेणी	न्यूनतम भूमि क्षेत्र	अधिकतम भूमि क्षेत्र
1	बजट होटल (1, 2 व 3 सितारा)		4000 वर्गमीटर तक
2	4 सितारा	6000 वर्ग मीटर तक	12,000 वर्गमीटर तक
3	5 सितारा व डीलक्स श्रेणी	18,000 वर्ग मीटर तक	40,000 वर्गमीटर तक
4	अन्य पर्यटन इकाई	—	आवश्यकता/उपलब्धतानुसार

- उपरोक्तानुसार पर्यटन इकाई हेतु आवंटन की दर उस क्षेत्र की प्रचलित डी.एल.सी. दर होगी।
 - पर्यटन इकाई हेतु आवंटन तुलनात्मक निविदा के आधार पर पर्यटन इकाई नीति-2015 में दिये गये प्रावधानों के अनुरूप किया जावे।
 - इस नीति के अन्तर्गत उपलब्ध कराई गई भूमि का उपयोग आगामी 30 वर्षों तक निर्धारित उपयोग से अन्यथा नहीं हो सकेगा।

2. नगरीय क्षेत्रों में कृषि भूमि का रूपान्तरण

- शहरी क्षेत्रों में कृषि भूमि का रूपान्तरण राजस्थान भू-राजस्व अधिनियम, 1956 की धारा 90 'ए' के अन्तर्गत किया जायेगा। संबंधित स्थानीय निकाय यथा जयपुर/जोधपुर/अजमेर विकास प्राधिकरण, नगर विकास न्यास, नगर पालिका द्वारा पर्यटन इकाई नीति के तहत धारा 90 'ए' के अन्तर्गत कृषि भूमि का अकृषि भूमि में रूपान्तरण करने पर रूपान्तरण शुल्क तथा विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) देय नहीं होगा। सक्षम अधिकारी को कृषि से गैर कृषि (पर्यटन इकाई) प्रयोजनार्थ धारा 90 'ए' के तहत समस्त कार्यवाही आवेदन प्राप्त होने से 60 दिवस की अवधि में पूर्ण करनी होगी। यदि निर्धारित समय सीमा 60 दिवस में रूपान्तरण आदेश जारी नहीं किये जाते हैं, तो प्रश्नगत भूमि स्वतः ही रूपान्तरित मानी जावेगी। पर्यटन इकाईयों/होटल के संबंध में पूर्व में 90 'बी' के तहत अनुमोदित प्रकरणों पर भी ये रियायतें लागू होंगी।
- चूंकि राज्य सरकार की मंशा होटल व अन्य पर्यटन इकाईयों को कृषि/औद्योगिक/आवासीय भूमि से संपरिवर्तन किये जाने हेतु सम्पूर्ण छूट दिये जाने की है, अतः इस उद्देश्य की प्राप्ति हेतु उक्त टाउनशिप पॉलिसी एवं नगर सुधार न्यास (नगरीय भूमि



निष्पादन) नियम-1974 राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 के अन्तर्गत संशोधन किया जाता है कि कृषि/औद्योगिक/आवासीय भूमि से समस्त प्रकार के होटलों व अन्य पर्यटन इकाईयों की स्थापना पर चाहे वे टाउनशिप योजना में भूखण्ड हो या स्वतंत्र प्लॉट हो संपरिवर्तन, विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) एवं भू-उपयोग परिवर्तन शुल्क को पर्यटन इकाई नीति जारी होने की दिनांक से 5 वर्ष तक मुक्त किया जाता है।

3. हैरिटेज होटल्स एवं पुरासम्पत्तियों के संपरिवर्तन व नियमन के संबंध में:
 - (i) कार्यशील हैरिटेज होटल्स एवं पुरासम्पत्तियों जिनको हैरिटेज होटल या पर्यटन इकाई के रूप में परिवर्तित किया जाना प्रस्तावित है उनके लिए पर्यटन विभाग द्वारा प्रमाण पत्र जारी किया जायेगा, जिसके आधार पर संबंधित नगरीय निकाय द्वारा रूपान्तरण/भू-उपयोग परिवर्तन आदेश जारी किया जाना आवश्यक होगा। ऐसे प्रकरणों में मास्टर प्लान में इस भूमि का भू-उपयोग वाणिज्यिक से भिन्न होने पर भी उक्त आदेश जारी किये जा सकेंगे।।
 - (ii) हैरिटेज होटल के संबंध में प्रचलित भू-उपयोग परिवर्तन नियम, 2010 में निर्धारित मानदण्डों के अतिरिक्त एफ.ए.आर., ऊंचाई, सैटबैक व भू-आच्छादन में शिथिलता दी जा सकेगी।
4. पुरासम्पत्तियों में वाणिज्यिक गतिविधियों की अनुज्ञेयता:

राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 में नियम 13 में गैर वाणिज्यिक भूमि का वाणिज्यिक भू-उपयोग हेतु संपरिवर्तन किये जाने के लिए आवासीय आरक्षित दर की 40 प्रतिशत राशि भू-उपयोग परिवर्तन के रूप में वसूल की जाती है, लेकिन हैरिटेज सम्पत्ति को हैरिटेज होटल में परिवर्तित करने की स्थिति में विकासकर्ता को संपरिवर्तन शुल्क एवं विकास शुल्क में शत प्रतिशत छूट है। वर्तमान में संचालित हैरिटेज होटलों एवं पुरासम्पत्तियाँ जो हैरीटेज होटल या अन्य पर्यटन इकाई में सम्परिवर्तित होनी है, को व्यवहार्य (Viable) बनाने के लिये राज्य सरकार की मंशा के अनुरूप उनके आच्छादित क्षेत्रफल (Ground Coverage)का अधिकतम 10 प्रतिशत अथवा 1000 वर्गमीटर जो भी कम हो में खुदरा वाणिज्यिक (Retail Commercial) उपयोग स्वतः अनुज्ञेय होगा।।
5. कार्यशील पर्यटन इकाईयों का भू-उपयोग परिवर्तन एवं नियमन:

कुछ हैरिटेज पुरासम्पत्तियों में होटल अथवा अन्य पर्यटन इकाई बिना आवश्यक स्वीकृति के



शुरू कर दिये गये हैं और वो कार्यशील हैं, तो नवीन-नीति में ऐसे होटलों व पर्यटन इकाईयों का भू उपयोग परिवर्तन शुल्क एवं विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) में पूरी छूट दी जायेगी।

यदि पूर्व में बिना वांछित स्वीकृति के भूखण्डों एवं भवनों का उपयोग होटल व अन्य पर्यटन इकाईयों के रूप में किया जा रहा है, ऐसी इकाईयों का नियमन राजस्थान नगर पालिका (भू-उपयोग परिवर्तन) नियम, 2010 के नियम-13 के अनुरूप गुणावगुण के आधार पर नियमन शुल्क का 25 प्रतिशत राशि पर नियमन किया जायेगा।

6. पर्यटन इकाई के भवन मानचित्र अनुमोदन, निर्माण एवं अनुज्ञेय एफ.ए.आर. के संबंध में:
 - (i) नगरीय निकाय द्वारा पर्यटन इकाई के भवन मानचित्र के प्रकरण पूर्ण रूप से आवेदन प्राप्त होने से 60 दिवस की अवधि में आवश्यक रूप से अनुमोदित/निष्पादित किये जायेंगे।
 - (ii) 200 कमरों तक की पर्यटन इकाई का निर्माण कार्य भूमि रूपान्तरण/आवंटन की दिनांक से तीन वर्ष की अवधि में पूर्ण करना होगा। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो 3 वर्ष की निर्धारित अवधि भवन मानचित्र अनुमोदन की तिथि से प्रारम्भ होगी। 200 कमरों से अधिक की पर्यटन इकाई के लिए निर्माण अवधि 4 वर्ष की होगी। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो अधिकतम 4 वर्ष की अवधि भवन मानचित्र अनुमोदन की दिनांक से प्रारम्भ होगी।
संबंधित प्राधिकृत अधिकारी द्वारा उपरोक्त दोनों प्रकरणों में गुणावगुण के आधार पर एक वर्ष का समय अतिरिक्त प्रदान किया जा सकेगा।
7. एफ.ए.आर.:
पर्यटन इकाई नीति के तहत पर्यटन इकाई/होटल प्रस्तावित होने पर वर्तमान में देय अधिकतम एफ.ए.आर. का दोगुणा अर्थात् 4.50 एफ.ए.आर. अनुज्ञेय होगा, किन्तु 2.25 एफ.ए.आर. से अधिक एफ.ए.आर. प्रस्तावित होने पर बेटरमेन्ट लेवी अतिरिक्त एफ.ए.आर. पर आवासीय आरक्षित दर के आधार पर देय होगी।
8. सकड़ी सड़कों पर हैरिटेज होटलों की अनुज्ञेयता:
वांछित चौड़ाई से कम चौड़ाई की सड़कों पर स्थित हैरिटेज सम्पत्तियां जिन्हें हैरिटेज होटल के रूप में उपयोग में लिया जाना प्रस्तावित हो तथा वर्तमान में कार्यशील हैरिटेज होटल्स जो न्यूनतम वांछित चौड़ाई की सड़कों पर स्थित नहीं हैं, तो ऐसे हैरिटेज होटल्स द्वारा अन्यत्र 40/60 फुट सड़क पर डेडीकेटेड पार्किंग उपलब्ध कराये जाने तथा पार्किंग स्थल से होटल तक पार्क एण्ड राईड व्यवस्था किये जाने की स्थिति में 40/60 फीट से कम चौड़ी सड़कों पर हैरिटेज होटल अनुज्ञेय होंगे।



9. बी.एस.यू.पी. शैल्टर फण्ड:
हैरिटेज होटल/रिसोर्ट/मॉटल/एम्पूजमेन्ट पार्क के लिए बी.एस.यू.पी. शैल्टर फण्ड केवल सकल निर्मित क्षेत्रफल पर देय होगा। अन्य पर्यटन इकाईयों यथा होटल/कन्वेन्शन सेन्टर/रेस्टोरेन्ट अथवा कैफ़ेटेरिया आदि के लिए बी.एस.यू.पी. शैल्टर फण्ड प्रचलित नियमानुसार लिया जावेगा।
10. पर्यटन इकाई हेतु सम्पत्तिवर्तित एवं आवंटित भूमि की लीज राशि संस्थानिक प्रयोजनार्थ निर्धारित आरक्षित दर के आधार पर ली जायेगी।
उक्त आदेश राज्य की पर्यटन इकाई नीति जारी होने की दिनांक से राज्य के सभी नगरीय निकायों (विकास प्राधिकरणों/नगर विकास न्यासों/राजस्थान आवासन मण्डल/स्थानीय निकायों) पर लागू होंगे। उपरोक्त सभी नगरीय निकाय अपने स्तर से अन्य कोई आदेश जारी नहीं करेंगे एवं उक्त आदेश की पूर्ण पालना सुनिश्चित करेंगे। पर्यटन इकाई नीति, 2007 के तहत आवेदित प्रकरणों के लिए इस नीति के तहत पुनः आवेदन करने की आवश्यकता नहीं होगी।

राज्यपाल की आज्ञा से,

(अशोक जैन)

अतिरिक्त मुख्य सचिव



DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATI RAJ

NOTIFICATION

No.F.4()Tourism rules/Legal/PR/2015/486

Jaipur, Dated: 10.7.2015

In exercise of the powers conferred by section 102 of the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994), the State Government hereby makes the following rules, namely:

1. Short title and commencement.-

- (1) These rules may be called the Rajasthan Panchayati Raj (Allotment, Change of Use of Land and Regularization of Abadi Land in Panchayat Area for Tourism Units) Rules, 2015.
- (2) They shall come into force at once.

2. Definition.-

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

- (i) "Act" means the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994);
- (ii) "Allotting Authority" means an officer or authority, authorised by the State Government for the purpose of allotment, change of use of land and regularization of abadi land in Panchayat area for Tourism Units;
- (iii) "Authorised Officer" means an officer or authority, authorised by the State Government for the purpose of change of use of land and regularization;
- (iv) "rules" means the Rajasthan Panchayati Raj Rules, 1996;
- (v) "Tourism Department" means Department of Tourism, Government of Rajasthan; and
- (vi) "tourism unit" means a tourism project as such approved by the Department of Tourism, Government of Rajasthan or by the Ministry of Tourism, Government of India.

- (2) Words and expressions used but not defined in these rules have the same meanings as are respectively assigned to them in the Act and Rajasthan Panchayati Raj Rules, 1996.

3. Allotment of abadi land for tourism units.-

- (1) For establishment and development of tourism units, the District Collector in consultation with the Panchayati Raj Institution concern, shall identify suitable land in abadi area of a village for the establishment of tourism units and the land so identified



shall be set apart and reserved for tourism units under intimation to the Tourism Department and same shall be uploaded on the web-site of the District Collector, Zila Parishad, Department of Panchayati Raj and Tourism Department of Government of Rajasthan. The maximum and minimum land areas to be reserved for Tourism Units shall be as under:

S. No.	Category	Minimum Land Area	Maximum Land Area
1	2	3	4
1.	Budget Hotels and 1 to 3 star hotels	1,200 square meters	Up to 4,000 square meters
2.	4 star Hotels	6,000 square meters	Up to 12,000 square meters
3.	5 Star and above hotels	18,000 square meters	Up to 40,000 square meters
4.	Other Tourism units	—	As per requirement/availability

- (2) The reserve price for allotment of land set apart and reserved for Tourism units shall be equal to the rates recommended for assessment of market value of abadi land by district level committee (DLC) under rule 58 of the Rajasthan Stamp Rules, 2004.
- (3) Allotment of land for tourism units shall be made in the following manner, namely:-
 - (a) The Allotting Authority shall invite bids for allotment of land set-apart and reserved for tourism units under sub-rule (1), through advertisement published in National and State level news paper. The reserve price for allotment of land shall be mentioned in the advertisement.
 - (b) In case of more than one bid received within the specified time period, the allotment of land shall be made through competitive bidding. In case only single bid is received in the specified time period, the allotment of land shall be made to the single bidder on the prevailing reserve price or the price offered by the bidder, whichever is higher.
 - (c) Land allotted under this rule shall be used for establishment of tourism unit within the time limit specified as under,-
 - (i) three years for a tourism unit having less than 200 rooms;



- (ii) four years for a tourism unit having more than 200 rooms:

Provided that above period may, in appropriate case, further be extended for a period up to one year on payment of 0.5% per quarter of the price of the land allotted, by the officer or authority authorized by the State Government. If the land is not used within such extended period, the allotment shall be withdrawn and price paid in lieu of land shall be forfeited after giving an opportunity of being heard.

- (d) Land allotted under this rule shall be used only for the purpose of tourism unit and not for any other purpose at least for a period of thirty years.

4. Change of use of land of Heritage Properties into Heritage Hotels.-

- (1) Notwithstanding anything contained in the Rajasthan Panchayati Raj Rules, 1996, if a person holding title or any person, who lawfully holding a heritage property, situated on land in abadi area of a village, applies in writing on a plain paper to the Authorised Officer for change of use of land of Heritage Property into a Heritage Hotel along with title document and recommendation of the Department of Tourism, Government of Rajasthan, an order for change of use of land may be issued by the Authorised Officer. No charges shall be payable for change of use of land under this rule. The Heritage property allowed to be used as a Heritage Hotel under this rule may be used for commercial purpose up to maximum of 1000 sq. meters or 10 percent of plinth area of the existing heritage building whichever is less.

- (2) Change of use of land for the purpose of establishment of Heritage Hotel shall be permitted if there is 30 feet wide approach road is available:

Provided that in case of Heritage Hotels, if parking arrangement is made available by the owner in premises or elsewhere and arrange for a dedicated alternative parking on a 40/60 feet wide road and provide for the park-and-ride system from hotel to parking place, the requirement of width of approach road shall not be applicable.

- (3) The person allowed to use for setting up of a Heritage Hotel under sub-rule (1) shall setup that Heritage Hotel within a period of three years:

Provided that the said period may be extended by the State Government for a period of one year on the application of the person who was permitted to setup Heritage Hotel. If the said heritage property is not use within such extended period, the order permitting to setup Heritage Hotel shall be withdrawn or revoked by the Authorised Officer.

- (4) Notwithstanding anything contained in sub-rule (1), if the Authorised Officer, fails to



dispose off the application for change of use of land for the establishment of Heritage Hotel within forty five days from the date of the receipt of the completed application along with required documents, then such change of use of land shall be deemed as allowed.

5. Change of use of land or tourism units.-

(1) When any person lawfully holding abadi land in a village intend to use the same for establishment of a tourism unit, he may do so after seeking permission of the Authorised Officer.

(2) Change of use of land for the purpose of establishment of tourism units shall be permitted if there is 30 feet wide approach road is available.

(3) No charges for change of use of land for Tourism Unit shall be payable.

(4) The person allowed to set up a tourism unit under sub-rule (1) shall establish that Tourism Unit within a period of three years:

Provided that the said period may be extended by the State Government for a period of one year on the application of the person who was permitted to use the land for Tourism Unit. If the said land is not use within such extended period, the order permitting change of use of land shall be withdrawn or revoked by the Authorised Officer.

(5) Notwithstanding anything contained in sub-rule (1), if the Authorised Officer, fails to dispose of the application for change of use of land for the establishment of tourism unit as defined in rule 2 within forty five days from the date of the receipt of the completed application along with required documents, then such change of use of land shall be deemed as allowed.

6. Regularization of existing heritage Hotels.- If a person holding title or any person, who lawfully holding a heritage property and residential land and building that are running and operating as hotels without permission, situated on abadi area of a village before the commencement of the Rajasthan Panchayati Raj (Amendment) Ordinance, 2015 (Ordinance No. 3 of 2015) and fulfill the requirements as mentioned in rule 4 above, applies on plain paper for regularization of Change of use of land along with title document and recommendation of the Department of Tourism, Government of Rajasthan, an order for regularization of change of use of land may be issued by the Authorised Officer.

**By order of the Governor,
(S. K. Solanki)**

Joint Secretary to the Government



राजस्थान सरकार

स्वायत्त शासन विभाग, राज0 जयपुर।

क्रमांक: प.8(ग) ()नियम/डीएलबी/15/12974

दिनांक : 14/10/15

आदेश

राज्य सरकार द्वारा राजस्थान नगरपालिका अधिनियम, 2009 की धारा 337 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये नगरीय निकायों द्वारा होटल व रेस्टोरेन्ट आदि के लिये फायर एन.ओ.सी. एक वर्ष की अवधि के स्थान पर दस वर्ष तक की अवधि के लिए जारी किये जाने हेतु एतद्द्वारा स्वीकृति प्रदान की जाती है। संबंधित स्थानीय निकाय होटल एवं रेस्टोरेन्ट के मामलों में दस वर्ष तक अवधि के लिए फायर एन.ओ.सी. जारी कर सकेंगे।

एन.ओ.सी. अवधि के दौरान फायर संबंधी वांछित विभिन्न मापदण्डों के निरीक्षण की शक्तियां संबंधित स्थानीय निकाय में निहित होगी। और समय समय पर सक्षम अधिकारी द्वारा इनका निरीक्षण किया जा सकेगा।

राज्यपाल की आज्ञा से,

ह.

(पुरुषोत्तम बियाणी)

निदेशक एवं संयुक्त शासन सचिव

क्रमांक: प.8(ग) ()नियम/डीएलबी/15/12975—13355

दिनांक : 14/10/15

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, माननीय मंत्री महोदय, स्वायत्त शासन विभाग राज0 जयपुर।
2. निजी सचिव, प्रमुख शासन सचिव, स्वायत्त शासन विभाग जयपुर।



3. निजी सचिव, प्रमुख शासन सचिव, पर्यटन विभाग, राज0 जयपुर।
4. माहपौर/सभापति/अध्यक्ष, नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
5. आयुक्त/अधिशायी अधिकारी नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
6. अधीक्षक, राजकीय मुद्रणालय, राज0 जयपुर को प्रेषित कर राजपत्र के आगामी असाधारण अंक में प्रकाशन कर दस प्रतियां उपलब्ध कराने हेतु।
7. सुरक्षित पत्रावली।

ह.

(अशोक कुमार सिंह)

वरिष्ठ संयुक्त विधि परामर्शी



राजस्थान सरकार

निदेशालय स्थानीय निकाय एवं स्वायत्त शासन विभाग

क्रमांक: प.8(ग) ()नियम/डीएलबी/14/10838

दिनांक : 14/09/15

आदेश

राज्य सरकार द्वारा राजस्थान नगरपालिका अधिनियम, 2009 की धारा 337 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये नगरीय निकायों द्वारा होटल व रेस्टोरेन्ट आदि के लिये जो लाईसेन्स एक वर्ष की अवधि के लिए जारी किये जाते हैं, उन समस्त लाईसेन्सों की वैधता अवधि नियमानुसार 10 वर्ष का शुल्क वसूल करते हुए 10 वर्ष तक की अवधि के लिये जारी किये जाने हेतु एतद्द्वारा स्वीकृति प्रदान की जाती है।

राज्यपाल की आज्ञा से,
ह.

(पुरुषोत्तम बियाणी)
निदेशक एवं संयुक्त शासन सचिव

क्रमांक: प.8(ग) ()नियम/डीएलबी/14/10839-11218

दिनांक : 14/09/15

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, माननीय मंत्री महोदय, स्वायत्त शासन विभाग राज0 जयपुर।
2. निजी सचिव, प्रमुख शासन सचिव, स्वायत्त शासन विभाग जयपुर।
3. निजी सचिव, प्रमुख शासन सचिव, पर्यटन विभाग, राज0 जयपुर।
4. माहपौर/सभापति/अध्यक्ष, नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
5. आयुक्त/अधिशायी अधिकारी नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
6. सुरक्षित पत्रावली।

ह.

(अशोक कुमार सिंह)
वरिष्ठ संयुक्त विधि परामर्शी



Department of Tourism
Government of Rajasthan
Paryatan Bhawan, Hotel Khasa Kothi Campus,
M I Road, Jaipur 302 001, India
Tel: +91 141 5155109, 5155100
W: rajasthantourism.gov.in

**GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT**

No.F. 11(4) Rev.6/2014/ 2 |

Jaipur, Dated:- 29-5-15

NOTIFICATION

In exercise of the powers conferred by clause (xi-A) of sub-section (2) of section 261 read with section 90-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, namely:-

1. Short title and commencement: - (1) These rules may be called the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) (Sixth Amendment) Rules, 2015.

(2) They shall come into force at once.

2. Amendment of rule 9.- After the existing sub-rule (7) of rule 9 of the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, following new sub-rule (8) shall be added, namely:-

“(8) Notwithstanding anything contained in sub-rule (3), (4), (5) and (6) if the prescribed authority, fails to dispose off the application of conversion of land for the establishment of tourism unit as defined in clause (r) of sub-rule (1) of rule 2 within 45 days of the receipt of the completed application along with required documents, then such land shall be deemed converted.”

By order of the Governor,

(Anil Kumar Agrawal)

Joint Secretary to the Government

Copy:- Copy forward to the following for information and necessary action:-

- 1 P.S. to Hon'ble Chief Minister, Rajasthan Jaipur.
- 2 P.S. to Hon'ble Revenue Minister, Rajasthan Jaipur.
- 3 P.S. to Chief Secretary, Rajasthan Jaipur.
- 4 P.S. to Principal Secretary, Industries Department.

- 5 P.S. to Principal Secretary, Tourism Department
- 6 P.S. to Secretary, Revenue Department, Jaipur
- 7 Commissioner, Industries, Jaipur.
- 8 Director, Tourism Department
- 9 Accountant General, Rajasthan, Jaipur
- 10 All Divisional Commissioners. Rajasthan
- 11 All Collectors, Rajasthan
- 12 Deputy Accountant General, SRA, Rajasthan, Jaipur.
- 13 Registrar, Board of Revenue, Rajasthan, Ajmer.
- 14 Director Printing and Stationary department for publication of the Notification in the Rajasthan Gazette dated 29.12.15 along with additional copies
- 15 Director, Public Relation, Rajasthan, Jaipur.
- 16 Registrar, Board of Revenue, Ajmer.
- 17 "RAVIRA" Board of Revenue, Rajasthan, Ajmer.
- 18 Director, Information & Technology (Computer), Jaipur.
- 19 Joint Registrar, Library Judges, Supreme Court, New Delhi.
- 20 Registrar General of High Court of Rajasthan, Jodhpur.
- 21 All Joint Secretaries/Dy. Secretaries Department of Revenue.
- 22 Joint Secretary Revenue (G-5) Department for uploading on website.
- 23 Guard file.



Joint Secretary to Government

**GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT**

No. No. F. 11 (4) Rev-6/2014 **117**

Jaipur, Dated:- **22 MAY 2018**

NOTIFICATION

In exercise of the powers conferred by section 100 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Industrial Areas Allotment Rules, 1959, namely:-

1. Short title and commencement.-(1) These rules may be called the Rajasthan Industrial Areas Allotment (Third Amendment) Rules, 2015.

(2) They shall come into force at once.

2. Amendment of rule 1A.- The existing clause (viii) of rule 1A of the Rajasthan Industrial Area Allotment Rules, 1959, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

“(viii) ‘**Tourism Unit**’ means a tourism unit or project as defined in the prevailing policy of the Department of Tourism, Government of Rajasthan or approved by the Ministry of Tourism, Government of India.”

3. Amendment of rule 2.- In rule 2 of the said rules,-

- (i) in clause (a), for the existing expression “Government in the Tourism Department”, the expression “Government in the Revenue Department” shall be substituted.
- (ii) in sub-clause (i) of clause (b), for the existing expression “Director of Tourism”, the expression “Government in the Revenue Department” shall be substituted.

4. Amendment of rule 3A.- The existing third proviso to rule 3A of the said rules shall be deleted.

5. Insertion of new rule 3B.- After the existing rule 3A and before the existing rule 4 of the said rules, the following new rule 3B shall be inserted, namely:-

“3B. Allotment of Land for Tourism Units.- (1) For establishment and development of Tourism Units, the District Collector shall identify suitable land for the establishment of tourism units. The land so identified shall be set apart and reserved for tourism units under intimation to the Tourism Department and same shall be uploaded on the web-site of the District Collector and Tourism Department. The maximum and minimum land areas to be reserved for tourism units shall be as under:-

S. No.	Category	Minimum Land Area	Maximum Land Area
1	2	3	4

1.	Budget Hotels and 1 to 3 stars hotels	1200 square meters	Up to 4000 square meters
2.	4 stars Hotels	6000 square meters	Up to 12,000 square meters
3.	5 Stars and above hotels	18000 square meters	Up to 40,000 square meters
4.	Other Tourism units	-----	As per requirement/availability

(2) The reserve price for allotment of land set apart and reserved for tourism unit shall be equal to the rates recommended for assessment of market value of agriculture land by district level committee under rule 58 of the Rajasthan Stamp Rules, 2004.

(3) Allotment of land for tourism units shall be made in the following manner, namely:-

- (a) The Allotting Authority shall invite bids for allotment of land for tourism units set apart and reserved for tourism unit under sub-rule (1) through advertisement published in National and State level news paper. The reserve price for allotment of land shall be mentioned in the advertisement.
- (b) In case more than one bid received within the specified time period, the allotment of land shall be made through competitive bidding. In case only single bid is received in the specified time period, the allotment of land shall be made to the single bidder on the prevailing reserve price or the price offered by the bidder, whichever is higher.
- (c) Land allotted under this rule shall be used for establishment of tourism unit within the time limit specified as under,-
 - (i) three years for a tourism unit having less than 200 rooms.
 - (ii) four years for a tourism unit having more than 200 rooms.

Provided that above period may, in appropriate case, further be extended for a period of one year by the prescribed authority. If the land is not used within such extended period, the allotment shall be withdrawn after giving an opportunity of being heard.

- (d) Land allotted under this rule shall be used only for the purpose of tourism unit and not for any other purpose at least for a period of thirty years."

6. Amendment of rule 7.- In rule 7 of the said rules, for the existing expression "industries", the expression "industries other than tourism unit" shall be substituted.

7. Amendment of Form-B.- In Form-B appended to the said rules,-

- (i) for the existing expression "Tourism Deptt.", the expression "Revenue Department" shall be substituted.
- (ii) for the existing expression "Director, Industries/Tourism", the expression "Director, Industries/Secretary, Revenue Department" shall be substituted.

By order of the Governor,



(Anil Kumar Agrawal)

Joint Secretary to the Government

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- 5 P.S. to Principal Secretary, Tourism Department
- 6 P.S. to Secretary, Revenue Department, Jaipur
- 7 Commissioner, Industries, Jaipur.
- 8 Director, Tourism Department
- 9 Accountant General, Rajasthan, Jaipur
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- 23 Guard file.



Joint Secretary to Government

GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT

No. F. 11 (4) Rev-6/2014 / 16

Jaipur, Dated:- 22 MAY 2015

NOTIFICATION

In exercise of the powers conferred by clause (xi-A) of sub-section (2) of section 261 read with section 90-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules further to amend the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) (Fifth Amendment) Rules, 2015.

(2) They shall come into force at once.

2. Amendment of rule 2.- In sub-rule (1) of rule 2 of the Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purposes in rural areas) Rules, 2007, hereinafter referred to as the said rules, -

- (i) in clause (b), for the existing expression "hotel, restaurant", the expression "hotel other than tourism unit, restaurant other than tourism unit" shall be substituted.
- (ii) the existing clause (r) shall be substituted by the following, namely:-

"(r) '**Tourism Unit**' means a tourism unit or project as such approved by the Department of Tourism, Government of Rajasthan or approved by the Ministry of Tourism, Government of India."

3. Insertion of new rule 6C.- After the existing rule 6B and before the existing rule 7 of the said rules, the following new rule 6C shall be inserted, namely:-

"6C. Conversion of Heritage Properties into Heritage Hotels.- Notwithstanding anything contained in these rules if owner of a heritage property, situated on agriculture land, applies on plain paper for conversion of Heritage Property into Heritage Hotel along with recommendation of the Department of Tourism, Government of Rajasthan, an order for conversion to this effect may be issued by the prescribed authority within the time limit prescribed under rule 9. No conversion charges shall be payable for conversion under this rule. Land converted under this rule may be used for commercial purpose up to maximum of 1000 sq meters or 10 percent of plinth area of the existing heritage building."

4. Amendment of rule 8.- The existing sub-rule (2) of rule 8 of the said rules shall be substituted by the following, namely:-



“(2) No conversion charges as prescribed in rule 7, shall be payable for conversion of land held by tenant for establishment of a tourism unit as defined in clause (r) of sub-rule (1) of rule 2.”

5. Amendment of rule 9.- In sub-rule (2) of rule 9 of the said rules, after the existing last proviso, the following new proviso shall be added, namely:-

“Provided also that in case of heritage hotels, if parking arrangement is made available by the owner in premises or elsewhere, the requirement of width of approach road shall not be applicable.”

6. Amendment of rule 14.- In rule 14 of the said rules,-

- (i) the existing provision shall be numbered as sub-rule (1).
- (ii) in sub-rule (1), so numbered, after existing expression “non-agricultural purpose” and before the existing expression “,shall be used”, the expression “other than tourism unit” shall be inserted.
- (iii) after sub-rule (1), so numbered, the following new sub-rule (2) shall be added, namely:-

“(2) Any agricultural land converted for tourism unit shall be used for establishment of tourism unit within the time limit specified as under,-

- (i) three years for a tourism unit having less than 200 rooms.
- (ii) four years for a tourism unit having more than 200 rooms.

Provided that above period may, in appropriate case, further be extended for a period of one year by the prescribed authority. If the land is not used within such extended period, the conversion order and other concessions shall be withdrawn after giving an opportunity of being heard.”

By order of the Governor,

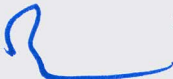


(Anil Kumar Agrawal)

Joint Secretary to the Government

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- 5 P.S. to Principal Secretary, Tourism Department



- 6 P.S. to Secretary, Revenue Department, Jaipur
- 7 Commissioner, Industries, Jaipur.
- 8 Director, Tourism Department
- 9 Accountant General, Rajasthan, Jaipur
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- 23 Guard file.



Joint Secretary to Government

**GOVERNMENT OF RAJASTHAN
DEPARTMENT OF LOCAL SELF GOVERNMENT**

No. F.8 (G)() Rules/2015/ 7960

Dated 15/06/15

NOTIFICATION

In exercise of the powers conferred by section 69-A read with section 337 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), the State Government hereby makes the following rules, namely:-

**CHAPTER-I
Preliminary**

1. Short title, extent and commencements.- (1) These rules may be called the Rajasthan Municipalities (Surrender of Non-Agricultural Land and Grant of Freehold Lease) Rules, 2015.

(2) They shall extend to all municipal areas in the State of Rajasthan.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.- (1) In these rules, unless there is anything repugnant to the subject or context,-

- (a) "Act" means the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009);
- (b) "Authorized Officer" means the Chief Municipal Officer;
- (c) "Form" means a form appended to these rules;
- (d) "Government" means Government of Rajasthan;
- (e) "State" means State of Rajasthan; and
- (f) "Lease" means a lease-deed executed by the Municipality for grant of the free hold rights in perpetuity.

(2) Words and expressions used but not defined in these rules shall have the same meanings as assigned to them in the Rajasthan Municipalities Act, 2009.

CHAPTER-II

Surrender of non-agricultural land and grant of permission

3. Restrictions.- (1) No permission shall be granted under section 69-A of the Act, if,-

- (i) land is under acquisition under the provisions of prevailing law relating to acquisition of land;
- (ii) land falling within the limits of railway boundary, National Highway, State Highways or any other road maintained by the Central or State Government or any Local Authority specified in any Act or rules of the Central or State Government made in this behalf, or within the limit

specified in the guidelines of the Indian Road Congress, whichever is longer;

- (iii) land falling within 200 meters from the boundary of Historical Monuments and places of Archeological importance, Archaeological Monuments, Heritage precincts and other restricted area declared by the Government;
- (iv) land falling within the restricted distance on either side of the center line of the underground pipeline of oil companies;
- (v) land falling within the distance as notified from time to time by the Central or State Government regarding boundaries of oil storage depots, gas godowns, petrol pumps or any other explosive storage depots;
- (vi) land for which proceeding under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (Central Act, No. 33 of 1976) are pending;
- (vii) land belongs to or vests in the Central or State Government or statutory or non statutory bodies, authorities or companies established by or under control of Central or State Government, as the case may be; and
- (viii) land belongs to deity or waqf.

4. Application for surrender of rights.- (1) Application for surrender of rights in favour of Municipality in respect of land specified in section 69-A of the Act, situated in Municipal area, shall be submitted by the person who holds such land to the Authorized Officers in Form-1 along with;

- (i) an affidavit in Form-2;
- (ii) an indemnity bond in Form-3;
- (iii) receipt of the payment of application fee as may be determined by the Government;
- (iv) duly attested proof of rights in respects of land surrendered; and
- (v) map of surrendered land, drawn in suitable scale not less than 1:15,000 showing,-
 - (a) location of site, existing approach roads and other physical features around the site;
 - (b) boundaries of the land showing the adjoining areas, Khasra numbers or plot numbers, as the case may be;
 - (c) existing structures, Kachcha or pucca and present use thereof;
 - (d) the details including width of existing and proposed roads shown in the master plan/ sector plan road network plan;
 - (e) approach roads up to the proposed site;
 - (f) high/ low tension electricity lines and transformer, if any;
 - (g) oil/gas supply line, if any;
 - (h) other existing physical features such as nallahs, water bodies, well-electric lines, telephone lines, water supply and sewer line

etc. and levels of the site with respect to the access roads and contours on an appropriate scale; and

(i) the north direction and the scale.

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

(3) The applicant shall furnish such other relevant information as may be required by the Authorized Officer and as directed by the State Government, from time to time.

(4) Application under this rule, if the applicant desires, may be submitted On-line in cases of such Municipality wherever the Authorized Officer concerned have appropriate arrangements for this purpose and hardcopy of the same shall be submitted to the Authorized officer.

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

6. Scrutiny, enquiry and disposal of applications.- (1) Within seven days of receipt of an application under rule 4, the Authorized Officer shall scrutinize it and verify or caused to be verified the contents and facts envisaged in the application and supporting documents, such as,-

- (a) holders rights in respect of surrendered land and present use thereof, as per record;
- (b) report of enquiry, if any, as to whether the land is under acquisition or not;
- (c) report on legal issues, if any, on the subject matter;
- (d) verification of the indemnity bond, and affidavit; and
- (e) any other legal documents, which are found necessary and essential for the disposal of application by the Authorized Officer

(2) After the scrutiny of application under sub-rule (1), the Authorized Officer, shall issue public notice of fifteen days in Form-5 calling upon objections of any interested person. The notice shall be exhibited by the Authorized Officer on the notice board of his office, conspicuous place of surrendered land and shall also be published in a State Level newspaper circulating in the areas. Cost of the publication shall be bear by the applicant.

(3) If after scrutiny of application, documents and other details under sub-rule (1), the Authorized officer is of the opinion that any additional information on the subject matter required to be sought, he may require the applicant, within a period of ten days from the receipt of the application, to submit the same and the applicant shall be bound to submit such additional information within ten days, failing which the application may be disposed off ex-party within the next ten days and the Authorized officer shall pass order for accepting or rejecting the application.

(4) The Authorized Officer shall before accepting the surrender of land and granting the permission in Form-6 shall obtain approval of the Chairperson of the Municipality.

(5) In case the Authorized Officer fails to pass an order within the period specified under sub-rule (3), after recording reasons for delay, he shall submit the case within three days to the Officer appointed by the State Government for the purpose, who shall pass the appropriate orders, which shall be binding upon the Municipality. If the officer, so appointed by the State Government, orders for acceptance of the application then the permission shall be granted in Form- 6 by the Authorized Officer within 15 days of receipt of such order.

7. Approval of site plan.- After permission granted under rule 6, the site plan shall be prepared and issued to the applicant along with the lease deed. The site plan, so prepared, shall be signed by the Chairperson and Chief Municipal Officer of the Municipality.

8. Charges.- (1) The applicant shall pay such amount of charges as may be determined by the State Government, from time to time before execution of lease deed.

(2) The applicant shall deposit the charges within 90 days of demand raised by the Municipality:

Provided that if the applicant failed to deposit the amount of charges within 90 days from the date of receipt of demand notice, the permission under these rules shall be deemed stand cancelled.

CHAPTER-III Miscellaneous

9. Lease-deed.- After grant of permission under rule 6 and deposition of charges under rule 8, lease deed shall be executed by the Chief Municipal Officer and the Chairperson on behalf of the Governor of the State of Rajasthan in favour of person to whom permission is granted under rule 6 or in favour of his successors, assignees or transferees, as the case may be.

10. Tenure and terms and conditions of lease.- The lease granted under these rules shall be on the freehold basis in perpetuity with right of inheritance and alienation subject to such other terms and conditions as may be determined by the State Government, from time to time.

11. Documentary evidence.- For every freehold lease granted under these rules a document evidencing the same shall be prepared in Form-7 which shall be signed for and on behalf of Governor of the State of the Rajasthan by the Chairperson and Chief Municipal Officer of the Municipality, and shall be duly stamped and registered at the expense of the leasee.

12. Power to impose more conditions.- The lease so granted shall further be subject to levy of such betterment charges and development charges or other chargers as may be imposed by the State Government and shall further be subject to such terms and conditions and restrictions as the State Government may impose or order under any law or enactment for time being in force in this regard.

13. Application of provisions of other rules, bye-laws etc.- Except as otherwise provided in these rules, the provisions of other rules and bye-laws made under the Act shall apply on the land for which leasehold rights granted under these rules.

14. Revocation of allotment.- If after grant of permission or execution of lease deed,-

- (i) it is discovered that the grant of permission or the lease deed have been obtained by suppression of any fact or misrepresentation or fraud or on the basis of fraudulent document, personification, with collusion or in contravention of any law; or
- (ii) if any terms and conditions of permission granted or lease deed violated,

the Lessor may revoke the permission or cancel the lease deed, after providing reasonable opportunity of being heard to the applicant or lessee, as the case may be, and the Lessee shall not be entitled for any compensation and refund of any amount paid by him and status of such land shall be that of which was existed before such surrender. If in any case it is found that such land is belong to or vests in the Central or State Government or statutory or non statutory body or authority or company established by or under control of Central or State Government then such land shall deemed to be placed and vest in the such Government or body or authority or company free from all encumbrances.

15. Power to call records and revise orders.- The State Government may in appropriate cases, exercise the powers conferred under section 327 of the Act.

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

17. Power to relax rules.- In exceptional cases where the State Government is satisfied that operation of these rules causes hardship in any particular case or class of cases, it may relax the provisions of these rules in respect of the fee or other charges, to such extent and subject to such condition as it may consider necessary for dealing with the case or class of cases in a just and equitable manner.

Form-1
[see rule - 4(1)]

Application for permission for surrender of rights in land

To,
The Authorized Officer,
.....
.....

PHOTO

Sub:- Application for permission for surrender of rights in land specified in section 69-A of the Rajasthan Municipalities Act, 2009 situated in municipal area and for grant of freehold lease.

Sir,

I/We hereby apply under section 69-A of the Rajasthan Municipality Act, 2009 for permission to surrender the exiting rights in land, the particulars whereof are given hereunder:-

1.	Details of the applicant (a) Name (b) Father's/Husband name (c) Complete address	
2.	Details of the area applied for: (a) Name of village and tehsil or ward and town (b) House No. and area	
3.	Enclosures with application	
	(a) Certified copy of documents viz. sale deed, etc. in support of right in land and details of applied and adjacent land with East West North South neighborhood.	
	(b) Affidavit in Form-2 duly attested by a Notary Public/oath commissioner.	
	(c) Indemnity bond in Form-3 duly attested by a Notary Public	
4.	If there is any High/Low Tension line or transformer in the plot boundary.	
5.	Whether applied land is under acquisition	
6.	Whether the proceedings are pending under the Urban Land (Ceiling and Regulation) Act, 1976 in respect of the land applied for.	
7.	Whether the land belongs to deity or wakf.	
8.	Whether the land belonging to Central or State Government or any public undertaking or authority or statutory body or non statutory body, established by or under control of Central or State Government	
9.	Distance from the Railway line, National Highway, State Highway and any other road.	
10.	(a) Pending court cases (if any)	
11.	(b) Details of stay order or injunction order passed by any competent court.	
12.	Width of the approach road to the applied land.	
13.	Present land use under master plan/ sector plan.	
14.	Charges payable	
15.	No. and date of the challan by which fee deposited	

16.	Any other relevant information	
17.	Total No. of documents	
18.	Total No. of pages	
19.	Date of application	

Declaration

- (1) I/We hereby certify that the above particulars are correct according to my/our knowledge and belief.
- (2) It is declared that the application with affidavit, indemnity bond and above mentioned documents is hereby submitted for permission are true and corrected and applicant is competent to surrender the rights of the land in favour of the Municipality. I/We am/are willing to extinguish my/our rights for using the said land for the purpose of obtaining freehold lease rights under section 69-A of the Rajasthan Municipalities Act, 2009. Therefore grant me/us the required permission in accordance with law.
- (3) It is also hereby declared that the aforesaid land for which the permission has been sought for is not under any restricted category specified under these rules.

Address of applicant

**Signature of applicant
(Name)**

.....
.....

Contact No. and E-mail address

RECEIPT

Applicant has submitted the application on dated which has been registered at serial number..... in the register on dated

Signature of the receiving authority

Form-2
[see rule - 4(1)]

Affidavit

I/We

1. S/o Shri.....
Age..... R/o.....
.....District.....
2. S/o Shri.....
Age..... R/o.....
.....District.....

PHOTO

do hereby take oath and declare as follows:-

1. That I/We am/are the holder of the land mentioned as under and no stay/injunction order by any court is in force with regards the land applied for granting permission of surrender under section 69-A of the Rajasthan Municipalities Act, 2009 and rules made there under for issuing freehold lease deed of such land.

S. No.	Compete Details of Land viz-ward/colony/street and bounded by neighborhood	Area (in meters) along with length and width, showing north direction

2. That I/We am/are willing to surrender the rights for the purpose mentioned in the application and as per the provisions of the relevant laws.
3. That I/We do hereby abide ourselves to pay all the dues and amount as per prevalent laws and rules applicable to the Municipality.
4. That all directions and orders issued, from time to time, by the State Government and the Municipality, shall be complied with by the applicants.
5. That the Land applied shall only be used for the purpose for which it was held before the surrender of rights in favour of the Municipality as per permission granted and shall be developed as per prescribed norms and as per approved plan of the Municipality. The said land shall not be put to another use without the written permission of the Municipality under the prevailing law.
6. That the documents attached and enclosed to the application are true and authentic to the best of my knowledge and nothing is hidden by me.
7. That I/We do hereby abide ourselves to follow the provisions of relevant building bye-laws, regulations, rules applicable with regard to the Municipality.

Deponent(s)

Verification

I/We, the above named deponent do hereby verify that the contents of Para 1 to 7 of the above affidavit are true and correct. Nothing is being concealed therein and no part of it is false. So help me God.

Deponent(s)**Identified by me:**

Form-3
[see rule - 4(1)]

Indemnity Bond

I/We

1. S/o Shri.....
Age..... R/o.....
Village..... Tehsil..... District.....
2. S/o Shri.....
Age..... R/o.....
Village..... Tehsil..... District.....

PHOTO

do hereby take oath and indemnity as follows:-

- (1) That I/We am/are holder of the land mentioned as under for which application being submitted for granting permission under section 69-A of the Rajasthan Municipalities Act, 2009.

S. No.	Complete Details of land ward/colony/street and neighborhood	Viz- bounded by	Area (in meters) along with length and width, showing north direction

- (2) That I/We do hereby abide ourselves to indemnify the Municipality for any loss caused, if any, due to permission granted by the Municipality in the matter.
- (3) That I/We do hereby further abide ourselves to indemnify the Municipality for loss caused, if any, due to any dispute arisen in the matter due to permission granted or of execution of lease deed or otherwise or any act committed or omitted by the applicant.
- (4) That the Municipality shall have every right to withdraw the permission and cancel the lease deed of applicant on breach of any condition, rule or order on the part of applicant and the applicant will be liable for any pecuniary loss caused to anybody in this process.

Applicant

Form-4
(see rule - 5)

**Register of applications for permission for surrender of rights of land
under section 69-A of the Rajasthan Municipalities Act, 2009**

S. No.	Name of the Applicant with Parentage and postal address	Date of receipt of application	Particular of the land of which permission is sought			Particular of documents received with application date	Details of amount deposited along with application with No. and date of challan	Date of final order and whether application accepted or rejected	Charges deposited for grant of lease	Date of Issue of Lease Deed	Remarks
			No. of ward/ colony/street	Plot No. and bounded by neighborhood	Area (in meters) along with length and width, showing north direction						
1	2	3	4	5	8	9	10	11	12	13	14
							Accepted	Rejected			

Form-5

[see rule 6(2)]

OFFICE OF THE AUTHORIZED OFFICER.....**No:****Date:**

Shri/Smt.S/o/W/o.....caste..... has
surrendered his rights in land mentioned below in favour of the Municipality for
obtaining free hold lease rights to use such land for..... purpose.

Name of Town with District	Name of Ward/colony/ street	Plot No. bounded by neighborhood	Area (in meters) along with length and width, showing north direction

Therefore, it is hereby informed to all concerned that if any person have any
objection regarding grant of permission to surrender rights in land by the applicant
in the favour of the Municipality for obtaining free hold lease rights under section
69-A of the Rajasthan Municipalities Act, 2009, he may submit objection along-
with supporting documents before the undersigned during office hours on any
working day within fifteen days of the publication of this notice.

In absence of any objection within above stipulated time it may be deemed
that nobody has objection and matter will be disposed off accordingly.

This notice is issued on this day..... under my signature and
seal.

Name and seal of Authorized Officer

Form-6

[See rule 6(5)]

OFFICE OF THE AUTHORIZED OFFICEER

Case No.

& Year

Sh.....S/o

Sh.....

Address.....

.....Applicant

Sub: Grant of permission to surrender rights in land under section 69-A of Rajasthan Municipalities Act, 2009.

ORDER

Date:

The brief facts of the case are as under:

- (1) The above named applicant has applied to accord permission u/s 69-A of the Rajasthan Municipalities Act, 2009 to surrender the rights vested in him/them in respect of land specified in said section to use the following land for the purpose of and for obtaining free hold lease rights from the Municipality:-

Name of Town and District	Name of Ward/colony/ street	Plot No.	Area (in meters) along with length and width, showing north direction

- (2) The applicant has submitted the proof of rights for holding the above land, indemnity bond and affidavit duly attested, plan and other relevant documents along with the application.
- (3) That I have examined the application and documents/statements submitted by the applicant. I have examined the office report and I am of the opinion that the holder of applied land is having rights in the land applied for and is being at present used as and the application of the applicant may be accepted for the grant of permission to use the land for the purpose for which it was used before the surrender of rights over such land in accordance with the provisions of the section 69-A of the Rajasthan Municipalities Act, 2009 and the rules made thereunder.
- (4) Now therefore, it is hereby ordered that rights surrendered by the applicant over the land bearing plot Numbersmeasuring(Meters) of plot situated ward/colony/street shall be accepted for using the said land for the purpose for which it was used before surrender the rights that is for the purpose of

and the said land henceforth stands deemed to have been vest and placed at the disposal of the Municipality for grant of freehold lease rights of the said land in favour of the applicant in accordance with law, rules, regulation or bye laws applicable to the Municipality from the date of this order subject to the provisions of sub-section (3) of section 69-A of the Rajasthan Municipalities Act, 2009

- (5) Terms and conditions prescribed under these rules and imposed by Municipality or State Government as per relevant law shall be complied with by the applicant.

The order is passed with the approval of the Chairperson on this date under signature and seal of the undersigned.

Authorized Officer

No.....

Date.....

Copy forward for information and necessary action-

1. Shri.....Applicant.

Authorized Officer

Form-7
(see rule 11)

Lease Deed

This Indenture is made on behalf of the Governor of the State of Rajasthan through the Chairperson and Chief Municipal Officer of the Municipality (Name of the Municipality) on the (day) (month) (year) hereinafter called the Municipality or Lessor (which expression shall unless excluded by or repugnant to the subject or context include his successors, assignees or transferees) and Shri/Smt. s/o caste profession..... resident of hereinafter referred to as Lessee (which expression shall unless excluded by or repugnant to the subject or context include his successors, assignees or transferees).

Whereas the Lessee has surrendered his existing rights in the land on in favour of the Municipality and the said surrender has been accepted by the Municipality vide order No..... dated and the lessee has deposited the required charges vide receipt no. dated..... in the Municipality; hence, the Municipality has now with a view to grant Freehold Lease of the piece of land (hereinafter called as plot) to the Lessee, which is situated in ward no/colony/street/plot no (If any) lease area in sq.mtr.) bonded by limits and area as described in detail in the site plan along with its neighborhood area as shown in enclosed Annexure to this Indenture and marked in red color and which is transferred subject to all the covenants and encumbrances which were attached to the land and existed immediately before acceptances by the Municipality of the rights under sub-section (1) of the section 69-A of the Rajasthan Municipalities Act, 2009, for the purpose it was used before such surrender i.e. for the purpose of, but further subject to every exception, restriction, protection, savings, terms and conditions, the Lessee shall have full rights to use the land for the said purpose with heritable and transferable rights in the manner hereinafter mentioned.

NOW THIS INDENTURE WITNESSETH AS UNDER:

- I. The said land shall be used only for the purpose for which it was used before such surrender that is to say for the purpose of..... and Lessee shall abide by the all rules, regulations and bye laws made under the Rajasthan Municipalities Act, 2009 and any other law for the time being in force.

- (i) The holder of said land was not liable to pay any annual or periodical rent before surrender of the said land in favour of the Municipality and therefore shall not be liable in future also.
- (ii) That this is a free hold lease forever subject to the terms and conditions of this Lease Deed and the provisions of law for the time being in force and made applicable to such lands.

II. Subject always to the exceptions, reservations, covenants and conditions hereinafter contained, that is to say, as follows-

The Lessor accepts and reserves unto himself all mines, minerals, coals, gold-washing, earth oils, quarries in or under the plot and full right and power at all times to do all acts and things which may be necessary or expedient for the purpose of searching for, working, obtaining, removing and enjoying the same without providing or leaving any vertical support for surface of the plot of land provided always that the Lessor shall make reasonable compensation to the lessee for all damages directly occasioned by the exercise of the rights hereby reserved or any of them.

III. The Lessee for himself, his heirs, executors, administrators and assigns covenants with the Lessor in the manner following, that is to say:-

- (i) The lessor shall have right in perpetuity to acquire the lease land for any of the public purpose under the prevailing law of acquisition for the time being in force.
- (ii) The lessee may mortgage leased land for the purpose of obtaining loan from the Central/State Government or any financial institutions like Life Insurance Corporation, Scheduled or Nationalized Bank or any other Bank Regulated by the Reserve Bank of India.
- (iii) Whenever the title of the Lessee in the plot is transferred in any manner, whatsoever, the transferee shall be bound by all the covenants and conditions contained herein and shall be responsible in all respects therefore.
- (iv) Whenever the title of the Lessee in the plot is transferred in any manner whatsoever that transferee shall, within three months of the transfer, give notice of such transfer in writing to the Lessor. In the event of the death of the Lessee the person on whom the title of the deceased devolves shall, within three months of the devolution, give notice of such devolution to the Lessor. The transferee or the person on whom the title devolves, as the case may be, shall supply the Lessor certified copies of the document (s) evidencing transfer or devolution.
- (v) The Lessee shall, from time to time, and at all times pay and discharge all rates, taxes, charges and assessments of every description which are now or may at any time hereafter during the continuance of this Lease be assessed, charged or imposed upon the plot hereby demised or on any buildings to be erected thereupon or on the landlord or tenant in respect thereof.

- (vi) All arrears of tax and other payments due in respect of the plot hereby demised shall be recoverable in the same manner as arrears of land revenue.
- (vii) The Lessee shall in all respects comply with and be bound by the building, drainage and other bye-laws of the Municipality or other authority for the time being in force. The Lessee shall also comply with all other terms and conditions, as may be determined by the State Government, from time to time.
- (viii) The Lessee shall not without sanction or permission in writing of the Municipality or other authority, erect any building or make any alteration or addition to such building on the plot.
- (ix) The Lessee shall not without the written consent of the Lessor carry on, or permit to be carried on, on the plot or in any building thereon any trade or business, whatsoever, or use the same or permit the same to be used for any purpose other than that of use existing before the surrender of such land or do or suffer to be done therein any act or thing whatsoever which in the opinion of the Lessor may be a nuisance, annoyance or disturbance to the Lessor and persons living in the neighborhood:

Provided that, if the Lessee is desirous of using the said plot or the building thereon for a purpose other than that of use existing before the surrender of land, the Lessor may allow such change of use on such terms and conditions, including payment of such charges or fees as the Lessor may in his absolute discretion determine.

- (x) The Lessee shall at all reasonable times grant access to the plot to the Lessor for being satisfied that the covenant and conditions contained herein have been and are being complied with or not.
- (xi) If after the grant of permission or execution of lease deed it is discovered that the grant of permission or the lease deed have been obtained by suppression of any fact or misrepresentation or fraud or on the basis of fraudulent document, personification, with collusion or in contravention of any law or if any terms and conditions of permission granted or lease deed violated, the Lessor may cancel the lease deed after providing reasonable opportunity of being heard and the Lessee shall not be entitled for any compensation and refund of any amount paid by him and status of such land shall be that of which was existed before surrender of land. If in any case it is found that such land is belong to or vests in the Central or State Government or statutory or non statutory body or authority or company established by or under control of Central or State Government then such land shall deemed to be placed and vest in the such Government or body or authority or company free from all encumbrances as the case may be:

Provided that, notwithstanding anything contained herein to the contrary, the Lessor may without prejudice to his right as aforesaid, and in his absolute discretion, waive or condone breaches, temporarily or otherwise, on receipt of such amount and on such terms and conditions as

may be determined by him and may also accept the payment amount which shall be in arrears as aforesaid together with interest at the rate of 12 percent per annum.

(xii) No revocation or cancellation of this Lease Deed shall be effected until the Lessor shall served on the Lessee a notice in writhing,-

- (a) specifying the particular breach complained of, and
- (b) if the breach is capable of remedy, requiring the Lessee to remedy the breach.

If Lessee fails within such reasonable time as may be mentioned in the notice to remedy the breach, the lessor may revoke the lease or in his discretion, relieve against such revocation on such terms and conditions as he thinks proper.

(xiii) In the event of any question, dispute or difference, arising under these presents, or in connection therewith (except as to any matters the decision of which is specially provided by these presents), the same shall be referred for arbitration to the sole arbitrator appointed by the Lessor. The Lessee shall not raise any objection that the arbitrator is a Government Servant and that he has to deal with the matters to which the Lease relates or that in the course of his duties as a Government servant, he has expressed views on all or any of the matters in dispute or difference. The award of the arbitrator shall be final and binding on the parties.

In witness whereof Shri for and on behalf of and by the order and direction of the Lessor has herein to set his hand and Shri/ Shrimati.....the lessee, has hereinto set his/her hand the day and year first above written.

Name
For & on behalf of Lessor
Designation

Name.....
For Lessee
Address.....
.....

THE SCHEDULE ABOVE REFERRED TO

All the plot of land being the plot situated..... ward no./colony/street.....in
the site plan of Municipal Corporation /Council /Board
..... of which surrender was accepted by
Municipality vide dated the day of
two thousand fifteen hundred and.....and measuring (in
meters)..... or thereabouts bounded alongwith neighborhood and
measurement as follows :

North

East

South

West

and shown in the annexed plan and marked with its boundaries in red.

Signed by Shri

for and on behalf of and by the order

of the Governor of Rajasthan(Lessor) in the
presence of:

1. Shri

.....

2. Signed by Shri/Shrimati

.....

(lessee) in the presence of

1. Shri

.....

2. Shri

.....

By order of the Governor,



(Purushottam Biyani)

Joint Secretary to the Government

NO.F.8(Ga)() (Niyam)DLB/15/ 7961-8414

Jaipur, Dated: 15/06/15

Copy to the following for information and necessary action:-

- 01.P.S. to Hon'ble Chief Minister, Government of Rajasthan
- 02.P.S. to Hon'ble Minister, Local Self Government Rajasthan.
- 03.P.S. to Chief Secretary, Government of Rajasthan
- 04.P.S. to Principal Secretary, Local Self Government Department.
- 05.P.S. to Principal Secretary, Finance Department
- 06.P.S. to Principal Secretary, Revenue Department
- 07.P.S. to Joint Secretary and Director Local Bodies Jaipur
- 08.All Divisional Commissioners/District Collectors, Rajasthan.
09. All Officers of the Directorate/DDR's, Local Bodies Rajasthan.
- 10.All Mayor/ President /Chairmen, Municipal Corporation/Council/ Board of Rajasthan.
- 11.All Commissioners/Executive Officers, Municipal Corporation/Council/ Board of Rajasthan.
- 12.Director/Superintendent Central Govt. Press Jaipur for publication in the next Extra Ordinary Gazette and sending 100 copies to the Department.
12. PRO-Director, Local Bodies Jaipur.
13. Guard file.


Senior Joint Legal Remembrance

राजस्थान सरकार

स्वायत्त शासन विभाग, राज0 जयपुर

पत्रांक:-प.7(इ)(285) भूमि/डी.एल.बी./15/620

दिनांक: 21.01.2016

आदेश

पर्यटन विभाग द्वारा पर्यटन इकाई नीति, 2015 जारी की गई है। इस नीति के अन्तर्गत परिभाषित समस्त पर्यटन इकाईयों (भविष्य में पर्यटन इकाई नीति में होने वाले संशोधनों को सम्मिलित करते हुये) को भूमि उपलब्ध कराने भू-रूपान्तरण या अन्य छूट एवं सुविधा प्रदान करने हेतु नगरीय विकास विभाग द्वारा पूर्व में जारी समस्त परिपत्रों (प. 10(61)नविवि/3/06पार्ट दिनांक 24.12.2007, 16.04.2013, 18.03.2014 एवं 26.03.2014 को अधिकृत करते हुए आदेश क.प18(1)नविवि/प.ई.नी/2015 दिनांक 06.06.2015 जारी किया गया है।

पर्यटन इकाई नीति, 2015 एवं नगरीय विकास विभाग द्वारा जारी उक्त आदेश दिनांक 06.06.2015 को दृष्टिगत रखते हुए नगर पालिकाओं के संबंध में एकरूप दिशा निर्देश लागू करने के प्रयोजनार्थ, राज्य सरकार, एतद्वारा, राजस्थान नगर पालिका अधिनियम, 2009 की धारा 337 सपडित नियम 32 राजस्थान नगर पालिका (नगरीय भूमि निष्पादन) नियम, 1974 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए निम्नानुसार कार्यवाही करने हेतु निर्देश प्रदान करती है:-

1. होटलो एवं पर्यटन इकाई हेतु भूमि आवंटन:-

(i) राज्य सरकार द्वारा विभिन्न पर्यटन इकाईयों, जिसमें समस्त प्रकार के होटल सम्मिलित है, की स्थापना व विकास हेतु भूमि की उपलब्धता निम्न प्रकार से की जायेगी-

(अ) नगर पालिकाओं द्वारा पर्यटन इकाईयां, जिसमें होटल भी सम्मिलित है, की स्थापना हेतु उपयुक्त भूमि का चयन कर भूमि बैंक की स्थापना की जायेगी, जिसमें विभिन्न श्रेणी के होटलों व पर्यटन इकाई हेतु भूमि का आरक्षण किया जायेगा:-

- (1) बजट होटल (1, 2 व 3 सितारा)
- (2) चार सितारा होटल
- (3) पांच सितारा होटल व डीलक्स श्रेणी के होटल
- (4) अन्य पर्यटन इकाई

(ब) इस प्रकार स्थापित भूमि बैंक की सूचना स्थानीय निकाय एवं पर्यटन विभाग की वेब साईट पर उपलब्ध करायी जायेगी।

(स) विभिन्न श्रेणी की होटलों व अन्य पर्यटन इकाईयों को अधिकतम/ न्यूनतम भूमि क्षेत्र का निर्धारण निम्नानुसार किया जायेगा:-

कं. स.	होटल श्रेणी	न्यूनतम भूमि क्षेत्र	अधिकतम भूमि क्षेत्र
1.	बजट होटल (1, 2 व 3 सितारा)		4000 वर्गमीटर तक
2.	4 सितारा	6000 वर्ग मीटर तक	12,000 वर्गमीटर तक
3.	5 सितारा व डीलक्स श्रेणी	18,000 वर्ग मीटर तक	40,000 वर्गमीटर तक
4.	अन्य पर्यटन इकाई	--	आवश्यकता/उपलब्धतानुसार

- उपरोक्तानुसार पर्यटन इकाई हेतु आवंटन की दर उस क्षेत्र की प्रचलित डी. एल.सी. दर होगी।
- पर्यटन इकाई हेतु आवंटन तुलनात्मक निविदा के आधार पर पर्यटन इकाई नीति-2015 में दिये गये प्रावधानों के अनुरूप किया जावे।
- इस नीति के अन्तर्गत उपलब्ध कराई गई भूमि का उपयोग आगामी 30 वर्षों तक निर्धारित उपयोग से अन्यथा नहीं हो सकेगा।

2. नगरीय क्षेत्रों में कृषि भूमि का रूपान्तरण:-

(i) शहरी क्षेत्रों में कृषि भूमि का रूपान्तरण राजस्थान भू-राजस्व अधिनियम, 1956 की धारा 90 'ए' के अन्तर्गत किया जायेगा। नगर पालिका द्वारा पर्यटन इकाई नीति के तहत धारा 90 'ए' के अन्तर्गत कृषि भूमि का अकृषि भूमि में रूपान्तरण करने पर रूपान्तरण शुल्क तथा विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) देय नहीं होगा। सक्षम अधिकारी को कृषि से गैर कृषि (पर्यटन इकाई) प्रयोजनार्थ धारा 90 'ए' के तहत समस्त कार्यवाही आवेदन प्राप्त होने से 60 दिवस की अवधि में पूर्ण करनी होगी। यदि निर्धारित समय सीमा 60 दिवस में रूपान्तरण आदेश जारी नहीं किये जाते हैं, तो प्रश्नगत भूमि स्वतः ही रूपान्तरित मानी जावेगी। पर्यटन इकाईयों/होटल के संबंध में पूर्व में 90 'बी' के तहत अनुमोदित प्रकरणों पर भी ये रियायतें लागू होंगी।

(ii) चूंकि राज्य सरकार की मंशा होटल व अन्य पर्यटन इकाईयों को कृषि/औद्योगिक/आवासीय भूमि से संपरिवर्तन किये जाने हेतु सम्पूर्ण छूट दिये जाने की है, अतः इस उद्देश्य की प्राप्ति हेतु उक्त टाउनशिप पॉलिसी एवं राजस्थान नगर पालिका (नगरीय भूमि निष्पादन) नियम-1974 राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 के अन्तर्गत संशोधन किया जाता है कि कृषि/औद्योगिक/आवासीय भूमि से समस्त प्रकार के होटलों व अन्य पर्यटन इकाईयों की स्थापना पर चाहे वे टाउनशिप योजना में भूखण्ड हो या स्वतंत्र प्लॉट हो संपरिवर्तन, विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं

करने होंगे) एवं भू-उपयोग परिवर्तन शुल्क को पर्यटन इकाई नीति जारी होने दिनांक से 5 वर्ष तक मुक्त किया जाता है।

3. हैरिटेज होटल्स एवं पुरासम्पत्तियों के संपरिवर्तन व नियमन के संबंध में:-

- (i) कार्यशील हैरिटेज होटल्स एवं पुरासम्पत्तियों जिनको हैरिटेज होटल या पर्यटन इकाई के रूप में परिवर्तित किया जाना प्रस्तावित है उनके लिए पर्यटन विभाग द्वारा प्रमाण पत्र जारी किया जायेगा, जिसके आधार पर संबंधित नगरीय निकाय द्वारा रूपान्तरण/भू-उपयोग परिवर्तन आदेश जारी किया जाना आवश्यक होगा। ऐसे प्रकरणों में मास्टर प्लान में इस भूमि का भू-उपयोग वाणिज्यिक से भिन्न होने पर भी उक्त आदेश जारी किये जा सकेंगे।
- (ii) हैरिटेज होटल के संबंध में प्रचलित भू-उपयोग परिवर्तन नियम, 2010 में निर्धारित मानदण्डों के अतिरिक्त एफ.ए.आर., ऊंचाई, सैटबैक व भू-आच्छादन में शिथिलता दी जा सकेगी।

4. पुरासम्पत्तियों में वाणिज्यिक गतिविधियों की अनुज्ञेयता:-

राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 में नियम 13 में गैर वाणिज्यिक भूमि का वाणिज्यिक भू-उपयोग हेतु संपरिवर्तन किये जाने के लिए आवासीय आरक्षित दर की 40 प्रतिशत राशि भू-उपयोग परिवर्तन के रूप में वसूल की जाती है, लेकिन हैरिटेज सम्पत्ति को हैरिटेज होटल में परिवर्तित करने की स्थिति में विकासकर्ता को संपरिवर्तन शुल्क एवं विकास शुल्क में शत प्रतिशत छूट है। वर्तमान में संचालित हैरिटेज होटलों एवं पुरासम्पत्तियाँ जो हैरिटेज होटल या अन्य पर्यटन इकाई में संपरिवर्तित होनी है, को व्यवहार्य (Viable) बनाने के लिये राज्य सरकार की मंशा के अनुरूप उनके आच्छादित क्षेत्रफल (Ground Coverage) का अधिकतम 10 प्रतिशत अथवा 1000 वर्गमीटर जो भी कम हो में खुदरा वाणिज्यिक (Retail Commercial) उपयोग स्वतः अनुज्ञेय होगा।

5. कार्यशील पर्यटन इकाईयों का भू-उपयोग परिवर्तन एवं नियमन:-

कुछ हैरिटेज पुरासम्पत्तियों में होटल अथवा अन्य पर्यटन इकाई बिना आवश्यक स्वीकृति के शुरू कर दिये गये हैं और वो कार्यशील हैं, तो नवीन-नीति में ऐसे होटलों व पर्यटन इकाईयों का भू-उपयोग परिवर्तन शुल्क एवं विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) में पूरी छूट दी जायेगी। यदि पूर्व में बिना वांछित स्वीकृति के भूखण्डों एवं भवनों का उपयोग होटल व अन्य पर्यटन इकाईयों के रूप में किया जा रहा है, ऐसी इकाईयों का नियमन राजस्थान नगर पालिका

(भू-उपयोग परिवर्तन) नियम, 2010 के नियम-13 के अनुरूप गुणावगुण के आधार पर नियमन शुल्क का 25 प्रतिशत राशि पर नियमन किया जायेगा।

6. पर्यटन इकाई के भवन मानचित्र अनुमोदन, निर्माण एवं अनुज्ञेय एफ.ए.आर. के संबंध में:-

- (i) नगरीय निकाय द्वारा पर्यटन इकाई के भवन मानचित्र के प्रकरण पूर्ण रूप से आवेदन प्राप्त होने से 60 दिवस की अवधि में आवश्यक रूप से अनुमोदित/निष्पादित किये जायेंगे।
- (ii) 200 कमरों तक की पर्यटन इकाई का निर्माण कार्य भूमि रूपान्तरण/आवंटन की दिनांक से तीन वर्ष की अवधि में पूर्ण करना होगा। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो 3 वर्ष की निर्धारित अवधि भवन मानचित्र अनुमोदन की तिथि से प्रारम्भ होगी। 200 कमरों से अधिक की पर्यटन इकाई के लिए निर्माण अवधि 4 वर्ष की होगी। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो अधिकतम 4 वर्ष की अवधि भवन मानचित्र अनुमोदन की दिनांक से प्रारम्भ होगी।

7. एफ.ए.आर.:-

पर्यटन इकाई नीति के तहत पर्यटन इकाई/होटल प्रस्तावित होने पर वर्तमान में देय अधिकतम एफ.ए.आर. का दोगुणा अर्थात् 4.50 एफ.ए.आर. अनुज्ञेय होगा, किन्तु 2.25 एफ.ए.आर. से अधिक एफ.ए.आर. प्रस्तावित होने पर बेटरमेन्ट लेवी अतिरिक्त एफ.ए.आर. पर आवासीय आरक्षित दर के आधार पर देय होगी।

8. सकड़ी सड़को पर हैरिटेज होटलों की अनुज्ञेयता:-

वांछित चौड़ाई से कम चौड़ाई की सड़को पर स्थित हैरिटेज सम्पत्तियां जिन्हें हैरिटेज होटल के रूप में उपयोग में लिया जाना प्रस्तावित हो तथा वर्तमान में कार्यशील हैरिटेज होटल्स जो न्यूनतम वांछित चौड़ाई की सड़कों पर स्थित नहीं हैं, तो ऐसे हैरिटेज होटल्स द्वारा अन्यत्र 40/60 फुट सड़क पर डेडीकेटेड पार्किंग उपलब्ध कराये जाने तथा पार्किंग स्थल से होटल तक पार्क एण्ड राईड व्यवस्था किये जाने की स्थिति में 40/60 फीट से कम चौड़ी सड़कों पर हैरिटेज होटल अनुज्ञेय होंगे।

9. बी.एस.यू.पी. शैल्टर फण्ड:-

हैरिटेज होटल/रिसोर्ट/मॉडल/एम्पूजमेन्ट पार्क के लिए बी.एस.यू.पी. शैल्टर फण्ड केवल सकल निर्मित क्षेत्रफल पर देय होगा। अन्य पर्यटन इकाईयों यथा होटल/कन्वेन्शन सेन्टर/रेस्टोरेन्ट अथवा कैफेटेरिया आदि के लिए बी.एस.यू.पी. शैल्टर फण्ड प्रचलित नियमानुसार लिया जावेगा।

10. पर्यटन इकाई हेतु सम्पत्तिवर्तित एवं आवंटित भूमि की लीज राशि संस्थानिक प्रयोजनार्थ - निर्धारित आरक्षित दर के आधार पर ली जायेगी।

उक्त आदेश राज्य की पर्यटन इकाई नीति, 2015 जारी होने की दिनांक से राज्य की समस्त नगर निगम/परिषद/पालिका पर लागू होगा। पूर्व में पर्यटन इकाई नीति, 2007 के अन्तर्गत आवेदित लम्बित प्रकरणों का निस्तारण अब इस आदेश के अनुरूप किया जावेगा तथा ऐसे आवेदको को पुनः आवेदन करने की आवश्यकता नहीं होगी।

उक्त आदेश की अक्षरशः पालना सुनिश्चित की जावे एवं समयबद्ध रूप से प्रकरणों का शीघ्र निस्तारण की जावे ताकि पर्यटन क्षेत्र में त्वरित विकास संभव हो सके एवं राज्य में अधिकाधिक निवेशक पर्यटन इकाई स्थापित करने हेतु आकृष्ट हो सके।

राज्यपाल की आज्ञा से,

(डा० मनजीत सिंह)
प्रमुख शासन सचिव

19/11/16

क्रमांक : भूमि/एफ.7(ड)/(285)/डीएलबी/15/621-1043 दिनांक : 21.01.2016
प्रतिलिपि निम्नानुसार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. निजी सचिव, माननीय मंत्री महोदय, स्वायत्त शासन विभाग, राज. जयपुर।
2. निजी सचिव अतिरिक्त मुख्य सचिव महोदय, नगरीय विकास एवं आवासन विभाग, जयपुर।
3. निजी सचिव, प्रमुख शासन सचिव महोदय, स्वायत्त शासन विभाग, राज. जयपुर।
4. निजी सचिव, प्रमुख शासन सचिव महोदय, पर्यटन विभाग, राज. जयपुर।
5. समस्त महापौर/सभापति/अध्यक्ष, नगर निगम/परिषद/ पालिकाये, राजस्थान।
6. समस्त जिला कलक्टर, राजस्थान।
7. समस्त उपनिदेशक(क्षेत्रीय), स्थानीय निकाय विभाग, राजस्थान।
8. समस्त आयुक्त/अधिशोषी अधिकारी, नगर निगम/परिषद/ पालिकाये, राजस्थान।
9. वरिष्ठ नगर नियोजक, निदेशालय।
10. वरिष्ठ संयुक्त विधि परामर्शी, निदेशालय।
11. सुरक्षित पत्रावली।

(पुरुषोत्तम बियाणी)
संयुक्त शासन सचिव

राजस्थान सरकार
स्वायत्त शासन विभाग, राज0 जयपुर।

क्रमांक प.8(ग)()नियम/डीएलबी/15/12974 दिनांक 14/10/15

आदेश

राज्य सरकार द्वारा राजस्थान नगरपालिका अधिनियम, 2009 की धारा 307 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये नगरीय निकायों द्वारा होटल व रेस्तरांट आदि के लिये फायर एन.ओ.सी. एक वर्ष की अवधि के स्थान पर दस वर्ष तक की अवधि के लिए जारी किये जाने हेतु एतद्वारा स्वीकृति प्रदान की जाती है। संबंधित स्थानीय निकाय होटल एवं रेस्तरांट के मामलों में दस वर्ष तक अवधि के लिए फायर एन.ओ.सी. जारी कर सकेंगे।

एन.ओ.सी. अवधि के दौरान फायर संबंधी योजित विभिन्न मापदण्डों के निरीक्षण की शक्तियां संबंधित स्थानीय निकाय में निहित होंगी। और समय समय पर सक्षम अधिकारी द्वारा इनका निरीक्षण किया जा सकेगा।

राज्यपाल की आज्ञा से,

(पुरुषोत्तम विद्याणी)

निदेशक एवं संयुक्त शासन सचिव

क्रमांक प.8(ग)()नियम/डीएलबी/14/12975-13355 दिनांक 14/10/15
प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है—

1. निजी सचिव, माननीय मंत्री महोदय, स्वायत्त शासन विभाग राज0 जयपुर।
2. निजी सचिव, प्रमुख शासन सचिव, स्वायत्त शासन विभाग जयपुर।
3. निजी सचिव, प्रमुख शासन सचिव, पर्यटन विभाग, राज0 जयपुर।
4. महापौर/सभापति/अध्यक्ष, नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
5. आयुक्त/अधिसामी अधिकारी नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
6. अधीक्षक, राजकीय मुद्रणालय, राज0 जयपुर को प्रेषित कर राजपत्र के आगामी असाधारण अंक में प्रकाशन कर दस प्रतियां उपलब्ध कराने हेतु।
7. सुरक्षित पत्रावली।

(जशोक कुमार सिंह)

वरिष्ठ संयुक्त विधि परामर्शी

राजस्थान सरकार
निदेशालय स्थानीय निकाय एवं स्वायत्त शासन विभाग
क्रमांक:प.8(ग)()नियम/डीएलबी/13/10838

दिनांक: 14/09/15

आदेश

राज्य सरकार द्वारा राजस्थान नगरपालिका अधिनियम, 2009 की धारा 337(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये नगरीय निकायों द्वारा होटल व रेस्टोरेन्ट आदि के लिये जो लाईसेन्स एक वर्ष की अवधि के लिये जारी किये जाते हैं, उन समस्त लाईसेन्सों की वैधता अवधि नियमानुसार 10 वर्ष का शुल्क वसूल करते हुए 10 वर्ष तक की अवधि के लिये जारी किये जाने हेतु एतद्वारा स्वीकृति प्रदान की जाती है।

राज्यपाल की आज्ञा से,



(पुष्पोत्तम बियाणी)
निदेशक एवं संयुक्त शासन सचिव

क्रमांक:प.8(ग)()नियम/डीएलबी/14/10839-1/218 दिनांक: 14/09/15

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है-

1. निजी सचिव, माननीय मंत्री महोदय, स्वायत्त शासन विभाग राज0 जयपुर।
2. निजी सचिव प्रमुख शासन सचिव, स्वायत्त शासन विभाग जयपुर।
3. निजी सचिव प्रमुख शासन सचिव, पर्यटन विभाग, राज0 जयपुर।
4. महापौर/समापति/अध्यक्ष, नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
5. आयुक्त/अतिरिक्त अधिकारी नगर निगम/परिषद/पालिकाएं, समस्त राजस्थान।
6. सुरक्षित पत्रावली।

(अशोक कुमार सिंह)
वरिष्ठ संयुक्त विधि परामर्शी



सत्यमेव जयते

राजस्थान राज-पत्र
साधारण

RAJASTHAN GAZETTE
ordinary

साधिकार प्रकाशित

Published by Authority

आषाढ 19, शुक्रवार, शाके 1937-जुलाई 10, 2015
Asadha 19, Friday, Saka 1937-July 10, 2015

भाग 6 (ग)

ग्राम पंचायत सम्बन्धी विज्ञप्तियां आदि।
ग्रामीण विकास और पंचायती राज विभाग
(पंचायती राज विभाग)

अधिसूचना

जयपुर, जुलाई 10, 2015

संख्या एफ.4()पर्यटन नियम/विधि/पैरा/2015/486 :- राजस्थान पंचायती राज अधिनियम, 1994 (1994 का अधिनियम सं. 13) की धारा 102 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार, इसके द्वारा निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ.- (1) इन नियमों का नाम राजस्थान पंचायती राज (पर्यटन इकाइयों के लिए पंचायत क्षेत्र में आबादी भूमि का आवंटन, भूमि के उपयोग का परिवर्तन और नियमितिकरण) नियम, 2015 है।

(2) ये तुरंत प्रवृत्त होंगे।

2. परिभाषाएं.- (1) जब तक संदर्भ से अन्यथा अपेक्षित न हो, इन नियमों में,-
(i) "अधिनियम" से राजस्थान पंचायती राज अधिनियम, 1994 (1994 का अधिनियम सं. 13) अभिप्रेत है;

(ii) "आवंटन प्राधिकारी" से पर्यटन इकाइयों के लिए पंचायत क्षेत्र में आबादी भूमि के आवंटन, भूमि के उपयोग के परिवर्तन और नियमितिकरण के प्रयोजन के लिए राज्य सरकार द्वारा प्राधिकृत कोई अधिकारी या प्राधिकारी अभिप्रेत है;

(iii) "प्राधिकृत अधिकारी" से भूमि के उपयोग के परिवर्तन और नियमितिकरण के प्रयोजन के लिए राज्य सरकार द्वारा प्राधिकृत कोई अधिकारी या प्राधिकारी अभिप्रेत है;

(iv) "नियमों" से राजस्थान पंचायती राज नियम, 1996 अभिप्रेत है;

(v) "पर्यटन विभाग" से पर्यटन विभाग, राजस्थान सरकार अभिप्रेत है; और

(vi) "पर्यटन इकाई" से पर्यटन विभाग, राजस्थान सरकार द्वारा या पर्यटन मंत्रालय, भारत सरकार द्वारा इस रूप में अनुमोदित कोई पर्यटन परियोजना अभिप्रेत है।

(2) इन नियमों में प्रयुक्त किये गये किंतु परिभाषित नहीं किये गये शब्दों और अभिव्यक्तियों का वही अर्थ होगा जो उन्हें क्रमशः अधिनियम और राजस्थान पंचायती राज नियम, 1996 में समनुदिष्ट किया गया है।

3. पर्यटन इकाइयों के लिए आबादी भूमि का आवंटन.- (1) पर्यटन इकाइयों की स्थापना और विकास के लिए, जिला कलक्टर संबंधित पंचायती राज संस्था से परामर्श कर, पर्यटन इकाइयों की स्थापना के लिए किसी ग्राम के आबादी क्षेत्र में उपयुक्त भूमि की पहचान करेगा और इस प्रकार पहचान की गयी भूमि पर्यटन विभाग को प्रज्ञापना के अधीन पृथक् की जायेगी और पर्यटन इकाइयों के लिए आरक्षित की जायेगी और उसे जिला कलक्टर, जिला परिषद, पंचायती राज विभाग और पर्यटन विभाग, राजस्थान सरकार की वेबसाइट पर अपलोड किया जायेगा। पर्यटन इकाइयों के लिए आरक्षित किये जाने वाले अधिकतम और न्यूनतम भूमि क्षेत्र निम्नानुसार होंगे:-

क्र.सं.	प्रवर्ग	न्यूनतम भूमि क्षेत्र	अधिकतम भूमि क्षेत्र
1.	बजट होटल और 1 से 3 सितारा होटल	1,200 वर्ग मीटर	4,000 वर्ग मीटर तक
2.	4 सितारा होटल	6,000 वर्ग मीटर	12,000 वर्ग मीटर तक
3.	5 सितारा और उससे ऊपर के होटल	18,000 वर्ग मीटर	40,000 वर्ग मीटर तक
4.	अन्य पर्यटन इकाई	-	आवश्यकता/उपलब्धता के अनुसार

(2) पर्यटन इकाइयों के लिए आरक्षित और पृथक् की गयी और आरक्षित की गयी भूमि के आवंटन के लिए आरक्षित कीमत, राजस्थान स्टाम्प नियम, 2004 के नियम 58 के अधीन जिला स्तरीय समिति (जि.स्त.स.) द्वारा आबादी भूमि के बाजार मूल्य के निर्धारण के लिए सिफारिश की गयी दरों के समतुल्य होगी।

(3) पर्यटन इकाइयों के लिए भूमि का आवंटन निम्नलिखित रीति में किया जायेगा, अर्थात् :-

- (क) आवंटन प्राधिकारी उप-नियम (1) के अधीन पर्यटन इकाइयों के लिए पृथक् की गयी और आरक्षित की गयी भूमि के आवंटन के लिए राष्ट्रीय और राज्य स्तरीय समाचार पत्र में प्रकाशित विज्ञापन के माध्यम से बोलियां आमंत्रित करेगा। भूमि के आवंटन के लिए आरक्षित कीमत विज्ञापन में वर्णित की जायेगी।
- (ख) विनिर्दिष्ट समय कालावधि के भीतर एक से अधिक बोली प्राप्त होने की दशा में, भूमि का आवंटन प्रतियोगी बोली के माध्यम से किया जायेगा। विनिर्दिष्ट समय कालावधि में यदि एकमात्र बोली प्राप्त होती है तो भूमि का आवंटन, वर्तमान आरक्षित कीमत या बोली लगाने वाले द्वारा प्रस्थापित कीमत पर, इनमें से जो भी अधिक हो, एकमात्र बोली लगाने वाले को किया जायेगा।
- (ग) इस नियम के अधीन आवंटित भूमि निम्नानुसार विनिर्दिष्ट समय सीमा के भीतर पर्यटन इकाई की स्थापना के लिए उपयोग में ली जायेगी,-

(i) 200 कक्षों से कम वाली किसी पर्यटन इकाई के लिए तीन वर्ष;

(ii) 200 कक्षों से अधिक वाली किसी पर्यटन इकाई के लिए चार वर्ष :

परंतु उपर्युक्त कालावधि, समुचित मामलों में, राज्य सरकार द्वारा प्राधिकृत अधिकारी या प्राधिकारी द्वारा, आवंटित भूमि की कीमत के प्रति तिमाही 0.5% के संदाय पर एक वर्ष तक की कालावधि के लिए आगे और बढ़ायी जा सकेगी। यदि भूमि ऐसी बढ़ायी गयी कालावधि के भीतर उपयोग में नहीं ली जाती है तो सुनवाई का अवसर दिये जाने के पश्चात् आवंटन प्रत्याहृत कर लिया जायेगा और भूमि के बदले में संदत्त कीमत समपहृत कर ली जायेगी।

(घ) इस नियम के अधीन आवंटित भूमि कम से कम तीस वर्ष की कालावधि के लिए केवल पर्यटन इकाई के प्रयोजन के लिए ही उपयोग में ली जायेगी और किसी अन्य प्रयोजन के लिए नहीं।

4. हैरिटेज संपत्तियों की भूमि के उपयोग का हैरिटेज होटलों में परिवर्तन.- (1) राजस्थान पंचायती राज नियम, 1996 में किसी बात के अंतर्विष्ट होते हुए भी, यदि हक धारित करने वाला कोई व्यक्ति या कोई व्यक्ति, जो किसी ग्राम की आबादी क्षेत्र में भूमि पर स्थित हैरिटेज संपत्ति विधिपूर्वक धारित करता है, हक दस्तावेज और पर्यटन विभाग, राजस्थान सरकार की सिफारिश के साथ हैरिटेज संपत्ति की भूमि के उपयोग का हैरिटेज होटल में परिवर्तन के लिए प्राधिकृत अधिकारी को सादे कागज पर लिखित में आवेदन करता है तो प्राधिकृत अधिकारी द्वारा भूमि के उपयोग के परिवर्तन के लिए आदेश जारी किया जा सकेगा। इस नियम के अधीन भूमि के उपयोग के परिवर्तन के लिए कोई प्रभार संदेय नहीं होंगे। इस नियम के अधीन किसी हैरिटेज होटल के रूप में उपयोग किये जाने के लिए अनुज्ञात हैरिटेज संपत्ति अधिकतम 1000 वर्ग मीटर या विद्यमान हैरिटेज भवन के प्लिंथ क्षेत्र के 10 प्रतिशत तक, इनमें से जो भी कम हो, वाणिज्यिक प्रयोजन के लिए उपयोग में ली जा सकेगी।

(2) हैरिटेज होटल की स्थापना के प्रयोजन के लिए भूमि के उपयोग का परिवर्तन तब ही मंजूर किया जायेगा यदि वहां 30 फीट चौड़ी पहुंच सड़क उपलब्ध है :

परंतु हैरिटेज होटलों की दशा में, यदि पार्किंग व्यवस्था स्वामी द्वारा परिसर में या अन्यत्र उपलब्ध करवायी जाती है और किसी 40/60 फीट चौड़ी सड़क पर समर्पित वैकल्पिक पार्किंग के लिए व्यवस्था की जाती है और होटल से पार्किंग स्थान के लिए पार्क एण्ड राइड प्रणाली उपलब्ध करायी जाती है तो पहुंच सड़क की चौड़ाई की अपेक्षा लागू नहीं होगी।

(3) व्यक्ति, जिसे उप-नियम (1) के अधीन किसी हैरिटेज होटल की स्थापना करने के लिए उपयोग अनुज्ञात किया गया है, तीन वर्ष की कालावधि के भीतर वह हैरिटेज होटल स्थापित करेगा :

परंतु उक्त कालावधि उस व्यक्ति के आवेदन पर, जिसे हैरिटेज होटल स्थापित करने की अनुज्ञा दी गयी थी, एक वर्ष की कालावधि के लिए राज्य सरकार द्वारा बढ़ायी जा सकेगी। यदि उक्त हैरिटेज संपत्ति ऐसी बढ़ायी गयी कालावधि के भीतर उपयोग में नहीं ली जाती है तो हैरिटेज होटल स्थापित करने की अनुज्ञा देने वाला आदेश प्राधिकृत अधिकारी द्वारा वापस लिया जायेगा/प्रत्याहृत किया जायेगा।

(4) उप-नियम (1) में किसी बात के अन्तर्विष्ट होते हुए भी, यदि प्राधिकृत अधिकारी, अपेक्षित दस्तावेजों के साथ पूर्ण आवेदन की प्राप्ति की तारीख से पैंतालीस दिन के भीतर हैरिटेज होटल की स्थापना के लिए भूमि के उपयोग के परिवर्तन के लिए आवेदन का निस्तारण करने में विफल रहता है, तो भूमि के उपयोग का ऐसा परिवर्तन अनुज्ञात किया गया समझा जायेगा।

5. पर्यटन इकाइयों के लिए भूमि के उपयोग का परिवर्तन.- (1) जब किसी ग्राम में विधिपूर्वक आबादी भूमि धारित करने वाला कोई व्यक्ति किसी पर्यटन इकाई की स्थापना के लिए उसे उपयोग करने का आशय रखता है तो वह प्राधिकृत अधिकारी की अनुज्ञा प्राप्त करने के पश्चात् ऐसा कर सकेगा।

(2) पर्यटन इकाइयों की स्थापना के प्रयोजन के लिए भूमि के उपयोग का परिवर्तन तब ही अनुज्ञात किया जायेगा यदि वहां 30 फीट चौड़ी पहुंच सड़क उपलब्ध है।

(3) पर्यटन इकाई के लिए भूमि के उपयोग के परिवर्तन के लिए कोई प्रभार संदेय नहीं होंगे।

(4) उप-नियम (1) के अधीन पर्यटन इकाई स्थापित करने के लिए अनुज्ञात किया गया व्यक्ति तीन वर्ष की कालावधि के भीतर वह पर्यटन इकाई स्थापित करेगा;

परंतु उक्त कालावधि उस व्यक्ति के आवेदन पर, जिसको पर्यटन इकाई के लिए भूमि के उपयोग की अनुज्ञा दी गयी थी, राज्य सरकार द्वारा, एक वर्ष की कालावधि के लिए बढ़ायी जा सकेगी। यदि उक्त भूमि ऐसी बढ़ायी गयी कालावधि के भीतर उपयोग में नहीं ली जाती है तो भूमि के उपयोग के परिवर्तन करने की अनुज्ञा देने वाला आदेश प्राधिकृत अधिकारी द्वारा वापस लिया जायेगा या प्रत्याहृत किया जायेगा। (5) उप-नियम (1) में किसी बात के अन्तर्विष्ट होते हुए भी, यदि प्राधिकृत अधिकारी, अपेक्षित दस्तावेजों के साथ पूर्ण आवेदन की प्राप्ति की तारीख से पैंतालीस दिन के भीतर उप-नियम (2) में यथा-परिभाषित पर्यटन इकाई की स्थापना के लिए भूमि के उपयोग के परिवर्तन के लिए आवेदन का निस्तारण करने में विफल रहता है, तो भूमि के उपयोग का ऐसा परिवर्तन अनुज्ञात किया गया समझा जायेगा।

6. विद्यमान हैरिटेज होटलों का नियमितिकरण.— राजस्थान पंचायती राज (संशोधन) अध्यादेश, 2015 (2015 का अध्यादेश सं. 3) के प्रारंभ से पूर्व यदि हक धारित करने वाला कोई व्यक्ति या कोई व्यक्ति, जो विधिपूर्वक किसी ग्राम के आबादी क्षेत्र में स्थित कोई हैरिटेज संपत्ति और आवासीय भूमि और भवन धारित करता है, जिन्हें अनुज्ञा के बिना होटलों के रूप में चलाया और संचालित किया जा रहा है और जो उपर्युक्त नियम 4 में यथा वर्णित अपेक्षाओं को पूरा करता है, हक दस्तावेज और पर्यटन विभाग, राजस्थान सरकार की सिफारिश के साथ भूमि के उपयोग के परिवर्तन के नियमितिकरण के लिए सादे कागज पर आवेदन करता है तो प्राधिकृत अधिकारी द्वारा भूमि के उपयोग के परिवर्तन के नियमितिकरण के लिए आदेश जारी किया जा सकेगा।

राज्यपाल के नाम और आदेश से,
एस.के. सोलंकी,
संयुक्त शासन सचिव।

**Department of Rural Development and Panchayati Raj.
(Department of Panchayati Raj)**

Notification

Jaipur, July 10, 2015

No.F.4()Tourism rules/Legal/PR/2015/486 :- In exercise of the powers conferred by section 102 of the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Panchayati Raj (Allotment, Change of Use of Land and Regularization of Abadi Land in Panchayat Area for Tourism Units) Rules, 2015.

(2) They shall come into force at once.

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

- (i) "Act" means the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994);
- (ii) "Allotting Authority" means an officer or authority, authorised by the State Government for the purpose of allotment, change of use of land and regularization of abadi land in Panchayat area for Tourism Units;
- (iii) "Authorised Officer" means an officer or authority, authorised by the State Government for the purpose of change of use of land and regularization;
- (iv) "rules" means the Rajasthan Panchayati Raj Rules, 1996;
- (v) "Tourism Department" means Department of Tourism, Government of Rajasthan; and
- (vi) "tourism unit" means a tourism project as such approved by the Department of Tourism, Government of Rajasthan or by the Ministry of Tourism, Government of India.

(2) Words and expressions used but not defined in these rules have the same meanings as are respectively assigned to them in the Act and Rajasthan Panchayati Raj Rules, 1996.

3. Allotment of abadi land for tourism units.- (1) For establishment and development of tourism units, the District Collector in consultation with the Panchayati Raj Institution concern, shall identify suitable land in abadi area of a village for the establishment of tourism units and the land so identified shall be set apart and reserved for tourism units under intimation to the Tourism Department and same shall be uploaded on the web-site of the District Collector, Zila Parishad, Department of Panchayati Raj and Tourism Department of Government of Rajasthan. The maximum and minimum land areas to be reserved for Tourism Units shall be as under:-

S.No.	Category	Minimum Land Area	Maximum Land Area
1	2	3	4
1.	Budget Hotels and 1 to 3 star hotels	1,200 sqm.	Up to 4,000 sqm.

1	2	3	4
2.	4 star Hotels	6,000 sqm.	Up to 12,000 sqm.
3.	5 star and above hotels	18,000 sqm.	Up to 40,000 sqm.
4.	Other Tourism unit	—	as per requirement/ availability

(2) The reserve price for allotment of land set apart and reserved for Tourism units shall be equal to the rates recommended for assessment of market value of abadi land by district level committee (DLC) under rule 58 of the Rajasthan Stamp Rules, 2004.

(3) Allotment of land for tourism units shall be made in the following manner, namely:-

(a) The Allotting Authority shall invite bids for allotment of land set-apart and reserved for tourism units under sub-rule (1), through advertisement published in National and State level news paper. The reserve price for allotment of land shall be mentioned in the advertisement.

(b) In case of more than one bid received within the specified time period, the allotment of land shall be made through competitive bidding. In case only single bid is received in the specified time period, the allotment of land shall be made to the single bidder on the prevailing reserve price or the price offered by the bidder, whichever is higher.

(c) Land allotted under this rule shall be used for establishment of tourism unit within the time limit specified as under,-

(i) three years for a tourism unit having less than 200 rooms;

(ii) four years for a tourism unit having more than 200 rooms;

Provided that above period may, in appropriate case, further be extended for a period up to one year on payment of 0.5% per quarter of the price of the land allotted, by the officer or authority authorized by the State Government. If the land is not used within such extended period, the allotment shall be withdrawn and price paid in lieu of land shall be forfeited after giving an opportunity of being heard.

(d) Land allotted under this rule shall be used only for the purpose of tourism unit and not for any other purpose at least for a period of thirty years.

4. Change of use of land of Heritage Properties into Heritage Hotels.- (1) Notwithstanding anything contained in the Rajasthan Panchayati Raj Rules, 1996, if a person holding title or any person, who lawfully holding a heritage property, situated on land in abadi area of a village, applies in writing on a plain paper to the Authorised Officer for change of use of land of Heritage Property into a Heritage Hotel along with title document and recommendation of the Department of Tourism, Government of Rajasthan, an order for change of use of land may be issued by the Authorised Officer. No charges shall be payable for change of use of land under this rule. The Heritage property allowed to be used as a Heritage Hotel under this rule may be used for commercial purpose up to maximum of 1000 sq. meters or 10 percent of plinth area of the existing heritage building whichever is less.

(2) Change of use of land for the purpose of establishment of Heritage Hotel shall be permitted if there is 30 feet wide approach road is available:

Provided that in case of Heritage Hotels, if parking arrangement is made available by the owner in premises or elsewhere and arrange for a dedicated alternative parking on a 40/60 feet wide road and provide for the park-and-ride system from hotel to parking place, the requirement of width of approach road shall not be applicable.

(3) The person allowed to use for setting up of a Heritage Hotel under sub-rule (1) shall setup that Heritage Hotel within a period of three years:

Provided that the said period may be extended by the State Government for a period of one year on the application of the person who was permitted to setup Heritage Hotel. If the said heritage property is not use within such extended period, the order permitting to setup Heritage Hotel shall be withdrawn or revoked by the Authorised Officer.

(4) Notwithstanding anything contained in sub-rule (1), if the Authorised Officer, fails to dispose off the application for change of use of land for the establishment of Heritage Hotel within forty five days from the date of the receipt of the completed application along with required documents, then such change of use of land shall be deemed as allowed.

5. Change of use of land or tourism units.- (1) When any person lawfully holding abadi land in a village intend to use the same for establishment of a tourism unit, he may do so after seeking permission of the Authorised Officer.

(2) Change of use of land for the purpose of establishment of tourism units shall be permitted if there is 30 feet wide approach road is available.

(3) No charges for change of use of land for Tourism Unit shall be payable.

(4) The person allowed to set up a tourism unit under sub-rule (1) shall establish that Tourism Unit within a period of three years:

Provided that the said period may be extended by the State Government for a period of one year on the application of the person who was permitted to use the land for Tourism Unit. If the said land is not use within such extended period, the order permitting change of use of land shall be withdrawn or revoked by the Authorised Officer.

(5) Notwithstanding anything contained in sub-rule (1), if the Authorised Officer, fails to dispose of the application for change of use of land for the establishment of tourism unit as defined in rule 2 within forty five days from the date of the receipt of the completed application along with required documents, then such change of use of land shall be deemed as allowed.

6. Regularization of existing heritage Hotels.- If a person holding title or any person, who lawfully holding a heritage property and residential land and building that are running and operating as hotels without permission, situated on abadi area of a village before the commencement of the Rajasthan Panchayati Raj (Amendment) Ordinance, 2015 (Ordinance No. 3 of 2015) and fulfill the requirements as mentioned in rule 4 above, applies on plain paper for regularization of Change of use of land along with title document and recommendation of the Department of Tourism, Government of Rajasthan, an order for regularization of change of use of land may be issued by the Authorised Officer.

By Order of the Governor,
S.K.Solanki,

Joint Secretary to the Government.

Government Central Press, Jaipur.

Government of Rajasthan
Department of Rural Development and Panchayati Raj
(Department of Panchayati Raj)

Notification

No.F4 () Tourism Rule/Legal/PR/2015/13

Jaipur, Dt. 11-1-2016

In exercise of the powers conferred by sub-section (3) of section 107-A of the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994), the State Government hereby authorise the officers mention in column number 2 of the table given below, for the category of tourism units and area mentioned in column number 3 and 4 against each of them in the said table, to perform the functions of authorise officer under the Rajasthan Panchayati Raj (Allotment, Change of Use of Land and Regularisation of Abadi Land in Panchayat Area for Tourism Units) Rules, 2015, namely:-

S.No.	Authorized Officer/ Authority	Category of Tourism Unit	Land Area
1	2	3	4
1	Block Development Officer, Concerned Panchayat Samiti.	any tourism unit other than those mentioned at serial number 2 and 3	not exceeding 300 sqr.meters
2.	Chief Executive Officer concerned Zila Parishad.	(a) budget hotels and 1,2,3 star hotels (b) other tourism units	1,200 sqr. meters to 4,000 sqr.meters 301 sqr. meters to 4,000 sqr.meters
3	Collector	(a) 4 star hotels	6,000 sqr. m. to 12,000 meters.

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		(b) 5 and above star hotels	18,000 sqr. meters to 40,000 Sqr. meters.
		(c) other tourism units	4,001 sqr. meters to 40,000 sqr. meters

Note:- For other tourism units with an area more than 40,000 sqr.meters, the State Government shall be the Authority to permit change of use of land and to regularize the use of land.

By Order of the Governor,



(S.K. Solanki)

Joint Secretary to the Government

Copy to:-

1. SA to Minister Panchayati Raj, Rajasthan, Jaipur.
2. PS to Pr. Secretary, Rural Development & Panchayati Raj Jaipur.
3. PS to Pr.Secretary, Tourism Deptt.,Jaipur.
4. PS to Secy. cum Commissioner, Panchayati Raj., Jaipur.
5. All Collectors, Rajasthan.
6. Superintendent, Government Press, Jaipur to publish the notification in part 4 (C)(G.S.I.R) Sub. Div. I of the Rajasthan Extraordinary Gazette.
7. All Officers (Hqr.), Deptt. of Panchayati Raj /Deptt. of Rural Development.
8. Guard file.



Joint Secretary to Government.

(B)

राजस्थान सरकार
नगरीय विकास विभाग

क्रमांक : प.18(1)नविवि/प.ई.नी./2015

जयपुर, दिनांक: - 6 JUN 2015

आदेश

पर्यटन विभाग द्वारा पर्यटन इकाई नीति 2015, जारी की जा चुकी है। अतः इस नीति के अन्तर्गत परिभाषित समस्त पर्यटन इकाईयों (भविष्य में पर्यटन इकाई नीति में होने वाले संशोधनों को सम्मिलित करते हुये) को भूमि उपलब्ध कराने भू-रूपान्तरण या अन्य छूट एवं सुविधा प्रदान करने हेतु विभाग द्वारा जारी पूर्व के समस्त परिपत्रों (प.10(61)नविवि/3/06पार्ट दिनांक 24.12.2007, 16.04.2013, 18.03.2014 एवं 26.03.2014) को अधिक्रमित करते हुये निम्नानुसार आदेश जारी किये जाते हैं :-

1. होटलो एवं पर्यटन इकाई हेतु भूमि आवंटन -

(i) राज्य सरकार द्वारा विभिन्न पर्यटन इकाईयों, जिसमें समस्त प्रकार के होटल सम्मिलित हैं, की स्थापना व विकास हेतु भूमि की उपलब्धता निम्न प्रकार से की जायेगी -

(अ) जयपुर/जोधपुर/अजमेर विकास प्राधिकरण, नगर विकास न्यासों, नगर पालिकओं एवं राजस्थान आवासन मण्डल द्वारा पर्यटन इकाईयां, जिसमें होटल भी सम्मिलित हैं, की स्थापना हेतु उपयुक्त भूमि का चयन कर भूमि बैंक की स्थापना की जायेगी, जिसमें विभिन्न श्रेणी के होटलों व पर्यटन इकाई हेतु भूमि का आरक्षण किया जायेगा :-

- (1) बजट होटल (1, 2 व 3 सितारा)
- (2) चार सितारा होटल
- (3) पांच सितारा होटल व डीलक्स श्रेणी के होटल
- (4) अन्य पर्यटन इकाई

(ब) इस प्रकार स्थापित भूमि बैंक की सूचना स्थानीय निकाय एवं पर्यटन विभाग की वेब साईट पर उपलब्ध करायी जायेगी।

(स) विभिन्न श्रेणी की होटलों व अन्य पर्यटन इकाईयों को अधिकतम/न्यूनतम भूमि क्षेत्र का निर्धारण निम्नानुसार किया जायेगा।

क्र.सं.	होटल श्रेणी	न्यूनतम भूमि क्षेत्र	अधिकतम भूमि क्षेत्र
1.	बजट होटल (1, 2 व 3 सितारा)		4000 वर्गमीटर तक
2.	4 सितारा	6000 वर्ग मीटर तक	12,000 वर्गमीटर तक
3.	5 सितारा व डीलक्स श्रेणी	18,000 वर्ग मीटर तक	40,000 वर्गमीटर तक
4.	अन्य पर्यटन इकाई	-	आवश्यकता/उपलब्धतानुसार

- उपरोक्तानुसार पर्यटन इकाई हेतु आवंटन की दर उस क्षेत्र की प्रचलित डी.एल.सी. दर होगी।
- पर्यटन इकाई हेतु आवंटन तुलनात्मक निविदा के आधार पर पर्यटन इकाई नीति-2015 में दिये गये प्रावधानों के अनुरूप किया जावे।
- इस नीति के अन्तर्गत उपलब्ध कराई गई भूमि का उपयोग आगामी 30 वर्षों तक निर्धारित उपयोग से अन्यथा नहीं हो सकेगा।

2. नगरीय क्षेत्रों में कृषि भूमि का रूपान्तरण

- (i) शहरी क्षेत्रों में कृषि भूमि का रूपान्तरण राजस्थान भू-राजस्व अधिनियम, 1956 की धारा 90 'ए' के अन्तर्गत किया जायेगा। संबंधित स्थानीय निकाय यथा जयपुर/जोधपुर/अजमेर विकास प्राधिकरण, नगर विकास न्यास, नगर पालिका द्वारा पर्यटन इकाई नीति के तहत धारा 90 'ए' के अन्तर्गत कृषि भूमि का अकृषि भूमि में रूपान्तरण करने पर रूपान्तरण शुल्क तथा विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) देय नहीं होगा। सक्षम अधिकारी को कृषि से गैर कृषि (पर्यटन इकाई) प्रयोजनार्थ धारा 90 'ए' के तहत समस्त कार्यवाही आवेदन प्राप्त होने से 60 दिवस की अवधि में पूर्ण करनी होगी। यदि निर्धारित समय सीमा 60 दिवस में रूपान्तरण आदेश जारी नहीं किये जाते हैं, तो प्रश्नगत भूमि स्वतः ही रूपान्तरित मानी जावेगी। पर्यटन इकाईयों/होटल के संबंध में पूर्व में 90 'बी' के तहत अनुमोदित प्रकरणों पर भी ये रियायतें लागू होंगी।
- (ii) चूंकि राज्य सरकार की मंशा होटल व अन्य पर्यटन इकाईयों को कृषि/औद्योगिक/आवासीय भूमि से संपरिवर्तन किये जाने हेतु सम्पूर्ण छूट दिये जाने की है, अतः इस उद्देश्य की प्राप्ति हेतु उक्त टाउनशिप पॉलिसी एवं नगर सुधार न्यास (नगरीय भूमि निष्पादन) नियम-1974 राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 के अन्तर्गत संशोधन किया जाता है कि कृषि/औद्योगिक/आवासीय भूमि से समस्त प्रकार के होटलों व अन्य पर्यटन इकाईयों की स्थापना पर चाहे वे टाउनशिप योजना में भूखण्ड हो या स्वतंत्र प्लॉट हो संपरिवर्तन, विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) एवं भू-उपयोग परिवर्तन शुल्क को पर्यटन इकाई नीति जारी होने दिनांक से 5 वर्ष तक मुक्त किया जाता है।

3. हैरिटेज होटल्स एवं पुरासम्पत्तियों के संपरिवर्तन व नियमन के संबंध में : —

- (i) कार्यशील हैरिटेज होटल्स एवं पुरासम्पत्तियों जिनको हैरिटेज होटल या पर्यटन इकाई के रूप में परिवर्तित किया जाना प्रस्तावित है उनके लिए पर्यटन विभाग द्वारा प्रमाण पत्र जारी किया जायेगा, जिसके आधार पर संबंधित नगरीय निकाय द्वारा रूपान्तरण/भू-उपयोग परिवर्तन आदेश जारी किया जाना आवश्यक होगा। ऐसे प्रकरणों में मास्टर प्लान में इस भूमि का भू-उपयोग वाणिज्यिक से भिन्न होने पर भी उक्त आदेश जारी किये जा सकेंगे।
- (ii) हैरिटेज होटल के संबंध में प्रचलित भू-उपयोग परिवर्तन नियम, 2010 में निर्धारित मानदण्डों के अतिरिक्त एफ.ए.आर., ऊंचाई, सैटबैक व भू-आच्छादन में शिथिलता दी जा सकेगी।

4. **पुरासम्पत्तियों में वाणिज्यिक गतिविधियों की अनुज्ञेयता: -**

राजस्थान नगरीय क्षेत्र (भू-उपयोग परिवर्तन) नियम, 2010 में नियम 13 में गैर वाणिज्यिक भूमि का वाणिज्यिक भू-उपयोग हेतु संपरिवर्तन किये जाने के लिए आवासीय आरक्षित दर की 40 प्रतिशत राशि भू-उपयोग परिवर्तन के रूप में वसूल की जाती है, लेकिन हैरिटेज सम्पत्ति को हैरिटेज होटल में परिवर्तित करने की स्थिति में विकासकर्ता को संपरिवर्तन शुल्क एवं विकास शुल्क में शत प्रतिशत छूट है। वर्तमान में संचालित हैरिटेज होटलों एवं पुरासम्पत्तियाँ जो हैरिटेज होटल या अन्य पर्यटन इकाई में संपरिवर्तित होनी है, को व्यवहार्य (Viable) बनाने के लिये राज्य सरकार की मंशा के अनुरूप उनके आच्छादित क्षेत्रफल (Ground Coverage) का अधिकतम 10 प्रतिशत अथवा 1000 वर्गमीटर जो भी कम हो में खुदरा वाणिज्यिक (Retail Commercial) उपयोग स्वतः अनुज्ञेय होगा।

5. **कार्यशील पर्यटन इकाईयों का भू-उपयोग परिवर्तन एवं नियमन -**

कुछ हैरिटेज पुरासम्पत्तियों में होटल अथवा अन्य पर्यटन इकाई बिना आवश्यक स्वीकृति के शुरू कर दिये गये हैं और वो कार्यशील हैं, तो नवीन-नीति में ऐसे होटलों व पर्यटन इकाईयों का भू उपयोग परिवर्तन शुल्क एवं विकास शुल्क (आन्तरिक विकास कार्य भूखण्डधारी को स्वयं करने होंगे) में पूरी छूट दी जायेगी।

यदि पूर्व में बिना वांछित स्वीकृति के भूखण्डों एवं भवनों का उपयोग होटल व अन्य पर्यटन इकाईयों के रूप में किया जा रहा है, ऐसी इकाईयों का नियमन राजस्थान नगर पालिका (भू-उपयोग परिवर्तन) नियम, 2010 के नियम-13 के अनुरूप गुणावगुण के आधार पर नियमन शुल्क का 25 प्रतिशत राशि पर नियमन किया जायेगा।

6. **पर्यटन इकाई के भवन मानचित्र अनुमोदन, निर्माण एवं अनुज्ञेय एफ.ए.आर. के संबंध में -**

- (i) नगरीय निकाय द्वारा पर्यटन इकाई के भवन मानचित्र के प्रकरण पूर्ण रूप से आवेदन प्राप्त होने से 60 दिवस की अवधि में आवश्यक रूप से अनुमोदित/निष्पादित किये जायेंगे।
- (ii) 200 कमरों तक की पर्यटन इकाई का निर्माण कार्य भूमि रूपान्तरण/आवंटन की दिनांक से तीन वर्ष की अवधि में पूर्ण करना होगा। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो 3 वर्ष की निर्धारित अवधि भवन मानचित्र अनुमोदन की तिथि से प्रारम्भ होगी। 200 कमरों से अधिक की पर्यटन इकाई के लिए निर्माण अवधि 4 वर्ष की होगी। यदि भवन मानचित्र अनुमोदन की आवश्यकता हो तो अधिकतम 4 वर्ष की अवधि भवन मानचित्र अनुमोदन की दिनांक से प्रारम्भ होगी।

संबंधित प्राधिकृत अधिकारी द्वारा उपरोक्त दोनों प्रकरणों में गुणावगुण के आधार पर एक वर्ष का समय अतिरिक्त प्रदान किया जा सकेगा।

7. **एफ.ए.आर. -**

पर्यटन इकाई नीति के तहत पर्यटन इकाई/होटल प्रस्तावित होने पर वर्तमान में देय अधिकतम एफ.ए.आर. का दोगुणा अर्थात् 4.50 एफ.ए.आर. अनुज्ञेय होगा, किन्तु 2.25 एफ.ए.आर. से अधिक

एफ.ए.आर. प्रस्तावित होने पर बेटरमेन्ट लेवी अतिरिक्त एफ.ए.आर. पर आवासीय आरक्षित दर के आधार पर देय होगी।

8. सकड़ी सड़कों पर हैरिटेज होटलों की अनुज्ञेयता -

वांछित चौड़ाई से कम चौड़ाई की सड़कों पर स्थित हैरिटेज सम्पत्तियां जिन्हें हैरिटेज होटल के रूप में उपयोग में लिया जाना प्रस्तावित हो तथा वर्तमान में कार्गशील हैरिटेज होटल्स जो न्यूनतम वांछित चौड़ाई की सड़कों पर स्थित नहीं हैं, तो ऐसे हैरिटेज होटल्स द्वारा अन्यत्र 40/60 फुट सड़क पर डेडीकेटेड पार्किंग उपलब्ध कराये जाने तथा पार्किंग स्थल से होटल तक पार्क एण्ड राईड व्यवस्था किये जाने की स्थिति में 40/60 फीट से कम चौड़ी सड़कों पर हैरिटेज होटल अनुज्ञेय होंगे।

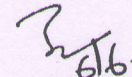
9. बी.एस.यू.पी. शैल्टर फण्ड -

हैरिटेज होटल/रिसोर्ट/मॉटल/एम्पूजमेन्ट पार्क के लिए बी.एस.यू.पी. शैल्टर फण्ड केवल सकल निर्मित क्षेत्रफल पर देय होगा। अन्य पर्यटन इकाईयों यथा होटल/कन्वेन्शन सेन्टर/रेस्टोरेन्ट अथवा कैफेटेरिया आदि के लिए बी.एस.यू.पी. शैल्टर फण्ड प्रचलित नियमानुसार लिया जावेगा।

10. पर्यटन इकाई हेतु सम्परिवर्तित एवं आवंटित भूमि की लीज राशि संस्थानिक प्रयोजनार्थ निर्धारित आरक्षित दर के आधार पर ली जायेगी।

उक्त आदेश राज्य की पर्यटन इकाई नीति जारी होने की दिनांक से राज्य के सभी नगरीय निकायों (विकास प्राधिकरणों/नगर विकास न्यासों/राजस्थान आवासन मण्डल/स्थानीय निकायों) पर लागू होंगे। उपरोक्त सभी नगरीय निकाय अपने स्तर से अन्य कोई आदेश जारी नहीं करेंगे एवं उक्त आदेश की पूर्ण पालना सुनिश्चित करेंगे। पर्यटन इकाई नीति, 2007 के तहत आवेदित प्रकरणों के लिए इस नीति के तहत पुनः आवेदन करने की आवश्यकता नहीं होगी।

राज्यपाल की आज्ञा से,




(अशोक जैन)

अतिरिक्त मुख्य सचिव

प्रतिलिपि निम्न को सूचनार्थ प्रेषित है :-

1. विशिष्ट सहायक, माननीय मंत्री महोदय, नगरीय विकास एवं आवासन विभाग।
2. निजी सचिव, अतिरिक्त मुख्य सचिव, नगरीय विकास विभाग।
3. निजी सचिव, प्रमुख शासन सचिव, पर्यटन विभाग।
4. सचिव, जयपुर/जोधपुर/अजमेर विकास प्राधिकरण, जयपुर/जोधपुर/अजमेर।
5. सचिव, नगर विकास न्यास, समस्त।
6. निदेशक, स्थानीय निकाय विभाग, जयपुर।
7. अधीक्षक, केन्द्रीय मुद्रणालय विभाग, जयपुर को राजस्थान राजपत्र के असाधारण अंक में प्रकाशन हेतु मय सी.डी. प्रेषित है।
8. रक्षित पत्रावली।

 6/6/15
संयुक्त शासन सचिव-द्वितीय

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13/5/15

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GOVERNMENT OF RAJASTHAN
TRANSPORT DEPARTMENT

F.6(266)/Puri/Tax/Hqrs/2006 B366 to 79

Jaipur, Dated:- 18/05/2015


NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 3 of Rajasthan Motor Vehicles Taxation Act 1951 (Act No.11 of 1951) and in supersession of this department's Notification No. F6(179)/pair/tax/Hqrs/95/3, dated 9.3.2015, the State Government being of the opinion that it is expedient in public interest so to do, hereby exempts fifty percent of Special Road Tax payable under section 4-B of the said Act, on the air conditioned passenger vehicles, except sleeper coach, having seating capacity more than 12 including driver, subject to the following conditions, namely:-

1. that the Vehicle shall be registered in the State of Rajasthan in the name of tourist transport operator;
2. that the tourist permit of the vehicle shall be issued by competent authority of State of Rajasthan in the name of recognized tourist operator; and
3. that the tourist transport operator shall be recognized by Ministry of Tourism, Government of India or Tourism Department, Government of Rajasthan, Indian Association of Tour Operators (IATO) and Rajasthan Association of Tour Operators (RATO) and approved as such by the Transport Commissioner.

This notification shall have effect from 01.5.2015 and shall remain in force upto 30.4.2018.

By Order of the Governor,


(Dr. Manisha Arora),
Joint Secretary to Government