

**Government of Jammu and Kashmir**  
**Housing and Urban Development Department**  
**Civil Secretariat, Jammu/Srinagar**

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**Subject:** Jammu and Kashmir Housing, Affordable Housing, Slum Redevelopment and Rehabilitation and Township Policy-2020.

**Ref:** Administrative Council Decision No:81/13/2020 Dated:15.07.2020.

**Government Order No. 164 –JK(HUD) of 2020**  
**D a t e d: 08.09.2020**

In supersession of all the previous policies/notifications/orders on the issue and in the interest of general public, the Government of Jammu and Kashmir hereby notifies the Jammu and Kashmir Housing, Affordable Housing, Slum Redevelopment and Rehabilitation and Township Policy-2020 forming **Annexure-A** to this Government Order.

**By Order of Government of Jammu and Kashmir.**


Sd/-  
(Dheeraj Gupta) IAS  
Principal Secretary to the Government.

No.HUD/23/2020/JDA

Dated: 08.09.2020

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(Thannaji Bhat)  
Under Secretary to Government.

Jammu and Kashmir  
Housing, Affordable Housing, Slum Redevelopment and  
Rehabilitation and Township Policy 2020

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**Abbreviations**

<b>AH</b>	Affordable Housing
<b>AHFC</b>	Affordable Housing Facilitation Centre
<b>BMV</b>	Bench Mark Value
<b>DA</b>	Development Authority
<b>EWS</b>	Economically Weaker Section
<b>FAR/FSI</b>	Floor Area Ratio/Floor Space Index
<b>HFC</b>	Housing Finance Company
<b>HH</b>	Household
<b>HIG</b>	High Income Group
<b>H &amp; UD</b>	Housing and Urban Development
<b>LIG</b>	Low Income Group
<b>MCA</b>	Model Concession Agreement
<b>MIG</b>	Middle Income Group
<b>NGO</b>	Non-Governmental Organization (not for profit)
<b>NHB</b>	National Housing Bank
<b>JKHM</b>	J&K Housing Mission
<b>JKHB</b>	J&K Housing Board
<b>PDA</b>	Project Development Agency
<b>PPP</b>	Public Private Partnership
<b>PWD</b>	Public Works Department
<b>RFP</b>	Request for Proposal
<b>RIT</b>	Regional improvement Trusts
<b>RWA</b>	Resident Welfare Association
<b>HFA</b>	Housing for All
<b>HFAPoA</b>	Housing for All Plan of Action
<b>RMA</b>	Rental Management Agency
<b>SHG</b>	Self Help Group
<b>SLRS</b>	Slum Level Registered Society
<b>SPA</b>	Special Planning Authority
<b>sq.ft.</b>	square feet
<b>sq.m.</b>	square meters
<b>SRDP</b>	Slum Rehabilitation and Development Policy of J&K
<b>SRPA</b>	Slum Redevelopment Project Area
<b>SRRH</b>	Slum Redevelopment and Rehabilitation Housing
<b>TDR</b>	Transferable Development Rights
<b>UAN</b>	Unique Account Number
<b>ULB</b>	Urban Local Body
<b>ULSMC</b>	UT Level Sanctioning and Monitoring Committee
<b>ULSRA</b>	UT Level Slum Redevelopment Authority



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## Chapter-I: INTRODUCTION

- 1.1 Housing is a fundamental human need. Unfortunately, one-fifth of the world's population lives in slums. With rapid urbanization, large-scale migration is taking place from rural to urban areas in search of livelihood opportunities, adding to the internal population growth of the cities. In the absence of inclusive urban planning, this creates shortage of housing, water, sanitation, health, education, social security and livelihood, leading to dismal living conditions for urban poor.
- 1.2 The EWS and LIG households accounts for about 75% of the housing stock requirements. These households make vital contributions to the growth of a city. Hence, it is must to provide for EWS & LIG housing in large numbers to become inclusive, vibrant and affordable. The rising land and construction costs have made affordable housing out of reach for the EWS and LIG households in the urban areas and their requirements can only be met if the UT (through appropriate policy instruments and supporting legal framework), Municipal bodies (through proactive partnership and support), Development Authorities and the J&K Housing Board (through obligatory provisions in development control regulations, proper spatial planning and affordable housing schemes), housing finance institutions (through adequate lending to both developers and end-use borrowers at affordable lending rates) and private developers (through focus on affordable housing sector) join hands to make it possible.
- 1.3 Housing is generally the single largest expenditure of EWS and LIG households. It is also the prime asset for these families. Therefore, given the high land and construction costs and procedural bottlenecks associated with development of affordable housing, it is necessary to devise a Housing Policy, which focuses on EWS and LIG households to make urban growth an inclusive process.
- 1.4 As per 2011 census, the Jammu and Kashmir (erstwhile State) had a population of 12.54 million; out of which, 3.34 million (27.38%) lived in urban areas. The (urban) housing stock in the State stood at 4.96 lakh for 5.17 Lakh (urban) households meeting the demand by 96%. Though the demand-supply gap is narrow, however the actual demand is high due to housing dilapidation and multi-family housing and single room housing. The dilapidated houses constitute about 3% of the total housing stock, the houses having no exclusive room or one room are about 18% and the households having more than one couple living in them are more than 18%. All this data point to a higher housing deficit than is obvious from the direct gap of housing supply and demand.
- 1.5 The Union Territory of Jammu and Kashmir has a growth rate of about 23% which exceeds the national growth rate of about 17%. It has been found that the household formation rate (2.5%) for the region is higher than its population growth which will have direct implications on the housing demand in the area. Keeping in mind the household formation rate of 2.5%, the projected housing demand in the UT of J&K is roughly estimated to be 2.50 Lakh dwelling units out of which around 30% is the estimate for the urban areas.
- 1.6 The continuous growth of population pressurizes the housing market, demanding more houses. With the demand for houses having increased, the quality and condition of housing have received much less attention. The mushrooming growth of private housing colonies, which are either ill planned or un-planned, have created various problems for urban local bodies in providing basic amenities to these colonies. This warrants the promulgation of a comprehensive housing policy for the Union Territory so that the provision of appropriate housing gets impetus and the market is regulated as

per the state of practice in the sector.

- 1.7 In order to meet the growing requirement for AH, SRRH& RH, an initial target has been set for construction of 1,00,000 dwelling units for EWS, LIG & MIG households over the next 5 years.

## Chapter-II: DEFINITIONS

In this policy, unless the context otherwise requires; following terms shall have the meaning as defined herewith below:

- 2.1 **"Affordable Housing Facilitation Centre/s"** shall refer to beneficiary facilitation center/s as opened & operationalized by Government or PDAs under provisions of this policy;
- 2.2 **"Affordable Housing Project"** shall mean housing projects where 35% of the houses are constructed for EWS category;
- 2.3 **"Affordable Housing Units"** shall mean dwelling units for EWS and LIG households only;
- 2.4 **"Allotment"** means allotment of a particular Affordable Housing Unit to an allottee, by following the process as defined in this policy;
- 2.5 **"Allottee"** means a person to whom an affordable housing unit has been allotted;
- 2.6 **"Applicant"** means a person who has submitted his application for allotment of an affordable housing unit by putting his/her signature or thumb impression on an application form or by submitting the same electronically;
- 2.7 **"Application"** means an application made in such form as may be prescribed from time to time;
- 2.8 **"Authority/ies"** shall mean and include the government body/ies referred individually or collectively namely JKHM, ULB, PDAs, etc. and any other government body assigned with any responsibility under this policy;
- 2.9 **"Basic Urban Services / Municipal Services"** mean services of drinking water supply, sanitation, drainage, sewerage, solid waste disposal and street lighting;
- 2.10 **"Beneficiary" or "Beneficiary Family"** shall comprise husband, wife and unmarried children. The beneficiary family should not own a pucca house (an all-weather dwelling unit) either in his/her name or in the name of any member of his/her family in any part of India;
- 2.11 **"Bid Documents"** shall mean to include all such documents which might have been provided by the JKHM or PDA and /or by the private entity as an intent to participate in the bidding process and shall also include all related documents to the project which might have been served, published, notified by either of the parties from time to time;
- 2.12 **"Carpet Area"** shall mean the area enclosed within the walls, actual area to lay the carpet. This area does not include the thickness of the inner walls;



- 2.13 **"Concession Agreement"** refers to the contract agreement as entered into between the PDA and the developer in accordance with terms and conditions of the bidding documents and as approved by JKHM;
- 2.14 **"Cost of Construction"** shall mean all costs represented on square foot basis which are associated and incurred by the PDA towards designing, building, construction, installation, testing and commissioning as per the approved project;
- 2.15 **"Cost to the Beneficiary"** shall mean the amount likely to be paid by the beneficiary/allottee for the allotment of an Affordable Housing Unit on heritable but nontransferable ownership basis and the same excludes interests and other financial charges, which have been or may have to be paid by the beneficiary in due course of time for any loan and finances solicited by him for this purpose. This does not include the subsidy amount that a beneficiary may receive from the UT Government or Central Government;
- 2.16 **"Government"** means Government of J&K for the UT Government and Government of India for the Central Government;
- 2.17 **"Government Subsidies"** shall mean to include such grants and aid as provisioned by the government for the purpose of improving housing affordability of the public at large;
- 2.18 **"Grievance Redressal Committee"** means a committee as constituted by JKHM for every PDA and notified from time to time;
- 2.19 **"Group housing"** means housing for more than four dwelling units, where land is owned jointly (as in the case of cooperative societies or public agencies, such as local authorities and Housing Board) and the construction is undertaken by a common agency;
- 2.20 **"Land Use"** means the use of land in master plan or zonal development plan or any other plan as may be applicable in this regard;
- 2.21 **"Mixed Housing Development"** refers to development of such housing estates which provides for dwelling units for more than one category of income groups;
- 2.22 **"Municipality"** means a Municipal Corporation or Municipal council or a Municipal Committee;
- 2.23 **"Neighbourhood Shopping"** means a group of commercial units developed in neighbourhood of housing estates for the purpose of supplying necessary and requisite day to day items and also supports commerce, trade or business or otherwise as required by the residents of these housing estates;
- 2.24 **"J&K Housing Mission"** shall refer to a Mission as constituted by Government of J&K under this policy;
- 2.25 **"Policy"** refers to this "J&K Townships, Affordable Housing, Slum Redevelopment & Rehabilitation Policy - 2020";
- 2.26 **"Project Development Agencies"** means any UT government agency which takes up development of any type of housing estates and shall include JKHB, ULBs,



DAs, etc.;

- 2.27 “Public Private Partnerships”** means a contract between Authority on one side and a private entity on the other, for the development of land to achieve a specific end use, wherein investments are made by the private sector entity and wherein there is well defined allocation of risks between the private sector and the Authority;
- 2.28 “Slum”** means a compact area of at least 300 population or about 60-70 households of poorly built congested tenements, in unhygienic environment usually with inadequate infrastructure and lacking in proper sanitary and drinking water facilities;
- 2.29 “Shelter Fee”** means the fee to be paid by the developer in accordance with Chapter IV and Annexure 2 of this policy;
- 2.30 “Transfer of Development Rights”** means making available certain amount of additional built up area in lieu of the area relinquished or surrendered by the owner of the land, so that he can use extra built up area himself in some other land;
- 2.31 “Transit Accommodation”** means the accommodation and house sites provided to slum dwellers during the redevelopment period when they are unable to continue in their existing dwellingspace;
- 2.32 “Urban Local Body (ULB)”** means Urban Local Body duly notified as such by Housing and Urban Development Department of Govt. of J&K under the provisions of relevant acts;
- 2.33** Words and expressions used in this Policy but not defined shall have the same meaning as assigned to them in the J&K Municipal Act-2000 and rules made there under, the J&K Municipal Corporation Act-2000 and rules made thereunder and J&K Development Act-1970 and rules made there under or Jammu and Kashmir Metropolitan Region Development Authorities Act 2018 or any other Acts, Rules & Regulations of State Government.
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## Chapter – III: OVERVIEW OF THE POLICY

The Government of J&K has taken up "Housing for All" as a top priority mission at the UT level. The government has envisaged establishment of a Mission and earmarking of adequate financial, technical and managerial resources to this effort. This Policy is intended to provide the overarching enabling framework to facilitate achievement of the set objectives.

### 3.1 Vision

To ensure that all residents of urban areas in J&K have access to a range of housing options within their affordability limits by putting in place a system that will deliver results consistently over a period of time.

### 3.2 Mission

To work towards a set of strategies to create a steady supply of affordable housing stocks to cater to the growing demand. The J&K government intends to comprehensively address housing deficit in urban areas and have an operational system, where supply matches demand.

### 3.3 Objectives

The specific objectives of this Policy are as follows:

- a) To create a comprehensive, holistic policy framework to address all aspects of housing for the urban poor including slum rehabilitation and redevelopment as well as new housing and rental housing.
- b) To promote inclusive mixed housing development in all new housing projects, both in the public and private domain.
- c) To promote mixed land use in housing estates in future so as to meet requirements of neighbourhood shopping, retail etc. within walking distance.
- d) To enable proactive market-led efforts to address the low- and informal-income market segment.
- e) To promote public private partnerships for affordable housing and slum rehabilitation projects.
- f) To ensure availability of land for such projects in a time bound and regulated manner.
- g) To set principles for allotment of AH (Affordable Housing) units, SRRH (Slum Redevelopment & Rehabilitation Housing) units (Rental Housing) units and Integrated /Special Townships to various beneficiaries in a transparent and efficient manner.
- h) To establish an effective institutional framework ensuring single window approvals for housing projects.
- i) To provide the platform for the operation and maintenance of AH, SRRH, RH units and Integrated/Special townships in a cooperative manner.



- j) To promote inclusive and participatory planning and implementation processes for slum redevelopment housing.
- k) To integrate various livelihood programmes with housing programmes benefiting beneficiaries of AH, SRRH, RH and Integrated/Special townships and ensuring overall socio- economic development of the families.
- l) To ensure provision of networked municipal services across the city for ensuring better standards of living for urban poor.
- m) To promote and set up a system for formation of Housing Societies by the existing Slum Dwellers and to promote their participation in Slum Redevelopment programmes.
- n) To promote and ensure minimum relocation of the existing slum dwellers so as to maintain sanctity of existing economic and social linkages developed over a period of time in the informal settlements.
- o) To provide a frame work for supply of Affordable Rental Housing for new migrants to prevent the development of new slums.
- p) To provide a mechanism to address operational issues that may arise from time to time during implementation of policy.

### **3.4 Strategies**

To fulfill the above objectives, the Government of J&K has decided to deploy a set of strategies that will address both the supply side and the demand side of affordable housing and integrate them with livelihood promotion.

#### **3.4.1 Supply side strategies:**

- a) Mandate the provision of affordable houses for urban poor as part of all new housing development projects both in the public and private domains and to provide adequate incentives to make such mandatory provisions viable.
- b) Create a favourable environment for developers to provide market-based solutions for affordable housing through an appropriate set of incentives.
- c) Create a policy framework for public private partnerships in affordable housing where the government through its agencies provides government land for the purpose.
- d) Articulate a set of principles for the allocation of government land for affordable housing projects.
- e) Integrate the policy framework for slum rehabilitation and redevelopment with affordable housing policy.

#### **3.4.2 Demand side strategies:**

- a) Establish Affordable Housing Facilitation Centers to aggregate the demand by registering potential beneficiaries, verifying their profile and facilitating access to home loans.
- b) Establish transparent processes for matching beneficiaries with projects for

allotment of houses.

### 3.4.3 Service Level Strategies

- a) Establish responsibility framework, integrate and ensure coordination between various government agencies responsible for provisioning of basic services at the location of housing developed by the Project Development Agencies (PDA) in any of the models under the policy.
- b) Mandate the formation of registered housing societies for cooperation, participation and management of AH and SRRH projects and for taking up redevelopment and resettlement programmes in a cooperative manner with the help of PDAs and UT Government.
- c) Enhance the capacity and effectiveness of such housing societies for repair, maintenance and management of the housing estates through involvement of private entities under PPP mode or otherwise. The details related to formation of registered society, operation and maintenance of estates etc. are provided in Annexure – 6 of this policy.
- d) Establish a mechanism for capturing in the CDP Infrastructure Development Fund (CIDF) or UT Housing Fund, as the case may be, concession fees as collected in case of PPP projects and any other fees collected from private developers and to provide for funding support out of these funds for various activities required for provisioning of housing for all.

### 3.4.4. Livelihood Level Strategies

- a) To make efforts to ensure that there is no disruption of socio-economic linkages of informal settlements by undertaking redevelopment of existing slums in situ to the extent possible or to relocate them in close proximity to the existing sites.

The alignment and establishment of public transport linkages between important nodes of the city where affordable housing units are being built and core business district and other markets so as to create hassle-free communication between livelihood areas and residential areas.

- b) Make efforts to create mixed housing zones so that the livelihood support linkages get created between the HIG/MIG segment housing and the EWS & LIG families.
- c) Creation of vendors' markets of vegetable, arts, crafts etc. depending on the capabilities and demands of the community either within the housing estate or in a nearby area.
- d) Promote engagement of in-house residents of the housing estate in maintenance and management of the housing estates and taking up skill upgradation for the same.
- e) Convergence of various urban livelihood programmes under the UT & Central government for improving livelihood options for urban poor.



### 3.4.5. Setting up of CDP Infrastructure Development Fund(CIDF)

The implementation of the policy will involve the approval and notification of CDP for various cities and development authority areas envisaging large scale investment for the implementation of various urban housing and Infrastructure Projects such as low-cost housing, slum re-development, storm water drainage, sewerage, water supply, master plan roads, open space development etc. The quantum of funds required for the purpose will be difficult to be met only out of Government budgetary resources. Therefore, financing of such infrastructure will require other financial instruments like setting up of dedicated funds. In this regard, Government of UT of J&K shall keep provisions for the setting up of CDP Infrastructure Development Fund. This will work on the principles of Development Based Land Value Capture (DBLVC), in which the value of government land is unlocked and is used for financing urban infrastructure. This mechanism shall be extended to all the Development Authorities in UT. Therefore, the Government, accordingly, will constitute CDP Infrastructure Development Fund (CIDF) for every Development Authority. The CIDF will be managed as follows:

#### 1) Objective:

To create a dedicated fund for the financing of City Level Infrastructure projects including slum re-development, affordable housing, master plan roads, open space development, transit & transport infrastructure etc. as proposed in CDP and other development works as approved by appropriate institutional framework prescribed in in this policy.

#### 2) Principles of Management:

Following principles will be followed for the creation and management of this fund:

- i. This fund will be maintained with the concerned Development Authority and will be managed as per decisions of HLC and ULSCM constituted for implementation of CDP under the policy. The composition, Terms of Reference (ToR) and other details of HLC and ULSCM shall be notified separately.
- ii. This fund will be ring-fenced from normal Development Authority expenditures to ensure that funds are utilized only for development of city level infrastructure i.e. Capital Expenditures.
- iii. Development Authority will maintain separate book of account for this fund.
- iv. The fund will supplement and fill gaps in funding available for various urban infrastructure projects. It will not be used to substitute the funds and grants available under various schemes and projects of UT& Central Government.
- v. Fund can be used for provision of technical assistance, preparation of development plans, DPRs ,feasibility reports and for hiring of Consultancy for any work relating to implementation of CDP proposals.
- vi. The ULSCM shall be the Nodal Authority for sanctioning of projects for expenditure out of this fund. The composition and ToR of the ULSCM shall be notified separately.
- vii. The funds in CIDF account should be invested in suitable fiscal instruments so as to generate optimum return with assured safety and liquidity. This should be done as per the decision of ULSCM, which shall be notified separately.

### 3) Flow of Funds:

This fund will be generated by taking up development of land for residential and commercial purposes by development authorities and by crediting of other financial resources as indicated below:

- (a) Out of Government Lands already allotted to Development Authorities: With reference to Auctions and PPP transactions on lands for which premium has been paid by DA, funds to the extent of @ 75% of total funds received by way of PPP transaction or auction minus the cost of land to DA will be credited into CIDF.
  - (b) Out of Government lands to be transferred to Development Authorities:
    - i. Development Authorities will pay prescribed Bench Mark Value (BMV) to Government at the time of transfer of land. The rest of value should be paid in CIDF in three equal annual installments, payments of which shall commence from the date of expiry of two years from the date of transfer/allotment of such land by Government to Development Authority.
    - ii. 95% of surplus generated by disposal of land on PPP model or Auction shall be credited in CIDF.
    - iii. Funds generated by way of conversion of leaseholds residential properties into free hold properties.
  - (c) Funds from any other source: As decided by the Government from time to time.
- 4) Monitoring, Evaluation & Auditing:
- (a) The fund will be audited by A.G. (Accountants General) of J&K, besides the Local Fund Audit of Department of Finance, Government of J&K.
  - (b) Government, HLC or ULSCM may also decide to take up any additional monitoring, evaluation or auditing exercise to ensure appropriate and effective utilization of this fund. The composition, Terms of Reference (ToR) and other details of HLC and ULSCM shall be notified separately.
  - (c) Development Authority will also submit an Annual Report on the management of this fund to Government.

### 3.5 **Models under Housing for All (HFA) Policy in J&K**

The Government of J&K envisages seven models for intervention under this Policy, which can operate independently or in combination with each other.

- a) Model-1: Mandatory Development of EWS/HIGH Housing;
- b) Model-2: Incentives for market-based development of EWS and LIG Housing;
- c) Model-3: Development of Affordable Housing Projects;
- d) Model-4: In-situ Slum Redevelopment;
- e) Model-5: Relocation and Rehabilitation;
- f) Model-6: Beneficiary-Led Individual Housing Construction or Enhancement;
- g) Model-7: Rental Housing;
- h) Model-8: Integrated Township Schemes;
- i) Model-9: Special Town Ship Schemes;



### **3.6 Standard provisions**

The unit size, unit price norms for reserved units, allotment system, development control norms for affordable housing projects, development of internal and external infrastructure, eligibility criteria for beneficiaries/ applicants and maintenance of the project area developed for affordable housing units have been mentioned in relevant Annexures to this Policy.

### **3.7 Provisions of Basic Services to Slum Dwellers**

This policy also recognizes the need to provide for an effective mechanism for the provision of basic services to urban poor living in slums till their habitation are taken up for comprehensive redevelopment under provisions of Chapter V of this Policy. Therefore, government will take up a set of measures and interventions to safeguard rights of slum dwellers to basic services as per provisions given in Annexure – 9.

### **3.8 Regulatory Reforms**

Availability of urban land is the biggest constraint in providing housing to all including weaker sections. Therefore, to ease administrative and regulatory bottlenecks, following reforms will be taken up.

- 3.8.1 The Government will make appropriate changes in the law for obviating the need for conversion of Agricultural land for Non-Agricultural purposes under J&K Agrarian Land Reforms Act, 1976, if land is already earmarked in Master Plan for Non-Agricultural purposes.
- 3.8.2 It shall be ensured that at the time of preparation of master plans; at least 20% of land meant for housing is reserved for Affordable Housing.
- 3.8.3 The Government will put in place a system of single window mechanism with time bound clearance for layout approval and building permissions by various authorities.
- 3.8.4 Authorities will prepare and notify pre-approved layouts and building plans for EWS/LIG housing so that same can be used by citizens for taking up construction of such houses.
- 3.8.5 The Government will enact rent control law on the lines of Model Tenancy Act being prepared by Ministry of Central Government.
- 3.8.6 The Government will make provisions for grant of additional FAR/FSI/TDR and relaxed density norms for slum redevelopment and low-cost housing.

## Chapter-IV: MODELS OF AFFORDABLE HOUSING

With a view to provide access to affordable housing for the urban poor including urban slum dwellers, the Policy adopts the following models:

### 4.1 Model 1: Mandatory Development of EWS Housing

In line with the Policy objective of promoting inclusive mixed housing development, this model mandates development of EWS housing in all new housing projects in urban areas of UT of J&K. This model is applicable for development by both private developers and Project Development Agencies (PDAs).

#### 4.1.1 Private Developers

4.1.1.1 **Reservation requirement:** All apartments/ group-housing schemes with plot size exceeding 4,000 sqm shall have to compulsorily reserve minimum 20% of the dwelling units for EWS/LIG in order to obtain building plan approval from the competent authority under the applicable building regulations.

4.1.1.2 **Compensatory FAR/FSI:** The private developer shall be entitled to receive compensatory FAR equivalent to 100% of the built-up area utilized for EWS units. This additional FAR/FSI can be utilized in the same project subject to maximum FSI of 3.0, or where there is any difficulty in utilizing the compensatory FAR/FSI in the same project, the developer shall be entitled to receive TDR for the unutilized Compensatory FAR/FSI. This TDR can be utilized at a different location or transferred to third parties to be used in receiving zones subject to guidelines to be issued by the Government in this regard.

4.1.1.3 **Utilization of remaining built-up area:** The remaining built-up area may be utilized for other categories of houses and commercial purposes. This shall be as per the relevant provisions of Building Byelaws/Building Code or any other Planning & Building Standards Regulation in force.

4.1.1.4 **Mixed-use development:** 5% of the built-up area reserved for EWS/LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area must be exclusively reserved for neighbourhood shopping facilities. The provisions of Annexure – 5 shall also apply to these developments.



4.1.1.5 **Relaxations for developers:** The mandatory provisions shall be ordinarily followed in all housing projects except in cases where, provisioning for EWS/LIG housing cannot be provided for practical reasons. In such cases, following relaxation will be available on case to case basis;

- a) **Development at separate location:** In the event of any problem in accommodating EWS dwelling units in the project in question, the private developer may be allowed to provide the same requirement of EWS housing at another location not beyond 5 km from the project. Provided further that if the upcoming project is within the Development Area of Development Authority, then the location of construction of EWS/LIG units shall also be within the Development Area of same Development Authority.
- b) **Payment of Shelter Fee:** In case, if providing the EWS dwelling units at a separate location as mentioned in clause (a) above is not possible, the private developer may be allowed to pay a "Shelter Fee" in lieu of development of required EWS units in accordance with provisions as prescribed under Annexure - 2. The Shelter Fee contributed by private developer shall be included as a part of the CDP Infrastructure Development Fund (CIDF) to be established for each Development Authority. For the cities not covered under jurisdiction of a Development Authority, a UT Level Housing Fund will be created for the purpose.
- c) **Allotment of Affordable Housing Units:** The Affordable Housing (AH) units developed under this model shall be allotted on the basis of following principles: It should be allotted to beneficiaries who are eligible as per the criteria fixed in Annexure – 3.
- d) The allotment will be done on the basis of lottery.
- e) J&K Housing Mission (JKHM) will designate one PDA for each district or a group of districts. Such designated PDA shall be responsible for overall supervision of allotment of the Affordable Housing units created under this Model and for ensuring adherence to the provisions of the policy.
- f) The allotments shall be supervised by the designated PDA. This shall be subject to following conditions:

- (i) The committee constituted for the purpose of allotment shall have the Developer or its authorized representative, as member;
  - (ii) The payments as due from the beneficiary will be paid directly by him to the developer;
  - (iii) Cost to the beneficiary will be as provided in Annexure - 1.
- g) The substitution of allottee shall follow the same process as discussed above.
- h) The procedures given in Annexure – 3 shall apply, *mutatis mutandis*.
- 4.1.2 Project Development Agencies for Government (JKHB/ ULBs/ DAs/ R&B/JKPCC) – Details given in Chapter-VIII-Institutional Management**
- 4.1.2.1 Reservation requirement:** All housing schemes by government PDAs shall earmark at least 20% of dwelling units in all its housing schemes for EWS and LIG housing, and PDA shall in return be entitled to get Government land for the area reserved for EWS and LIG housing without any cost.
- 4.1.2.2 Compensatory FAR/FSI:** The PDAs shall be entitled to receive additional FAR equivalent to 100% of built up area utilized for EWS units. This additional FAR can be utilized in the same project subject to maximum FSI of 3.0, or where there is any difficulty in utilizing the compensatory FAR/FSI in the same project, the PDA shall be entitled to receive TDR for the unutilized Compensatory FAR/FSI which may be utilized at a different location or transferred, subject to guidelines to be issued by the Government in this regard.
- 4.1.2.3 Utilization of remaining land area:** The remaining land area may be utilized for other categories of houses and commercial purposes. This shall be as per the relevant provisions of Building Byelaws/Building Code or any other Planning & Building Standards Regulation in force .
- 4.1.2.4 Mixed-use development in area reserved for EWS & LIG dwelling units:** 5% of the built-up area reserved for EWS & LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area shall be exclusively reserved for neighbourhood shopping facilities. The FAR consumed under this section shall form part of total built up area being developed for EWS& LIG housing. The provisions of Annexure – 5 shall also apply to these developments.
- 4.1.2.5 Implementation Issues:**
  - a) The relaxation available to private developers vide provisions 4.1.1.5(a), shall also be available to PDAs.
  - b) The lease deeds already signed by PDAs, for government land allotted to them, shall be deemed to be amended to enable PPPs for housing. In all lease deeds to be signed after notification of this policy, a specific clause



shall be added to enable PPPs for housing as per this policy.

- c) The allotment shall be done by PDA to beneficiary as per the principles given in Annexure – 3.

#### **4.2 Model 2 : Incentives for Market Based Development of EWS and LIG**

##### **Housing**

In line with the Policy objective of enabling proactive market-led efforts to address the housing needs of EWS and LIG households, this model sets up an incentive mechanism, in terms of market pricing and other incentives for private developers and PDAs with an aim of increasing the supply of affordable housing units in urban areas of J&K.

##### **4.2.1 Private Developers**

- 4.2.1.1 **Applicability of Model 1 requirements:** The provisions of Sections 4.1.1.1, 4.1.1.2 and 4.1.1.5 of Model 1 of this policy relating to mandatory provision of EWS/LIG housing shall apply to Model 2 also.
- 4.2.1.2 **Additional reservation for EWS and LIG housing:** If any private developer reserves area under EWS & LIG dwelling units beyond the mandatory provisions as given in Model - 1, then he will be eligible to get incentives as prescribed in this model. These incentives shall be limited to built-up area / land area used for providing such additional reservations.
- 4.2.1.3 **Compensatory FAR:** The developer shall be entitled to receive additional FAR equivalent to 100% of the built-up area utilized for EWS. This additional FAR can be utilized in the same project subject to maximum FAR of 3.0, or where there is difficulty in utilizing the higher FAR in the same project, the developer shall be entitled to receive TDR for the unutilized Compensatory FAR which he may utilize at a different location or transfer to third parties subject to guidelines to be issued by the Government in this regard.
- 4.2.1.4 **Utilization of remaining built-up area:** The remaining built-up area may be utilized for other categories of houses and commercial purposes. This shall be subject to relevant provisions Building Byelaws/Building Code or any other Planning & Building Standards Regulation in force.  
**Mixed-use development in area reserved for EWS and LIG dwelling units:** 5% of the built-up area reserved for EWS and LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area shall be exclusively reserved for neighbourhood shopping facilities. The provisions of Annexure – 5 shall also apply to these developments.
- 4.2.1.5 **Other incentives and relaxations to developers:**
  - a) **Market pricing:** The developer shall be at liberty to determine the sale price of the EWS and LIG dwelling units over and above the mandatory

reservation under Model 1, subject to an overall upper limit per dwelling unit fixed by the Government. This price will be revised time to time by the J&K Government / J&K Housing Mission. The developer can allot Affordable Housing (AH) units created under the provisions of 4.2.1.2 by itself. Provided the developer shall not allot more than one unit of the EWS or LIG components in a project to a single household.

- b) **Fast track approval process:** The projects under this model shall be eligible for fast track approval process as specified by the Government in Annexure- 5.
- c) **Exemption from land use conversion charges:** The developer shall be exempted from land use conversion charges by the competent revenue authority to the extent of EWS and LIG housing, over and above the mandatory reservations under Model 1, on issuance of a certificate from the Authority approving the building plan.
- d) **Exemption from Building Plan sanction fee:** The projects under this model shall be exempted from payment of building plan approval fee to the extent of EWS and LIG housing in terms of FAR/FSI used, over and above the mandatory reservations under Model 1.
- e) **Exemption from External/Periphery Development Charges:** The projects under this model shall be exempted from payment of external/periphery development charges to the extent of EWS and LIG housing in terms of FAR/FSI used.

#### **4.2.2 Project Development Agencies for Government (JKHB/ ULBs/ DAs/ R&B/JKPCC)**

**4.2.2.1 Applicability of Model 1 requirements:** The provisions of Sections 4.1.2.1, 4.1.2.2 and 4.1.2.5 of Model 1 of this policy relating to mandatory provision of EWS and LIG housing shall also apply to Housing projects of PDA covered under Model 2.

**4.2.2.2 Additional reservation for EWS and LIG housing:** If a PDA reserves area under EWS and LIG dwelling units beyond the mandatory provision of 20% of area under Model 1, then they will be eligible to get further incentives under this model. These incentives shall be limited to the built-up area reserved over and above the mandatory provisions of 4.2.2.1.

**4.2.2.3 Compensatory FAR:** The PDA shall be entitled to receive additional FAR/FSI equivalent to 100% of the built-up area utilized for EWS units over and above the mandatory reservation under Model 1. This additional FAR/FSI shall be utilized in the same site subject to maximum FSI of 3.0. Provided if there is difficulty in utilizing the compensatory FAR/FSI in the same project, it shall be entitled to receive TDR for the unutilized Compensatory FAR/FSI which, they



may utilize at a different location, again subject to the limitation of not more than FAR of 3.0 at a single location, or transfer to third parties subject to guidelines to be issued by the Government in this regard.

**4.2.2.4 Utilization of remaining built-up area:** The remaining built-up area may be utilized for other categories of houses and commercial purposes. This shall be subject to relevant provisions of Planning & Building Standards Regulations in force.

**4.2.2.5 Mixed-use development in area reserved for EWS and LIG dwelling units:** 5% of the built-up area reserved for EWS and LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area shall be exclusively reserved for neighbourhood shopping facilities. The provisions of Annexure – 5 shall also apply to these developments

**4.2.2.6 Other incentives and relaxations to PDAs:**

- a) **Market pricing:** The PDA shall be at liberty to determine the sale price of the EWS and LIG dwelling units over and above the mandatory reservation under Model 1, subject to an overall upper limit per dwelling unit fixed by the Government. This price will be revised time to time by the UT Government / J&K Housing Mission. The PDAs can allot Affordable Housing units created under provisions of 4.2.2.2 by following its own allotment procedures.
- b) **Fast track approval process:** The projects under this model shall be eligible for fast track approval process as specified by the Government in Annexure - 5.
- c) **Exemption from Building Plan Sanction fee:** The projects under this model shall be exempted from payment of building plan sanction fee to the extent of EWS and LIG housing in terms of FAR used, over and above the mandatory reservations under Model 1.
- d) **Exemption from External/ Periphery Development Charges:** The projects under this model shall be exempted from payment of external/ periphery development charges to the extent of EWS and LIG housing, in terms of FAR/FSI used, over and above the mandatory reservations under Model 1.

#### **4.3 Model 3: Development of Affordable Housing Projects**

Under this model, the Government will give specific target for creation of Affordable Housing (AH) units to various PDAs. To achieve the same, J&K Government shall allot land to PDAs, free of cost and freehold basis. On such lands, PDAs may take up development of affordable housing on PPP model or by itself. This will be undertaken as per following principles.

##### **4.3.1 Affordable Housing Projects on PPP Model**

In line with objective of the Policy to enable public private partnerships for

affordable housing and leveraging government land for affordable housing development, this model sets up a mechanism for partnership between PDAs and private developers for increasing the supply of affordable housing stock in Jammu and Kashmir.

- 4.3.1.1 Provision of Government Land:** Government land for the projects to be taken up under this model shall be provided to PDA on free of cost and freehold basis. The land for the project shall be divided into two parts i.e. Affordable Housing Area (AHA) & Developer Area (DA). These shall be subject to following conditions:
- a) Affordable Housing area shall not be less than 60% of the total project area.
  - b) At least, 50% of the dwelling units in the project shall be for EWS/LIG category.
  - c) The Developer Area will be given by PDA to private developer on freehold basis, as per the terms and conditions of the Concession Agreement.
  - d) The ownership of land reserved for Affordable Housing Area will remain with PDA and Affordable Housing units developed over same shall be allotted to the eligible beneficiaries. This allotment shall be made as per the provisions of Annexure – 3.
- 4.3.1.2 Mandatory Development Norms:** The following mandatory development norms shall be followed by PDA for structuring of projects under this model and the same shall also form part of the bidding documents:
- a) **Density Norms:** The PDA shall ensure that density in terms of Dwelling Units per Acre (DU/Acre) on Affordable Housing Area shall be as per provisions applicable to affordable housing units in Annexure – 5.
  - b) **Mixed Land Use Norms:** 5% of the built-up area reserved for EWS and LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area shall be exclusively reserved for neighbourhood shopping facilities. The FAR consumed under this section shall form part of total built up area being developed for EWS and LIG housing. The provisions of Annexure-5 shall also apply to these developments.
  - c) **FAR/FSI:** Maximum FSI of 3.0 will be allowed for the projects under this model. If part of FAR/FSI for Affordable Housing Area remains unutilized, the same can be utilized by the private developer on Developer Area.
  - d) **Number of Affordable Housing Units:** Bid documents shall specify the number of EWS & LIG dwelling units to be built by the private



developer for handing over to PDA. The construction specification along with the detailed plan of the Affordable Housing Area development shall also form part of bidding documents.

- e) **Neighbourhood Shopping Units & Community Area:** The neighbourhood shopping units and community area as developed by developer in Affordable Housing Area shall be handed over to PDA for further allotment and management.

#### **4.3.1.3 Selection of private developer:**

- a) **Bidding Process:** The selection of the private developer shall be done through an open competitive bidding process.
- b) **Eligibility Criteria:** The private developers participating in the bidding process shall qualify on the eligibility criteria given in Annexure-4 and other such criteria as given in Bid documents.
- c) **Fixed Parameter:** The fixed parameter will be construction of Affordable Housing Units along with the neighbourhood shopping and community facilities to be developed by the private developer in Affordable Housing Area, which shall be handed over to the Project Development Authority free of all costs.
- d) **Bidding Parameter:** The concession fee to be quoted by the private developer for the project will be the bidding criteria. The eligible private developer who quotes lowest grant or highest premium shall be selected for the project. This concession fee shall be payable to or by the PDA in installments as per conditions given in the Bid documents.
- e) **Payment of Concession Fees:** The concession fee shall be paid in or out of CIDE for the projects in the local area of Development Authorities. For other areas, the concession fee shall be paid in or out of UT Housing Fund.

#### **4.3.1.4 Allotment of EWS and LIG dwelling units:**

- a) The PDA shall undertake identification, verification and final selection of beneficiaries for the affordable housing units being developed in the project. Assistance of Affordable Housing Facilitation Centers if any, established under this policy, may be taken up by PDA to perform these duties.
- b) The selection of the beneficiaries shall be done as per the provisions given in Annexure - 3. The PDAs shall also maintain a wait list of potential beneficiaries, equivalent to 50% of the Affordable Housing Units being developed in the project to mitigate the risk of dropouts during the process of allotment or thereafter.
- c) The PDAs, ULBs and DAs shall also take up advocacy for new

Affordable Housing Schemes and shall also facilitate access to Housing Micro Finance to enable beneficiaries to pay for the house.

- d) The private developer shall pro-actively participate in this facilitation process for availing of housing finance by selected beneficiaries. The selected developer shall also proactively undertake marketing activities, loan fairs and provide handholding support to the beneficiaries. The details of these obligations will form part of Bid documents.

**4.3.1.5 Utilization of Developer Area:** The private developer shall utilize the Developer Area for taking up housing and commercial projects, subject to provision of Planning & Building Standard Regulations in force and subject to provisions of this policy.

**4.3.1.6 Other incentives and relaxations:** The projects under this Model will also be eligible for availing following incentives and relaxation:

- a) **Fast track approval process:** The projects under this model shall be eligible for fast track approval process as specified in Annexure- 5.
- b) **Exemption from various fees, Charges & Security Deposit:** The projects under this model shall be eligible for exemption from following fees, deposits and charges limited to development on Affordable Housing Area:
  - i. Exemption from sanction fee of building plan sanctioning authorities;
  - ii. Exemption from payment of external/peripheral development charges of Urban Local Bodies etc.
  - iii. Exemption from keeping of security deposit by building plan approval agencies.

**4.3.2 Development of Affordable Housing Projects, directly by PDAs:** PDA may take up construction of Affordable Housing Projects directly by adopting industrial approach to construction as given in Annexure 8. In such cases, Affordable Housing Area can extend from 60% to 100% depending upon availability of funding from UT Government sources or any other project. The other provisions of 4.3.1 (PPP Model) will apply, mutatis mutandis, as if PDA is the developer.



## Chapter - V: SLUM REHABILITATION AND REDEVELOPMENT HOUSING (SRRH)

### 5.1 Introduction and Preliminary

In line with the Policy objective of creating a comprehensive, holistic policy framework to address all aspects of housing for the urban poor including slum redevelopment and rehabilitation, three models are prescribed below for taking up SRRH. The J&K Housing Mission (JKHM) will be the nodal authority for taking all decisions related to selection of a particular model, project structuring etc.

### 5.2 Typologies of Slums and Development Models

The slums are broadly classified into following typologies and the models of their development will be adopted accordingly

Sl. No.	Land Ownership	Slum Typology	Development Model
1	Govt. (Centre/ UT/ ULBs/ railways/ airports/forests/ etc.)	Tenable	In-Situ Redevelopment (Model 4)
2		Semi Tenable	Either Model 4 or Model 5
3		Untenable	Relocation and Resettlement (Model 5)
4	Slums with Record of Right (RoR)	Tenable	Self-development through microfinance or self-investment with in-situ upgradation / redevelopment under schemes of govt. (Model 6)

### 5.3 Step by Step Approach

- 5.3.1 Establishment of UT Level Slum Redevelopment Authority (ULSRA), Slum Area Redevelopment Committees at City (SARCC) & District Level (SARCD) and Finalization of Project Development Agency (PDA):** The ULSRA, SARCC and SARCD shall be established as per provisions of Property Rights to Slum Dwellers Act, 2012. The J&K Housing Mission (JKHM) will designate PDA for taking up Slum Re-development Project for a particular slum.
- 5.3.2 Spatial Survey:** A spatial survey shall be taken up for finalizing the outer boundary of every slum. This will be done on GIS platform.
- 5.3.3 Validation of the Slum Boundary:** Project Development Agency (PDA) shall issue a public notice indicating the slum boundary with a request to all concerned for indicating their interest in the land, objections or suggestions on the boundary. A period of at least fifteen days will be given for submitting the responses. After hearing all the issues raised during the notice period, Project Development Agency will finalize the boundary.
- 5.3.4 Tenability:** After the finalization of slum boundary including land details, a particular slum will be categorized as tenable, untenable or semi tenable by taking

into account tenability of the land, health and safety factors, issues of public interest and any other matter.

**5.3.5 Slum Redevelopment Project Area:**

- (a) If the slum is tenable, on the area covered under the slum boundary, proposals of roads, drainage etc. as per Master Plans in operation for that area shall be overlaid on same.
- (b) These areas as required for master plan roads & drains shall be excluded.
- (c) After same, vacant area on fringes of such slum boundary shall be taken into consideration to make the area under slums better developable. This area, which shall be used for slum redevelopment project shall be called Slum Rehabilitation Project Area (SRPA) and same shall be demarcated on map in GIS platform. This is subject to the condition that area provided under SRPA shall not be more than the area under the slum boundary.
- (d) This SRPA will be divided in to "Rehabilitation Area" & "Developer Area" provided further that "Rehabilitation Area" on which SRRH will be taken up shall not be less than the 60% of the total SRPA.

**5.3.6 Clubbing of Slums:** The PDA can also consider clubbing of nearby slums in clusters for in-situ redevelopment to make them financially and technically viable. Such cluster of slums can be considered as a single project.

**5.3.7 Notification of the Slum Boundary:** After approval of the tenability, slum boundary and Slum Rehabilitation Project Area (SRPA) by J&K Housing Mission (JKHM), Project Development Agency will notify the same in its notice board for the information of all concerned.

**5.3.8 Transfer of Land:**

- a) **For Tenable Slums:** On the finalization of slum boundary, tenability status & SRPA by the JKHM, the land shall be transferred within 60 (sixty) days by the concerned department in the name of PDA on freehold basis without any cost.
- b) **For semi-tenable Slums:** - PDA will initiate the process of curing of issues, which can make the slum tenable, if permissible under relevant laws rules & regulations. Once made tenable, the land shall be transferred by concerned department in the name of PDA on freehold basis without any cost within a period of 60 days of notification by PDA to that effect, with approval of JKHM.
- c) **For Relocation:** - For untenable slums, semi-tenable slums or any other slums, which are to be relocated, a relocation site duly approved by JKHM will be identified and land shall be transferred to PDA within 60 (sixty) days by the concerned department in name of PDA on freehold basis without any cost.

**5.3.9 Socio-Economic Survey:** The socio-economic survey of slum households will be done by using bio-metric data or linking the same with UIDAI/AADHAAR card



for addressing concerns related to duplication of the allotments of SRRH.

- 5.3.10 **Validation & Preparation of final list:** The socio-economic data collected by Project Development Authority as per above said, will be put up in public domain for a period of at least fifteen days for information of all concerned and to invite suggestions, objections and claims during this period. All such claims received will be disposed of as per local enquiry and cutoff date approved by an authority duly authorized by JKHM. On the basis of same, PDA will finalize the final list of families in a slum and submit the same to Urban Local Body for approval, in case if ULB is not the PDA.
- 5.3.11 **Formation of Registered Society:** After the approval of list of slum dwellers, a Slum Level Registered Society (SLRS) will be formed by taking up an extensive social mobilization effort by PDA with the help of concerned Urban Local Body (if ULB is not the PDA).
- 5.3.12 **Signing of Agreement between Slum Level Registered Society (SLRS) & Project Development Agency (PDA):** An agreement will be signed between SLRS, PDA and concerned ULB for adhering to their respective commitments. A model agreement would be made available to all PDAs by JKHM.
- 5.3.13 **Issuance of Entitlement Certificates:** On basis of the agreement, Entitlement Certificate for SRRH will be issued in the name of the female head of the household or in the joint name of the male head of the household and his wife, and only in cases when there is no adult female member in the family, it can be in the name of male member of the household. This will give all such beneficiaries, a right to have a EWS dwelling unit of standard size from government at the rates notified by UT government. This certificate cannot be transferred and shall be liable to cancellation, if there is violation of terms & conditions as prescribed for same by JKHM.
- 5.3.14 **Initial Deposit and Process of Allotment:** This will be in accordance with the policy framework presented in Annexure-3.
- 5.3.15 **Award of Work:** Only after the approval of JKHM, the contract to take up SRRH project shall be entered into.
- 5.3.16 **Transit Accommodation:** As per the terms and conditions of the bidding document approved by JKHM, the provision of transit accommodation shall be made by PDA through contractor or the private developer of PPP project, as applicable and deemed appropriate. The guiding provisions for transit accommodation shall be as per Annexure - 10 to this policy.
- 5.3.17 **Involvement of SLRS during Construction:** SLRS will be proactively engaged by PDA during the construction period so as to ensure social audit of the quality of construction being taken up.
- 5.3.18 **Completion of work and Handing over of assets:** After completion of the work Project Development Authority will hand over the dwelling units to the entitled

beneficiaries as per allotment procedure. The common area and common functions will be handed over to Slum Level Registered Society (SLRS) for the purpose of maintenance.

- 5.3.19 **Process of allotment and transfer of ownership:** The process of allotment, payment of beneficiary's contribution, transfer of ownership will be as per the policy guidelines given in the Annexure-3.

**5.4 Model 4: In-situ Slum Redevelopment:**

If the Slum is on tenable land, whether Central Government land / UT Government land / ULB land / land belonging to any other statutory authority or PSU, and if the land is not essentially required for any important public purpose, then the redevelopment of such slum will be taken up in-situ. This development may be undertaken by the PDAs through private developers on PPP mode or directly by acting as developer. The PDA may also exercise a combination of the above as per the project structuring to be taken up for each of such slum on case to case basis and with due approval of the JKHM constituted under this policy.

- 5.4.1 **Development on PPP Model:** In line with objective of the Policy to enable public private partnerships for slum rehabilitation & redevelopment and leveraging government land for such projects, this model sets up a mechanism for partnership between PDAs and private developers for undertaking projects relating to development of SRRH.

- 5.4.1.1 **Mandatory Development Norms:** The following mandatory development norms shall be followed by PDA for structuring of projects under this model and the same shall also form part of the bidding documents:

- a) **Density Norms:** The PDA shall ensure that density in terms of Dwelling Units per Acre (DU/Acre) on Rehabilitation Area shall be as per provisions applicable to SRRH units in Annexure-5.
- b) **Mixed Land Use Norms:** 5% of the built-up area reserved for SRRH dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area shall be exclusively reserved for neighbourhood shopping facilities. The provisions of Annexure-5 shall also apply to these developments.
- c) **FAR/FSI:** Maximum FAR/FSI of 3.0 will be allowed for the projects under this model. If part of FAR for Rehabilitation Area remains unutilized, the same can be utilized by the private developer on Developer Area.
- d) **Number of Affordable Housing Units:** Bid documents shall specify the number of SRRH dwelling units to be built by the private developer for handing over to PDA. The construction specification along with the detailed plan of the Rehabilitation Area development shall also form part



of bidding documents.

- e) **Neighbourhood Shopping Units & Community Area:** The neighbourhood shopping units and community area as developed by developer in Rehabilitation Area shall be handed over to PDA for further allotment and management.

#### **5.4.1.2 Selection of Private Developer:**

- a) **Bidding Process:** The selection of the private developer shall be done through an open competitive bidding process.
- b) **Eligibility Criteria:** The private developers participating in the bidding process shall qualify on the eligibility criteria given in Annexure- 4 and other such criteria as given in Bid documents.
- c) **Fixed Parameter:** The fixed parameter will be construction of SRRH Units along with the neighbourhood shopping and community facilities to be developed by the private developer in Rehabilitation Area, which shall be handed over to the Project Development Authority free of all costs.
- d) **Bidding Parameter:** The concession fee to be quoted by the private developer for the project will be the bidding criteria. The eligible private developer who quotes lowest grant or highest premium shall be selected for the project. This concession fee shall be payable to or by the PDA in installments as per conditions given in the Bid documents.
- e) **Payment of Concession Fees:** The concession fee shall be paid in or out of CIDF for the projects in the Development Area of the Development Authorities. For other areas, the concession fee shall be paid in or out of UT Housing Fund. For this purpose, Slum Redevelopment Fund (SDF), as a component of CIDF / UT Housing Fund shall be created. This will help in better accounting of funds received and spent on slum redevelopment projects at the city level.

#### **5.4.1.3 Allotment of Dwelling Units:**

- a) The PDAs shall undertake verification and final selection of beneficiaries for the project as per the provisions of step by step approach given in this policy vide para 5.3. PDAs will facilitate same through the Affordable Housing Facilitation Centers and credible Non- Government Organizations (NGOs).
- b) The developer shall also proactively participate in the process to facilitate housing finance by undertaking loan fairs and providing handholding support to beneficiaries.
- c) The beneficiaries found eligible as per the conditions of eligibility as described under Section 3 of "Annexure 3: Principles of Allotment Mechanism" and having valid Entitlement Certificates shall be issued

allotment letters by the PDA. It is further provided that efforts shall be made to ensure that numbers of SRRHs built in a particular project exceeds the no. of entitled beneficiaries in that particular slum, so that balance EWS units built under this provision can be utilized for the purpose of allotment to slum dwellers having entitlement certificates from nearby untenable slums or otherwise.

- d) The PDA shall allot SRRH to beneficiaries having entitlement certificates at the rate notified by UT Government for allotment of such housing units.

**5.4.1.4 Utilization of Developer Area:** The private developer shall utilize the Developer Area for taking up housing and commercial projects, subject to provision of Planning & Building Standard Regulations in force and subject to provisions of this policy. The land under Developer Area will be transferred by PDA to the developer on freehold basis, as per terms and conditions defined in the bidding document.

**5.4.1.5 Other incentives and relaxations:** The projects under this Model will also be eligible for availing following incentives and relaxation:

- a) **Fast track approval process:** The projects under this model shall be eligible for fast track approval process as specified in Annexure - 5.
- b) **Exemption from various fees, Charges & Security Deposit:** The projects under this model shall be eligible for exemption from following fees, deposits and charges limited to development on Rehabilitation Area:
  - i. Exemption from sanction fee of building plan sanctioning authorities;
  - ii. Exemption from payment of external/peripheral development charges of Urban Local Bodies etc.
  - iii. Exemption from keeping of security deposit by building plan approval agencies.

**5.4.2 Development of SRRH by PDAs, directly:**

The Project Development Agency may take up In-situ Slum Redevelopment directly by itself. For purpose of such redevelopment, PDA may engage UT/ Central Public Sector Enterprise (PSEs) as executing agencies, with approval of JKHM. In such cases, following principles shall be applicable;

**5.4.2.1 SRRH over Rehabilitation Area**

The principles as given vide sections 5.4.1.1 & 5.4.1.3 shall apply, *mutatis mutandis*.

**5.4.2.2 Developer Area**

The principles given under section 5.4.1.4 shall apply *mutatis mutandis*. Further, PDA will be at liberty to auction such land or develop it on PPP or any other model.

**5.4.2.3 Incentives and Relaxations**



The principles given under section 5.4.1.5 shall apply *mutatis mutandis*.

**5.4.3 Slums on Central Government Land**

5.4.3.1 Central government land owning agencies should also undertake “in-situ” slum redevelopment on their lands occupied by slums by using it as a resource for providing houses to slum dwellers. In case of relocation, a land should either be provided by the agency itself or the agency may collaborate with the UT Government for obtaining land. Central Government agencies should not charge land costs for the land used for the purpose of housing the eligible slum dwellers.

5.4.3.2 For taking such slum redevelopment projects, the Central government agencies shall also be eligible for availing the grants and subsidies from Central and UT Government, as applicable.

**5.5 Model 5: Relocation and Redevelopment**

Slums on untenable sites or otherwise, as decided, will be relocated in housing projects as described under this model.

5.5.1 **Relocation Sites:** The identification of the relocation sites should be preferably made within close proximity to the original slum area from where the dwellers are being relocated. Only in case of non-availability of developable sites within the specified range, far-site resettlements may be undertaken. The vacated site of slum area shall be secured and utilized within stipulated time for its intended purpose. The site identified for relocation, if any, shall be provided free of cost to the PDA. On such land PDA shall take up development of EWS housing as per the principles given under Model – 3.

5.5.2 **Land Owner’s Contribution in special cases:** In cases of relocation and redevelopment of slums, the original site may have to be handed over to the original land owning agency for development of facilities and amenities for public purpose (whether Central / UT government or other agencies such as Airports, Railways, etc.). In such cases, the land owning agency shall contribute an amount on per dwelling unit basis, for the total numbers of beneficiaries surveyed and found to be eligible in the concerned slum area by the PDA. The land-owning agencies contribution shall be equivalent to difference between cost of construction of EWS house of standard size and contribution to be paid by the entitled beneficiary or as decided by UT Government. Subsidies available under any other government scheme can be dovetailed to the extent possible. UT Government may issue detailed guidelines for this purpose from time to time.

5.5.3 **Development of the vacated untenable site:** Subject to section 5.5.2 above, land owning agency may decide to take up any development, on the vacated land.

**5.5.4 Relocation Plan:**

- a) The process for identification of beneficiaries in such slum areas shall be same as prescribed in 5.3.9, 5.3.10, 5.3.13 & 5.3.14; *mutatis mutandis*.
- b) All or any of the households staying in a slum notified for relocation shall be provided with EWS housing within: -

- i. EWS dwelling units constructed in Model 1 by PDAs or in Model 3 on such terms & conditions as approved by JKHM.
  - ii. SRRH units in Model 4, if number of units being constructed is more than the number of entitled beneficiaries
  - iii. SRRH constructed specifically on a Relocation Site by PDA as given in 5.5.1
- 5.5.5 **Transit Accommodation:** It is to be provided to the slum dwellers, as per the Guidelines provided in Annexure – 10 to this policy and other directions issued by UT Government in this regard, if any, from time to time.
- 5.5.6 Notwithstanding anything to the contrary, other provisions of allotment, incentives, standard provisions, etc. as applicable in Model 4 shall apply, *mutatis mutandis* to this model as well.
- 5.6 **Model 6: Beneficiary-Led Individual House Construction or Enhancement**  
Slums on lands where ROR is in the name of Slum Dwellers will be redeveloped in-situ through up gradation of existing dwelling unit and municipal infrastructure services.
- 5.6.1 **Implementing Agency & Mechanism:** The Project Development Authority will develop a comprehensive slum upgradation project proposal for upgradation of such slums by making provisions for various utilities and other urban infrastructure in the existing slum area. The benefits available under various schemes of Government of J&K and Government of India will be dovetailed for implementation of such upgradation projects.
- 5.6.2 Beneficiary contribution will be fixed as per specific provisions made in the re-development scheme for in-situ up gradation and as approved by the JKHM.
- 5.6.3 Similar benefits will also be available to non-slum poor having land in areas/habitations proposed for redevelopment/upgradation under this model, provided they have not availed of assistance from Government under any other programme for the purpose of housing.



## Chapter - VI: RENTAL HOUSING (RH)

### 6.1 Model 7: Rental Housing

Under this model, EWS dwelling units will be given on license basis for occupation and use by a family belonging to EWS category for a particular period and on making an initial deposit and monthly charges to be paid to PDA. This shall increase at the rate of 10% annually or at the rate as decided by JKHM/UT government.

### 6.2 Implementing Agency and Mechanism

6.2.1 The PDA may develop new standalone projects for EWS rental housing units. Further, a specific percentage of EWS housing units developed under Model – 3, as decided by JKHM, shall be reserved by PDA for this purpose.

6.2.2 In case of new standalone projects, the affordable rental housing projects will be primarily structured for development by PDAs on PPP mode through private developers or in such cases, where deemed appropriate by PDAs directly. In both cases, all benefits available under Model 3 will be available. The government may extend any further benefits as decided by it from time to time.

6.2.3 Any UT/ Central Department / Agency / Industry or any SPV or group of industries public or private may finance the development of rental housing projects for their captive use. In such cases, 50% of total built up area and not less than 50% of the total number of units built shall be reserved for the captive use of such sponsor and the balance unit developed will be utilized by the PDA for Rental Housing Purpose in general. The cost of sponsorship shall be as decided by JKHM keeping in view the structure, cost of the project and the numbers of rental housing units solicited by the sponsor. JKHM shall also accord decision on the period of captive reservation of rental housing units to the sponsor based on the contribution received from them towards the development of the project.

6.2.4 JKHM shall take steps to develop and create rental housing stock for construction workers, in partnership with J&K Building & Other Construction Workers Welfare Board, Department of Labour on such terms and conditions as decided by the UT Government. Such projects may be implemented through any of the PDA by the JKHM.

### 6.3 Standard provisions

The unit size, eligibility criteria, allotment system, development control norms, development of internal and external infrastructure and maintenance system as provided for in the Annexure to this policy will apply *mutatis mutandis* to rental housing (RH) units.

## Chapter - VII: INTEGRATED TOWNSHIPS

### 7.1 Introduction and Preliminary

The unprecedented growth of urbanization in India requires comprehensive and carefully planned infrastructure and real estate development. The role of real estate developers has been instrumental in shaping up the face of India by creating state-of-the-art residential townships, world class commercial buildings, sprawling shopping malls, sector specific industrial parks, etc. The present policy seeks to enable their enhanced participation in the development of J&K. In line with the Policy objective, two models of townships are prescribed below for taking up Real Estate Projects.

### 7.2 Typologies of Townships

The slums are broadly classified into following typologies and the models of their development will be adopted accordingly

Sl. No.	Description	Land Requirement	Development Model
1	Integrated Township Scheme	Above 10 Acres	Model 8
2	Special Township Scheme	Above 50 Acres	Model 9

### 7.3 Model 8: Integrated Township Scheme

Under this model of requirement, the mandatory land requirements shall be above 10 Acres. The minimum area criterion for the core activity and broad percentages of land area under each sub category are given in Annexure -11 (Space Allocations). This model is applicable for Private developers only.

- 7.3.1 Reservation requirement:** All integrated Township schemes shall have to compulsory reserve minimum 20% of the dwelling units built under Residential/Housing Development for EWS/LIG dwelling units in order to obtain building plan approval from the Competent Authority under the applicable building regulations.
- 7.3.2 Compensatory FAR/FSI:** The private developer shall be entitled to receive compensatory FAR equivalent to 100% of the built-up area utilized for EWS units. This additional FAR/FSI can be utilized in the same project subject to maximum FSI of 3.0, or where there is any difficulty in utilizing the compensatory FAR/FSI in the same project, the developer shall be entitled to receive TDR for the unutilized Compensatory FAR/FSI. This TDR can be utilized at a different location or transferred to third parties subject to guidelines to be issued by the Government in this regard.
- 7.3.3 Utilization of remaining built-up area:** The private developer shall be allowed to develop the remaining built-up area for free use and as per provisions for other sub category uses mentioned in Space Allocations Annexure -11 And shall be as per the relevant provisions of planning and building regulations in force.



- 7.3.4 Mixed Use Development: 5% of the built-up area reserved for EWS/LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area must be exclusively reserved for neighbourhood shopping facilities. The FAR consumed under this section shall form part of total built up area being developed for EWS/LIG housing. The provisions of Annexure – 5 shall also apply to these developments.

#### 7.4 Model 9: Special Township Scheme

Under this model of development, the mandatory land requirements shall be above 50 Acres. The minimum area criterion for the core activity and broad percentages of land area under each sub category are given in Annexure - 11 (Space Allocations). This model is applicable for Private developers only.

- 7.4.1 Reservation requirement: All integrated Township schemes shall have to compulsory reserve minimum 20% dwelling units built under Residential/Housing Development for EWS/LIG dwelling units in order to obtain building plan approval from the Competent Authority under the applicable building regulations.
- 7.4.2 Compensatory FAR/FSI: The private developer shall be entitled to receive compensatory FAR equivalent to 100% of the built-up area utilized for EWS units. This additional FAR/FSI can be utilized in the same project subject to maximum FSI of 3.0, or where there is any difficulty in utilizing the compensatory FAR/FSI in the same project, the developer shall be entitled to receive TDR for the unutilized Compensatory FAR/FSI. This TDR can be utilized at a different location or transferred to third parties subject to guidelines to be issued by the Government in this regard.
- 7.4.3 Utilization of remaining built-up area: The private developer shall be allowed to develop the remaining built-up area for free use and as per provisions for other sub category uses mentioned in Space Allocations Annexure -11 And shall be as per the relevant provisions of planning and building regulations in force.
- 7.4.4 Mixed Use Development: 5% of the built-up area reserved for EWS/LIG dwelling units shall be developed as neighbourhood shopping and community facilities (if any). Out of same, 3% of the built-up area must be exclusively reserved for neighbourhood shopping facilities. The FAR consumed under this section shall form part of total built up area being developed for EWS/LIG housing. The provisions of Annexure – 5 shall also apply to these developments.

#### 7.5 Incentives and Relaxations for developers (Model 8 &9):

The mandatory provisions shall be ordinarily followed in all housing projects except in cases where, provisioning for EWS housing cannot be provided for practical reasons. In such cases, following relaxation will be available on case to case basis;

- **Development at separate location:** In the event of any problem in accommodating EWS/LIG dwelling units in the project in question, the private developer may be allowed to provide the same requirement of EWS/LIG housing at another location not beyond 5 km from the project. Provided further that if the upcoming project is within the Development Area of Development Authority, then the location of construction of EWS/LIG units shall also be within the Development Area of same Development Authority.
- **Payment of Shelter Fee:** In case, if providing the EWS/LIG dwelling units at a separate location as mentioned in clause (a) above is not, the private developer maybe allowed to pay a „Shelter Fee“ in lieu of development of required EWS/LIG units in accordance with provisions as prescribed under Annexure - 2. The Shelter Fee contributed by private developer shall be included as a part of the CDP Infrastructure Development Fund (CIDF) to be established for each

Development Authority. For the cities not covered under jurisdiction of a Development Authority, a UT Level Housing Fund will be created for the purpose.

- **Allotment of EWS/LIG Units:** The EWS/LIG units developed under this model shall be allotted on basis of following principles: It should be allotted to beneficiaries who are eligible as per the criteria fixed in Annexure –3.
- The allotment will be done on the basis of lottery.
- J&K Housing Mission (JKHM) will designate one PDA for each district or a group of districts. Such designated PDA shall be responsible for overall supervision of allotment of the Affordable Housing units created under this Model and for ensuring adherence to the provisions of the policy.
- The allotments shall be supervised by the designated PDA. This shall be subject to following conditions:
  - The committee constituted for the purpose of allotment shall have the Developer or its authorized representative, as member;
  - The payments as due from the beneficiary will be paid directly by him to the developer;
  - Cost to the beneficiary will be as provided in Annexure - 1.
  - The substitution of allottee shall follow the same process as discussed above.
  - The procedures given in Annexure – 3 shall apply, mutatis mutandis.
- **Fast track approval process:** The projects under this model shall be eligible for fast track approval process as specified in Annexure - 5.
- **Exemption from various fees, Charges & Security Deposit:** The projects under this model shall be eligible for exemption from following fees, deposits and charges limited to development on Rehabilitation Area:
  - i. The developer is entitled to receive tax benefits announced for such projects by the Central Government and can be obtained from authorized department.
  - ii. Exemption from stamp duty, land use change fee, building permission, fee for the housing component for EWS/LIG groups, calculated pro-rata on the basis of carpet area.
  - iii. Exemption from keeping of security deposit by building plan approval agencies.
  - iv. Purchasable FSI 0.2 of permitted in addition to basic FSI for which guidelines will be issued separately.
  - v. Additional FSI for adopting green/energy efficient building standards - The Developers/Promoters adopting the Greha or IGB as the green building standard shall be incentivized by granting additional FSI equal to 0.15.
  - vi. TDRs shall be allowed to the developers as per the guidelines/ formula to be specified by the Government.

**7.6** The Space allocations for land uses, Norms for Townships, Issuance of Completion Certificate, EDC etc. can be referred in Annexure-11



## **Chapter - VIII: INSTITUTIONAL ARRANGEMENT**

Government of J&K recognizes the need for an effective and efficient institutional mechanism for achieving the objectives for development of Housing for All and Real Estate in Urban Areas. Therefore, the following are hereby constituted:

### **8.1 J&K Housing Mission (JKHM)**

Government of J&K, in H & UD Department will set up a J&K Housing Mission (JKHM) as a separate Mission-Directorate. This Mission Directorate will be an integrated Directorate of H & UD Department. JKHM will take all policy decisions and undertake necessary administrative and legislative measures to implement the policy. Amendments to the Annexures of this Policy will be approved by JKHM for notification by H & UD Department. Similarly, any project specific exemption required will also be approved by JKHM.

JKHM shall also function as the UT level Nodal Agency for implementation of Central Government Schemes. It shall aim to create surplus housing stock through different strategic development models and ensure shelter for every identified homeless in the UT including temporary migrants, through provisioning of permanent residential EWS & LIG units, as well as rental housing.

JKHM shall comprise of following committees / components for according decisions and undertaking appropriate actions for smooth implementation of this policy and other government schemes related to housing and Slum Redevelopment/Rehabilitation in urban areas:

#### **8.1.1 High Level Committee (HLC)**

A High Level Committee (HLC) shall be constituted by the J&K Government to take all policy decisions and other administrative measures to ensure successful implementation of this policy.

#### **8.1.2 UT Level Sanctioning and Monitoring Committee(ULSMC)**

Government of J&K will constitute a UT Level Sanctioning and Monitoring Committee(ULSMC) for Housing other than SRRH.

#### **8.1.2.1 UT Level Slum Redevelopment Authority (ULSRA) and City/District Level Slum Area Redevelopment Committees for SRRH:**

Government of J&K will constitute a UT Level Slum Redevelopment Authority for SRRH to take decisions that concern land use, town planning, master planning processes etc.

The constitution, Terms of Reference (ToR) and other details of HLC and ULSMC and ULSRA shall be notified separately.

#### **8.1.3 Mission Director**

Mission Director will also function as ex-officio Special Secretary to Govt. in H & UD Department. The expenditure for the J&K Housing Mission will be met through budgetary supports, initially. The Mission Director will be vested with the executive and financial powers as approved by the ULSMC.

### **8.2 Project Development Agency**

The Projects on Urban Housing being either AH, SRRH, Beneficiary-Led Housing

or RH, may be developed by J&K Housing Board (JKHB), R&B, JKPCC, Development Authorities (DA) and Urban Local Bodies (ULB) acting as Project Development Agency (PDA).

Role of Project Development Agency: The PDAs shall have the following duties, powers and responsibilities.

- a) To coordinate amongst various Government agencies at field level for successful implementation of objectives of the policy.
- b) To coordinate with J&K Housing Mission on coordination required for various projects in their areas.
- c) To encourage NGOs and Self-Help Groups in social mobilization and help provide access to housing finance to EWS & LIG Households for successful implementation of this Policy.
- d) To undertake planning, designing, obtaining approvals and implementation of projects entrusted to them by JKHM.
- e) To monitor construction and development of projects.
- f) To set up Project Level - Grievance Redressal Cell and ensure regular and swift redressal of grievances.
- g) To ensure convergence of various welfare programmes for socio-economic developments of EWS/LIG households.
- h) To appraise, approve and recommend RFPs and bid process documents to J&K Housing Mission under PPP projects.
- i) To appoint third party auditors for ensuring good quality of construction during the execution.
- j) To inspect and visit various projects and projectsites.
- k) To set up and oversee operations of Affordable Housing Facilitation Centre (AHFC).
- l) To ensure allotment of houses to eligible selected beneficiaries in a fair, transparent and smooth manner.
- m) To ensure maintenance of housing estates after completion of the project with help of Registered Agencies.
- n) To ensure compliance of all requirements so that maximum subsidy amount is claimed from Government of India under the respective policies/ schemes/ guidelines and made available to developer or beneficiaries, as the case may be.
- o) To ensure compliance to various procedures prescribed under this Policy.
- p) To undertake adequate tree plantation and afforestation work in and around housing estates.
- q) Any other work for successful coordination & execution of projects and implementation of this Policy.

### **8.3 Affordable Housing Facilitation Centre (AHFC)**

Affordable Housing Facilitation Centre with Professional Experts will also be set- up in the Mission to support J&K Housing Mission in discharge of its duties. AHFC will consist of experts from various fields mainly comprising of capacity building, PPP contract management, social development, E- Governance & Information Technology, Housing Micro Finance, Communications and Geographical Information System expertise to assist JKHM in successfully implementing such projects. This will be set up as per further details provided in Annexure – 7 to this policy and the decisions of JKHM in this regard from time to time.



## Norms regarding Unit Size, Cost of Construction &amp; Sale Price

1. **For Affordable Housing (AH) Units:** Norms regarding Unit size, Cost of Construction, Sale Price and Cost to the Beneficiary for EWS and LIG dwelling units developed under this policy will be as per the table given below:

Parameter	EWS	LIG-1	LIG-2	MIG
Carpet Area (sqm)	25-30 sq.m.	Above 30 up to 45 sq.m.	Above 45 up to 60 sq.m.	Above 60 up to 85 sq.m.
Layout and Specification	As prescribed by the Government; minimum one hall, one room, kitchen, toilet with Water Closet	As prescribed by the Government; minimum one hall, one room, kitchen, toilet with Water Closet	As prescribed by the Government; minimum one hall, two bed rooms, kitchen, toilet with Water Closet	As prescribed by the Government; minimum one hall, two bed-rooms, kitchen, toilet with Water Closet
Max Selling Price	Rs 4.2 lakh to Rs 5 lakh, or as prescribed by the Government	Rs 5.4 lakh to Rs 8 lakh, or as prescribed by the Government	Rs 8.7 lakh to Rs 11.5 lakh, or as prescribed by the Government	Rs 15.5 lakh to Rs 22 lakh, or as prescribed by the Government
Annual Family Income	Less than INR 3 lakh or as prescribed	INR 3-6 lakh or as prescribed	INR 3-6 lakh or as prescribed	Above INR 6 lakh up to 12 lakh or as prescribed

## Notes:

- (i) *Cost of Construction of each dwelling unit (Lump Sum including land development cost and internal infrastructure cost) is taken as Rs.1750/ Square feet. This will vary from year to year and the same will be notified by the UT Government from time to time.*
  - (ii) *J&K Housing Mission will make efforts to ensure that a beneficiary, who is allotted affordable housing unit under this policy, can avail of benefits of government schemes and subsidies. But in case of non-availability of subsidy, likely Cost to the Beneficiary may increase up to cost of construction.*
  - (iii) *Convergence with Government Schemes & Subsidies: Convergence with schemes of Government of India and UT Government will be made to the extent permissible. J&K Housing Mission will be the Nodal agency for facilitating application and sanction of subsidies/assurances, as available to such beneficiaries under government schemes from time to time.*
2. **For SRRH:** UT Government may notify further subsidized "Cost to the Beneficiary" for SRRH Housing from time to time by announcing schemes or more subsidies. Accordingly, beneficiaries of SRRH will be allotted houses at such price as notified by UT Government from time to time.
3. **For Rental Housing (RH):** The rates for monthly rental values (License Fees) and EMDs to be kept will be determined by PDA on the basis of location of the project, unit size, facilities provided etc. JKHM may issue guidelines in this regard.

**Provision of Shelter Fees****1. Introduction**

The Model 1, Model 8 and Model 9 and wherever aforementioned clauses provide an option to the private developer of apartments/ group housing projects to pay Shelter Fee in lieu of mandatory development of EWS units. The Policy explicitly states that this is only to be utilized in exceptional circumstances. Therefore, the quantification of the Shelter Fee is being done in a manner to make it a less attractive option than the provisioning of EWS houses at site as required under this Policy.

**2. Calculation of Shelter Fee**

In case the Developer fails to provide housing to the EWS/LIG, 'Shelter Fee' equal to the cost of providing such housing shall be collected at the time of approval of scheme and will include:

- 1.5 times total cost of the flats to be reserved for EWS/LIG housing (land cost as per stamp duty of residential area + construction cost as per CPWD SORs). This has to be declared by developer at the time of filing an application which will be approved by the local body/ authority.
- Any additional cost which may be necessary for the construction of EWS/LIG flats along with basic amenities at other alternative site by the development authority.

The Construction cost charged in lieu of the FSI reserved for EWS/LIG in housing unit/block will be refundable to the Promoter at the completion of the Project.

**3. CIDF and State Housing Fund**

For the areas covered under Development Authorities, the Shelter Fee will be deposited in the CIDF and for areas not covered under Development Authorities; the Shelter Fee will be deposited in UT Housing Fund to be managed by J&K Housing Mission.



## Principles and Mechanism of Allotment

### 1. Introduction

The J&K Housing Mission shall establish a transparent and professionally managed system for allotment of EWS /LIG housing units created under the provisions of this Policy. The key objective of proposed allotment system will be to generate predictability, transparency and ensure social auditing. The system will work on the principle of a continuous process of registration of all those families, who want to avail of dwelling units under this Policy. This will also help UT Government in assessment of housing shortages in various cities and plans accordingly. Further, all activities will be on a web based online platform and documents will be put in public domain for ensuring transparency and social auditing. The allotment process shall adhere to following guiding principles.

### 2. Allotment of Affordable Housing (AH)

#### (A) Eligibility Criteria for Applicants:

Following will be the eligibility and terms & conditions for allotment of dwelling units under the policy.

- i. The beneficiary / applicant shall be the resident of a particular urban area on a cut-off date, which is notified by UT government in this regard.
- ii. A "dwelling unit" shall be allotted only to such beneficiary family, who does not own a pucca house either in his/her name or in the name of any member of his/her family in any part of India.
- iii. Income eligibility criteria for applicants applying for EWS & LIG Housing shall as per Annexure - 1. The income will be certified on basis of Income certificate issued by competent official of Revenue Department.
- iv. Dwelling Unit i.e. Flat/Apartment shall be occupied by allottee within six months of taking over of the possession of same.
- v. Dwelling Unit cannot be put on rent by the allottee.
- vi. The minimum lock-in period for transfer of ownership by the beneficiary will be 10 years from the date of handover of the unit.
- vii. The ownership can only be transferred to another beneficiary, who himself/herself is also eligible for allotment of a dwelling unit under this policy and satisfies all the above-mentioned criteria.

#### (B) Online registration

A person who desires to procure a dwelling unit from any Project Development Agencies will be required to register on-line on the official website of PDA. The online registration shall require capture of bio-metric data or submission of UIDAI/AADHAAR number of all family members (above age of 5) at the time of registration.

#### (C) Unique Account Number

On the basis of online registration, a Unique Account Number (UAN) will be generated. The same UAN shall be used by the applicant for all transactions with the PDA.

#### (D) Application for allotment in specific project

As and when a public notice, inviting applications for allotment of any affordable housing unit is issued by PDA, the registered person will apply online through official website of PDA.

**(E) Facilitation Centre**

Persons not having access to computer & internet can visit Facilitation Centers notified by J&K Housing Mission and PDA for the purpose of online registration and application.

**(F) Draw of Lots**

The draw of lottery for allotment of property will be made on an IT Platform having randomization abilities. The detailed process will be decided by PDAs. This will be done in presence of independent observers.

**(G) Transactions through UAN**

The request of allottee for change of ownership, mutation, payment of dues or request for NOC etc. shall be made on-line through the same Unique Account Number (UAN).

**(H) Transparency**

All documents including affidavits submitted by applicant shall be put up in public domain for the purpose of social auditing.

**(I) Preferential Allotment**

Preference in allotment may be given to physically handicapped persons, senior citizens, Scheduled Castes, Scheduled Tribes, Other Backward Classes, minority, single women, transgender, and other weaker and vulnerable sections of the society. While making the allotment, the families with differently abled persons and senior citizens may be allotted house preferably on the ground floor or lower floors.

**3. Allotment of Slum Redevelopment and Rehabilitation Housing (SRRH)**

The method of allotment as prescribed above for AH shall apply mutatis mutandis for the allotment of SRRH; subject to following specific conditions.

- (A) A slum dweller family will be entitled for one dwelling unit only, even if family is occupying more than one unit in the slum.
- (B) The slum dweller family should have been occupying the dwelling unit on or before the cut-off date announced by the government.
- (C) The slum dweller family should have enrolled itself as member of Slum Level Registered Society (SLRS).
- (D) The name of the slum dweller's family should figure in survey conducted by government for the purpose.
- (E) The actual occupant of slum dwelling unit should be taken for this purpose as eligible family.
- (F) The entitlement shall be for a EWS category of house of "standard size" as defined in Annexure – 1.
- (G) Any other specific conditions and eligibility criteria as set out by J&K Housing Mission.

**4. Allotment of Rental Housing (RH)**

The method of allotment as prescribed for AH shall apply mutatis mutandis for allotment of Rental Housing (RH) units; subject to following specific conditions:

- (A) The allotment in case of rental housing will be on basis of a license, which will authorize the allottee to use the premises for a specified period as per the license agreement. The detailed process for this purpose will be prescribed separately by J&K Housing Mission.

The PDA on its own or through an outsourced agency i.e. Rental Management Agencies (RMAs) may manage the rental housing stock.



**Eligibility criteria for Private Developers for PPP Projects**

A private developer fulfilling the following criteria shall be eligible to apply for PPP projects:

- (A) Experience in building construction works for at least three years.
- (B) Net Worth of last completed financial year should be equivalent to at least 25% of the Estimated Project Cost (excluding Land Cost).
- (C) Consortium or Joint Venture or Special Purpose Vehicle by private developers may also be allowed to apply on project-to-project basis as per provisions of RFP document.
- (D) The detailed qualifying criteria will be as laid out in RFP / bid documents.

### Development Norms for Affordable Housing Projects

The Development Control Norms laid out in this Annexure shall apply to the approval of building plans and issuance of certificates for occupancy of AH, SRRH & RH Projects, proportionate to the extent of EWS & LIG Housing provided in such projects. This will apply to all urban areas of UT of J&K. On basis of these provisions, relevant changes will be brought in the Planning and Building Standard Regulations or any other Regulations of Development Authorities etc. as applicable for any urban area of UT of J&K. These norms are:

1. Development Control Norms for Affordable Housing Projects:
  - (A) Size of EWS and LIG Units: The size of the dwelling units for EWS (Economically Weaker Sections) and LIG (Low Income Group) income categories shall be same as specified in Annexure- 1 of this Policy.
  - (B) Planning and Building Standard norms for housing projects: Following Planning and Building Standard norms shall be applicable to housing projects taken up under this policy:
    - (i) Relaxation for Affordable Housing Projects: The following development control regulations shall be applicable to the extent of EWS & LIG housing in various housing projects of Government and Private Sectors.
      - (a) The distance between two building blocks shall be a minimum of 2 meters.
      - (b) Parking Requirements for Affordable Housing Projects can be accommodated within setback areas; between building blocks or green/open area subject to the condition that at least 1.2-meter driveway for one side parking and 1.5-meter driveway for both side parking, shall be provided.
      - (c) The side setbacks may vary depending upon the plot size & plan prepared for a particular project, subject to provision of at least 1-meter side setback on either side. However, the sum total of both side setbacks in a particular project shall comply with Building Byelaws/Building Code or any other Planning & Building Standards Regulations of the concerned Authority.
    - (ii) Maximum Density: Maximum density for EWS & LIG Housing projects shall not exceed beyond the following limits:
      - (a) Up to 4000 sq. meters plot area – 300 dwelling units per acre (DU/Acre)
      - (b) From 4000 sq. meters to 10000 sq. meters plot area – 250 dwelling units per acre (DU/Acre)
      - (c) Plots more than 10000 sq. meters plot area – 200 dwelling units per acre (DU/Acre)
    - (iii) FAR: Maximum FAR allowed for projects shall be subject to following provisions:
      - (a) Provisions of Compensatory FAR: The provisions of Compensatory FAR made in this Policy must be followed, while granting plan approval for all housing projects covered



under provisions of this Policy.

- (b) Issue of TDRs: The provisions of this Policy relating to TDRs must be followed for plan approval for all projects attracting provisions of this policy. The Competent Authority shall issue Transferrable Development Rights Certificates for the unutilized portion of the compensatory FAR as per this policy. The Competent Authority shall honor these certificates when they are submitted for utilization in other projects in conformity with relevant regulations and policies.
- 2. Mandatory Provisions of EWS Housing: The mandatory provisions of Model-I of this policy shall apply to building plan approval for all housing projects covered under this policy. No Building Plan approval shall be granted without the compliance to provisions of Model - I made in this policy.
  - 3. Issue of Occupancy Certificate: The Competent Authority in each urban area in the UT shall ensure that the reserved EWS and/or LIG housing, as specified in this Policy, are completed and ready for allocation before issue of occupancy certificate for the unreserved portions of the apartments or group housing projects to which this policy applies. In case the developer is not providing the EWS and/or LIG houses at the project site, then the Competent Authority shall satisfy itself that the developer has conformed to the provisions of relaxations provided to the developers under this Policy.
- 4. Development of infrastructure  
The development of external and internal infrastructure shall include:
    - (A) External development: External development shall include road connectivity, street lighting, water supply, sewerage connection, solid waste management facility and public transport service. The government agencies concerned should provide for the same to the projects under Model 3, 4 & 5 to the extent possible.
    - (B) Internal development: Internal development works shall include all internal roads, footpaths, complete water supply including overhead or surface water reservoir/distributions lines. Electric distributions lines/ 11 KV line/transformers etc. (if required), internal sewer lines/drainage lines/Nallahs (wherever required), gated compound/street light/ parks/ adequate and proper tree plantation in parks and in front of buildings. Rainwater harvesting structures & sewerage treatment plant shall be mandatory as per requirement.
- 5. Fast Track Approval for Affordable Housing Projects: The relevant Authority in each urban area in UT of J&K shall make arrangements for expediting approval of building plans in conformity with the provisions of this policy. The procedure shall be based on following norms:-
    - (A) The collegiate system of approval shall be followed to provide hassle-free "Single Window" clearances by the concerned Authority.
    - (B) The applicant shall be given a "Green Form" after approvals of the project from the Authority. This "Green Form" will be basis for extension of other concessions to the project by various other government authorities.
    - (C) In this regard, the detailed procedure will be notified separately by the government in H & UD Department.

## Operation & Maintenance of the Housing Estates

### 1. Introduction:

Affordable Housing, once built needs to be maintained as per set standards, for ensuring that the same does not get dilapidated in short span of time. The objective will be to prolong the time period for which the buildings can be used for habitation, there by optimizing the returns on public investments. Estimates suggest that if long term systems are not set in place for maintenance, then urban poor may not be able to maintain the housing estates to the desired levels. The operation and maintenance of common areas and common functions will be done by a Registered Agency, the detailed procedure for which will be prescribed in Estate (Management & Allotment) Regulations of PDA. In case of PPP projects, the private developer shall in accordance with the terms and conditions of the concession agreement maintain the premises till the time Registered Agency is formed and maintenance responsibilities are duly handed over by the developer to the registered agency. This period shall form part of defect liability period to be fulfilled by the developer.

### 2. Management Structure:

- (A) **Formation and Functions of Registered Agency** - All persons who have been allotted a property in a housing estate shall constitute themselves into a Registered Agency (hereinafter called Agency) under these provisions, which shall include as its objects the following:
  - (i) To discharge such duties and responsibilities as are specified in regulations and the agreements made thereunder for the proper maintenance, running, up-keep and keeping in good repair common portions and common services of such property as have been allotted to its constituent members.
  - (ii) To pay on behalf of the Agency and on behalf of each constituent member of such Agency all rates, taxes, fees, charges, assessments municipal or otherwise and other levies of whatsoever nature as provided in the regulations and agreements executed with the Authority.
  - (iii) To look after the interest of constituent members.
  - (iv) To execute with the Authority agreements, lease-deed or other documents as specified in regulations.
- (B) **Constitution of Registered Agency** - The constitution of the Agency and the by-laws governing its functioning shall be such as may be approved by PDA.
- (C) **Application for Registration** - Every such Agency shall make an application to the Chief Executive of PDAs for registration.
- (D) **Registration of Agency** - The Chief Executive after he/she is satisfied that the constitution of the Agency is in consonance with regulations, shall register such Agency and issue a certificate of registration to the Agency and a certificate of membership to each constituent member of the Agency. Further, if so directed by the Chief Executive, the Agency shall get itself registered under J&K Societies Registration Act, 1998 within such period as may be prescribed in the scheme brochure.
- (E) **Execution of Documents by Agency** - No purchase agreement, hire or lease-deed, or other documents shall be executed until the requirements of same have been completed.



- (F) **Election of Managing Committee** - The Chief Executive or Officer authorized by him/her shall as soon as possible call a meeting of the Agency for electing a President, Vice President, Secretary, Treasurer and one member who shall together constitute the Managing Committee of the Agency.
- (G) **Time Limit for Execution of Agreement** - The Agency shall within such period as may be prescribed by the Chief Executive, execute the agreement in regard to common portions and common services with the PDA.
- (H) **Responsibility of Registered Agency about Services** - The Agency and each of its constituent members shall be responsible for ensuring that:
- (i) no damage or deterioration is caused to the property handed over in terms of the agreement under these regulations;
  - (ii) no installation or equipment connected with or provided as part of water supply, sewerage, storm water drainage, electricity or other service shall be tampered with;
  - (iii) no construction within the property shall be made otherwise than with the prior sanction of the competent local authority;
  - (iv) no obstruction to a person duly authorized shall be caused so as to create difficulties in the discharge of his duties in connection with the matters arising out of the management of property; and
  - (v) no obstruction to common portions shall be caused or misuse of the property shall be made, such as following:
    - (a) occupying common passages, staircases, lifts approaches and the like;
    - (b) throwing garbage or refuse within the precincts of the property or outside it;
    - (c) keeping a vehicle so as to obstruct the free movement; and
    - (d) creating unhygienic conditions or nuisance.
- (I) **Liability of Constituent Member** - The liability of each constituent member shall be limited to the liability prescribed in the constitution of the Agency and as laid down in regulations meant for the purpose.
- (J) **Control by the Chief Executive over the Affairs of the agency** - The Chief Executive of PDA as the registering Authority shall have the power to:
- (i) Call for information from the Managing Committee or any constituent member of the Agency in connection with the:
    - (a) affairs of the Agency;
    - (b) management of the Housing Estate; and
    - (c) relations between a constituent member and the Agency.
  - (ii) call an extra ordinary meeting of the Managing Committee or of the general body of the Agency, if in his opinion such a meeting is necessary or desirable;
  - (iii) inspect, on a complaint being made, such record and accounts of the Agency as may deem fit;
  - (iv) issue any directive for securing the efficient functioning of the affairs of the Agency or management of the Housing Estate, as the case may be which shall be binding on the Agency; and
  - (v) revoke the registration of the Agency for good and sufficient reasons.

- (vi) where the registration of an agency has been revoked in pursuance of above, the Chief Executive may either direct the formation of a new Registered Agency or take over functioning of the Registered Agency, himself.
  - (K) Recovery of Dues** - Any dues payable to the PDA by the Agency or its constituent members shall be recovered by the PDA as arrears of land revenue under relevant guidelines/Act.
  - (L) Settlement of Disputes** - If any dispute or difference of opinion arises between the President of the Managing Committee or the Managing Committee and a constituent member or amongst members themselves or between any party connected with the property by which the Agency and the constituent members are concerned in terms of agreements with the PDA, such dispute or difference of opinion shall be decided by the Chief Executive of PDA after hearing the parties concerned. The decision of Chief Executive in this regard shall be final and binding on all.
  - (M) Change of Constituents of Registered Agency**
    - (i) **Deletion of Constituent:** If allotment of a constituent is cancelled by the PDA then he/she ceases to be the Member of the Registered Agency with immediate effect. Registered Agency is duly bound to inform the same to all other constituents and take further steps as decided by PDA.
    - (ii) **Substitution of Constituent:** On transfer of the ownership which is duly approved by the PDA, the transferee shall be taken in by the Registered Agency as constituent member on terms and conditions, as applicable to other constituent members. No additional levy or fees can be charged by Registered Agency for such substitution.
    - (iii) **New Addition:** If a fresh allotment is made by the authority for any of the vacant property in the estate, the new allottee shall become the member of Registered Agency. The new member shall have to pay the fees & charges, as the original member had paid or as decided by the Chief Executive of PDA.
- 3. Sources of Fund:** There will be two types of funds to be maintained by every Registered Agency. They will be managed in the manner as provided below:
- (A) Corpus Fund:** Every registered agency shall maintain a Corpus Fund. The corpus amount being generated from various sources will be kept as fixed deposit in a nationalized bank. The same shall not be encashed in any case. The interest generated out of the corpus will be credited on quarterly basis into revenue account to be maintained by the registered agency, separately. Following contributions will become part of the Corpus Fund:
    - (i) 2% of the total estimated cost to be deposited after completion of the work by PDA or private developer for the respective projects.
    - (ii) 50% of the rent accruing out of the neighbourhood shopping units constructed within the Housing Estate. The amount of rent collected by the PDAs to the extent of applicability of this clause will be transferred to Registered Agency's Corpus Fund.
    - (iii) Any other grant or donation received by the Registered Agency for the purpose of Corpus Fund.
  - (B) Revenue Fund:** Each Registered Agency shall maintain a Revenue Fund in any scheduled Commercial Bank. The following amount will flow into this fund.
    - (i) Monthly contribution by the constituent members, as fixed by the Registered



Agency for maintenance of the common areas & common portions.

(ii) Any donation or grant received by the Registered Agency for the maintenance of the housing estate from ULB or otherwise.

(iii) Interest on Corpus Fund

4. Efforts will be made to help members of the Society in taking up repair and maintenance work of housing estates by themselves. Their capacity building efforts will be taken up through Livelihood Mission or employment linked training programmes.

**Affordable Housing Facilitation Centre (AHFC)**

1. Affordable Housing Facilitation Centre (AHFC) with Professional Experts will also be set-up in the Mission to support J&K Housing Mission in discharge of its duties.
2. Affordable Housing Facilitation Centre (AHFC): AHFC will consist of experts from various fields mainly comprising of capacity building, PPP contract management, social development, E-Governance & Information Technology, Housing Micro Finance, Communications and Geographical Information System expertise to assist JKHM in successfully implementing such projects.
3. For Project Development Agencies (PDAs) having annual targets of 5,000 and above dwelling units under this policy, one Affordable Housing Facilitation Centre will be set up.
4. For PDAs having less than 5,000 as annual target, a District level Affordable Housing Facilitation Centre can be set up for the same. This will be as per decisions of JKHM from time to time.



### Industrial approach to Housing for All

1. The challenge to create housing in EWS & LIG category gets complicated by the sheer numbers involved. If the houses are to be constructed through conventional mode, it takes too long to build, too much to maintain and too much is wasted during the process of housing construction. This further restricts supply of Affordable Housing in the market thereby increasing affordable housing gap.
2. To address these issues of inefficiencies involved in the construction, there is a need to transform the process of housing construction into housing production through an industrial approach thereby saving on both cost and time. This will ensure timely construction, saving in costs, quality control, saving in operation and maintenance costs of the housing stock created. Further process is more environmentally sustainable than conventional construction.
3. To promote industrialized construction, there is a need for Government to play a proactive role. Following policy guidelines are formulated to facilitate this process.
  - (A) **Scale:** Industrial technology will require scale, which can only be brought in by the Government in the beginning. Therefore, Government shall pool various projects of Affordable Housing being taken up by various agencies for award of contracts to ensure scales of economy required for industrial construction.
  - (B) **Facilitation of Industries to be set up:** Government will facilitate setting up of such Industries through Department of Industries. If required, Government will facilitate setting up of an Industrial Estate for Construction Technologies to ensure support to the Housing for All Programme.
  - (C) **Technical Approval:** Any construction technology or material required for adoption by UT Government for facilitating construction of housing on large scale will be identified by Housing & Urban Development Department and submitted to Works Department. Works Department will finalize the same with reference to appropriateness of the technology, structural stability and rate analysis. A separate Schedule of Rates (SoR) maybe brought in, if required, for the purpose.
4. Efforts will be made to promote use of fly ash bricks in construction of houses under this policy. To promote the same, JKHM may issue separate guidelines from time to time.

**Provision of Basic Services to Slum Dwellers**

1. This policy is aimed at comprehensive urban development. Towards this goal, all ULBs shall aim at providing the following basic services to all slum dwellers: housing, water supply, toilets and drainage, livelihoods, roads and transport, education, health and other welfare services.
2. ULBs shall earmark and spend 25% or proportionate to slum population whichever is higher of their development budgets for slum development and give report to UT government on the same.
3. ULBs shall improve access by all slum dwellers to these services in partnership with the relevant departments/agencies and through a process of convergence. The JKHM will be responsible for integrating the inputs of various departments in this regard.
4. ULBs will use slum dweller lists / biometric identification, to provision various welfare services like food subsidies, pensions, relief funds, school fee subsidies, maternity entitlements and girl child benefits to the poorest of poor slum dwellers. Access to household level services will help in broadening the range of potential livelihood activities and improve household productivity.
5. Development Authorities, , Regional Improvement Trusts, ULBs etc. shall reserve at least 20% of land in residential use zone in the development plans / master plans.
6. The contribution of slum dwellers in helping to support local business, industry and trade is substantial. Therefore, ULBs shall undertake initiatives to mobilize resources from the private sector either for the adoption of specific development works at slum level in accordance with the priorities identified by the ULBs. UT Government and ULBs may consider introducing fiscal incentives, such as tax exemptions etc., as incentives for mobilizing such contributions.



## Transit Accommodation

### 1. Background

Condition of the urban poor staying in informal settlements (Slums) become more vulnerable as many a times they are evicted without provision for transit shelter or other basic services for them. At the same time there remains a requirement of relocation of some of the slums (informal settlements), which are on untenable lands and where public lands, on which such slums are located, are required for other infrastructure projects. Therefore, there is a need to have a balanced approach for dealing with such cases. This becomes more important as Government of J&K is committed to protect shelter and other rights of urban poor. Therefore, these guidelines have been formulated to provide for a mechanism, for provision of transit housing to eligible families of evicted slum dwellers before final rehabilitation of such families is taken up. It is envisaged that these guidelines will create a supporting framework for pursuing Housing for All one hand and to facilitate urban infrastructure projects on the other hand.

### 2. Basic Features

- a. Identification of Beneficiaries: The slum dwellers eligible under this policy for rehabilitation shall be eligible for assistance under these guidelines.
- b. Transit Site: Suitable Land as a Transit Site shall be identified by the PDA for relocation of beneficiaries. The Government shall provide the land required for such Transit Housing to PDAs without any cost.
- c. Implementing Agency: Any PDA may take up development of transit housing in the land identified and approved for such projects. In case of urgency, requisitioning authority may also directly take up development of shelter houses as per approved plans. After completion of same, transit houses are to be handed over to the PDA for maintenance purposes.
- d. Development Plans & Estimates: The transit houses shall be developed as per the approved plans and estimates notified by JKHM from time to time.

### 3. Provisions in Transit Housing

- a. Physical Infrastructure: The transit housing shall mandatorily have following provisions:
  - i. Murrom Road with Drainage facility.
  - ii. Provision of Safe Drinking Water Supply.
  - iii. Street Light(s).
  - iv. Community Toilet(s).
  - v. Provision of Solid Waste Management.
- b. Social Infrastructure: Following arrangements for provisions of social welfare services shall be made at the site:
  - i. Anganwadi Centre Services: Sub-Collector concerned shall ensure that new site is tagged with nearest Anganwadi Centre. Concerned ICDS Supervisor will be the Nodal Officer for coordinating the same.
  - ii. Education Facility: District Education Officer (DEO) will ensure that new site is tagged with nearby School(s) for providing educational

- facilities to children. Education Officer (BEO) will be the Nodal Officer for coordination.
- iii. Healthcare Facility: Chief District Medical Officer will ensure that new site is tagged with nearby health care facility available. Local Auxiliary Nursing Midwifery (ANM) will be the Nodal Officer for this purpose.
  - c. Social Welfare Programme: Records for distribution of pensions and other benefits will be changed as per the ward no. of the new site. Local Bodies will ensure the same.
  - d. Emergency Support During Transit Period:
    - i. Food: Food will be provided to the relocated slum dwellers by the requisitioning authority for at least 10 days to enable them to settle in the new site. If necessary, support of Local Non- Government Organizations (NGOs) may be identified for the purpose.
    - ii. Temporary Shelter: Polythene Sheets or Tarpaulin sheets as temporary shelter are to be given to the relocated slum dwellers for immediate shifting.
    - iii. Transportation Assistance: Assistance will be provided by requisitioning authority for transportation of household materials for shifting to the transit site.

Emergency Health Care Support: Regular Health Camp is to be organized for at least one month in the relocated site by the Government.

#### **4. Rehabilitation of Slum Dwellers**

Within two years full and complete rehabilitation of evicted slum dwellers in terms of provisioning of EWS house (standard size) to entitled beneficiaries, shall be made. Work on same shall start, preferably within six months of such temporary relocation of slum dwellers. To implement the same following provisions shall be made:

- a. Provision of Land: The requisitioning Authority / Department / Agency shall provide a suitable site for rehabilitation of evicted Slum Dwellers. The size of the site to be provided will be in the scale of 175 Dwelling Units per Acre. Provided Government may provide rehabilitation site in any case where requisitioning Department/Agency is not able to provide land for the purpose.
- b. Funding: The cost of construction of EWS houses may be arranged from following sources:
  - i. Cost to be borne by the beneficiary.
  - ii. Convergence with Government Schemes and Subsidies: Convergence with Central Government & UT Government Schemes may be made to the extent possible.
  - iii. Contribution by the Requisitioning Authority: Rest of the funds are to be contributed by the Requisitioning Authority/Agency. Provided Government may contribute the same in case a particular Authority/Department is not able to make the provisions for same.
- c. Development of Rehabilitation Housing: In case requisitioning agency is not a department of UT, then the same agency will be responsible for construction of rehabilitation housing of the Slum Dwellers as per above. JKHM may also designate any PDA for taking up this work as per requirement.
- d. Contribution By Land Owning Agencies: The land owning agencies, from whose land slum is to be removed, will be required to provide funds for



temporary relocation and final resettlement of evicted slum dwellers as per following:

- i. They will bear the cost of interim relocation support to be provided including cost of food, temporary shelter, transport allowance and other requirements.
- ii. They will bear rental assistance for a period of two years, for use of rental housing developed and maintained by PDA, if evicted eligible slum dwellers are housed in transit houses developed by PDA.
- iii. Provision of land for final rehabilitation shall be made at the scale of 175 dwelling units. This site shall be as near as possible from the place, from where they have been evicted.
- iv. Cost of EWS Housing Unit minus the beneficiary contribution is to be provided by the Land-owning agency. The subsidy available under the existing schemes of Government of J&K and Government of India can be dovetailed by the land-owning agencies to the extent possible.
- e. Exemption by J&K Government: The above said contribution must be provided by all Land-Owning Agencies which are going to use the land for the purpose of commercial exploitation. In case of requirement of encroached land for public infrastructure works, UT Government may exempt any such agency or department, from the responsibility of final resettlement. In such cases, UT Government will make provisions for the same.

#### **5. Temporary Shelter Sites in cases of Emergency Evictions**

There are possibilities that construction of transit housing may take time and same may not be possible to be built before eviction, for example, where removal of encroachment may be required for development of roads, drains or any other matter of urgent public importance, requiring such eviction. In such cases; requisitioning authority, Local Bodies & UT Government will take proactive steps to provide temporary shelter sites; where provision of drinking water, lighting, etc had been made. In such cases, after construction of Transit Housing, evicted slum dwellers will be given option to either move to such transit housing or they can choose to stay in the temporary shelter site provided by the Government.

#### **6. Nodal Officer**

There will be Nodal Officers from Urban Local Bodies and District Administration to coordinate various measures to be taken as per provisions of these guidelines.





3	Medical/ Health care Townships	Such as complexes of hospitals/ health resorts/ medical colleges/ medical research facilities with Hostels and Ancillary Housing	Proportion of total Built Up Area used for health care facilities	60% or more	Residential and Institutional	15% of the developed land area	20% of Residential Development to be allocated	5% of the developed land area	-	1% of developed land area	15% of the developed land area	10% of the developed land area
4	Tourism Related Infrastructure	Includes all Tourism related activities with Ancillary Housing	Proportion of total Built Up Area used for Economic Activity	70% or more	Commercial, Institutional, residential	20% of the developed land area	20% of Residential Development to be allocated	-	-	1% of developed land area	15% of the developed land area	10% of the developed land area
5	Logistics Parks	Includes all large-scale logistics (freight handling) and trading activities (wholesale or retail), with ancillary activities such as office complexes, entertainment complexes and Ancillary Housing	Proportion of total Built Up Area used for commercial activity	70% or more	Commercial, Residential	20% of the developed land area	20% of Residential Development to be allocated	-	5% of the developed land area	1% of developed land area	15% of the developed land area	10% of the developed land area

- **General Norms for housing schemes/ townships**

- I. Applicant should have registered title documents or registered power of attorney or registered development agreement in his favor. No un-registered documents will be accepted.
- II. Internal development works such as Construction of roads, sewerage network, Laying of power line, Street lighting, laying of Water supply lines, development of Water Sources (Tube well), ducting for road crossing, construction and development of parks and services area, provision of public amenities & utilities, plantation along roads sides and parks will be done by the developer or by the authority against the cost to be borne by the developer only.
- III. No water or power connection shall be permitted by the concerned agency/department for such areas/scheme which has not been approved by the concerned local body.
- IV. The Township / housing project won't include land under the forest, water bodies, or any such land on which development is restricted under any law, rule or norm, or statutory plan or building code.
- V. Twenty percent dwelling units in flatted group housing projects and 20% of number of plots/DUs will be reserved for EWS/LIG people at cross-subsidized rates with upper cap fixed by Government as per Affordable Housing Policy norms along with all requisite facilities as per norms.
- VI. The Government may give the promoter the option of providing the housing to EWS/LIG, either in the same block/housing unit/ patch of land or some other suitable alternative place inside planning area with the consent of the concerned authority within a radius of 5 km aerial distance from the actual site without altering the interdependencies between place of living and place of work.
- VII. The developer will maintain the colony and perform all municipal functions up to 5 years from the completion of the project.

- **Eligibility for Registration of Developers for Integrated Housing/Township Scheme to get requisite License**

The Government shall come up with clear norms for eligibility for registration of project developers for availing of the incentives under this policy.

- **Issuance of Completion Certificate**

- I. It will be ensured that the residential or commercial schemes are approved in a phased manner (based on stages of construction) wherein building permits and development permits will be granted in phases as provided for RERA Act. However, it would be necessary for each phase to be geographically contiguous and to be self-contained in terms of basic infrastructure.
- II. The internal development works carried out by the developer would be as per the specifications mentioned or as per requirements of authority. On completion of the Internal Development works, the developer must submit a certificate to this effect. Such certificate is mandatory requirement at the time of handing over of the scheme for maintenance to the Local Authority.
- III. However, it is mandatory that the developers complete all the internal developmental works within specified time frame from the date of approval of the layout.

- **External/ Peripheral Development Charges**

- I. For Towns population up to ten thousand INR 100/- per sqm
- II. For Towns above ten thousand up to fifty thousand INR 150/-per sqm
- III. For Towns with population above fifty thousand INR 200/-sqm
- IV. For providing water supply, power lines and sewer connection separate charges would be payable to the concerned agency as and when this work is taken up. For providing water supply the developer may develop source of water at his own cost. However, developer may get water line to the township from Public Health Engineering Department for which the developer has to pay the demand raised by PHE.



- V. For delay in payment of EDC, 12% simple rate of interest shall be charged from the due date.
- VI. The amount, deposited as EDC, shall be kept in a separate fund in the authority. The authority shall utilize this fund for providing external/peripheral development in the particular area after an assessment of the local infrastructure requirements.
- VII. The government shall have full rights for the revision of the EDC as deemed necessary from time to time.
- VIII. On receiving the EDC, the authority will complete the external development works in a time-frame coinciding with the implementation of the housing/ real-estate/ township project, but not beyond 3 years from the date of release of layout plan.

- **Joint Ventures (JV)**

Small Real Estate Developers will be encouraged to participate in large scale Affordable and other projects. Such aggregator roles may also be taken up by development authorities and Housing Board.

- **Employability & Technical Capabilities**

It is important to have a sound HRD roadmap to strengthen the professionals (skilled and unskilled) associated with this sector.

### **I. Vocational Certification Courses**

Polytechnic Colleges and Industrial Training Institutes (ITIs) will be equipped with facilities to promote certification courses related on-site construction and management viz. site surveyors, site inspectors etc.

### **II. Certification courses for Real Estate Agents/Managers/Brokers**

There will be certification courses on real estate development and management, brokerage and market analysis to assess the demand and supply in the real estate sector for the real estate agents / managers / brokers. These will be developed in collaboration with the Real Estate Regulatory Authority.

- **Real Estate Finance**

The shift in the emphasis of the government of India from subsidy-based system to cost recovery-cum-subsidy makes the affordable finance as a critical input for housing and infrastructure services. Various initiatives have been taken at the national level in the recent past to restructure the housing credit system in the country, resulting in lowering of interest rates, subsidy in the interest rates, simplification of procedure and a sharp rise in the net inflow of housing credit. Efforts will be made to significantly scale up the net inflow of housing credit in the UT. In this direction Government will persuade the National Housing Bank, HUDCO, financial institutions, commercial banks and insurance sector to extend the network of their operations in Jammu and Kashmir to provide affordable housing credit to the people. In this regard Government will take up the matter with the Financial Institutions /Banks.

- **Exclusive Sand/Mineral Mining Blocks**

Exclusive Sand/Mineral Mining Blocks shall be allocated to the development authorities by Industries & Commerce Department for carrying out their development activities. Development authorities may permit private developers to use these blocks after payment of requisite fee as notified by the Government.

- **Compliances**

Situated anywhere in the UT, the housing scheme/project will be complying to the master plan land use policy, Building Code, design and safety standards, relevant Acts, rules & regulations etc. In case of

minor deviations especially on account of design requirements, the government would consider such cases for compounding as provided in the byelaws/building code or as per the notification to be issued by the Housing & Urban Development Department. Similarly, in case of setback norms, reciprocal to height regulations will be per the master plan/building code norms or as the Government by notification may deem necessary.

- **Miscellaneous Guidelines**

- I. Advanced Architectural Concepts and Building Construction Technology**

- Architects and engineers will be engaged and encouraged to evolve strategies and innovative designs for better livability in affordable housing market.

- II. Green and local construction material**

- The use of green building and local construction building materials will be promoted, with a focus on energy and water conservation. Resource Centers will be empaneled to develop training programs customized for such initiatives.

- III. Architecture & Design**

- Architectural designs of houses have significant bearing on the character and aesthetics of human settlements and the standardization of Technology. Different geographical regions of the UT have unique architectural heritage which has developed over the years according to the local climate, building materials, environment and heritage. Government through urban local bodies, local authorities, will promote development of a range of model type designs of houses/housing units of different sizes and specifications that are in harmony with the local environment.

- IV. Horticulture and Plantation**

- All housing, township and real-estate projects would have adequate plantation and green space provision as per norms. All the parks will be developed by the developer and maintained by the developer till the Township scheme is complete and handed over to the ULB or to the Resident Welfare Association/Society.

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- V. Solid Waste Management**

- The developer would submit a detailed plan for the disposal of solid waste management and ensure its implementation till the Scheme is handed over to ULB/Resident Welfare Body or any other entity.