

The Project Officer Wage Employment,
(ACD)..... (All).
The District Panchayat Officer,
..... (All).

No: - DRDK/Pyt/ 56324-523

Dated: 27.11.2020

Subject: - Effective implementation of Jammu & Kashmir Master Plan-2032 and J&K Metropolitan Region Development Authorities Act-2018.

Sir/ Madam,

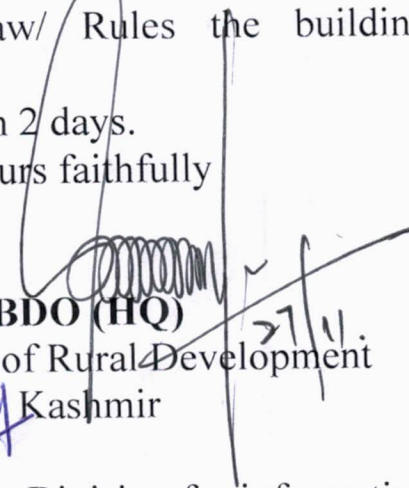
I am directed to enclose copy of communication bearing No: - RD&PR/ Panch/45/2015, dated: - 29.09.2020 alongwith its enclosures received from the Administrative Department for immediate compliance of Circular No.03-JK (HUD) of 2020, dated: - 24-08-202 issued by Housing and Urban Development Department J&K.

Further you are requested to clarify following points pointed out by Administrative Department in the instant communication.

1. Whether building permissions are issued by the BDO's in their areas.
2. If yes, under which provisions of law/ Rules the building permissions are being issued.

The reply must reach this office within 2 days.

Yours faithfully


BDO (HQ)
Directorate of Rural Development
Kashmir

Copy to the:-

1. All Block Development Officers of Kashmir Division for information and necessary action.
2. P.A to Director RDD for information of Director.

GOVERNMENT OF JAMMU & KASHMIR
Department of Rural Development and Panchayati Raj
Civil Secretariat, J&K, Jammu

The Director,
Rural Development,
Jammu/Kashmir

No.: RD&PR/panch/45/2015

Dated: 29-09-2020

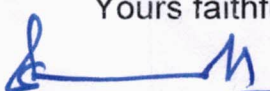
Subject:- Effective implementation of Jammu & Kashmir Master Plan – 2032 and J&K Metropolitan Region Development Authorities Act – 2018.


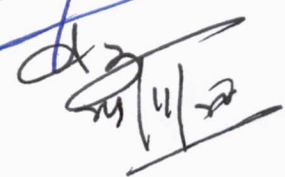
Sir,

I am directed to enclose herewith a copy of circular no. 03-JK(HUD) of 2020 dated 24-08-2020 issued by the Housing and Urban Development Department vide endorsement No.HUD-07/2005/JDA-II dated 24-08-2020 regarding the above noted subject for issuance of strict directions to the concerned field functionaries in this regard. Further, it is requested to kindly clarify:-



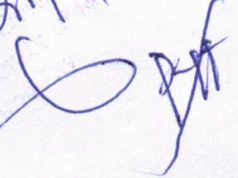
- i. Whether building permissions are issued by the BDOs in their areas.
- ii If Yes, under which provisions of Law/Rules the building permissions are being issued.


Yours faithfully



(Subash Chander Koul)
Under Secretary to the Government

BDO HCC

From: 
Received: 21/11/2020
District: Jammu
Region: Jammu
Department: Rural Development
 24/11


Adm. & Adm. Section

24/11
vijaykumar

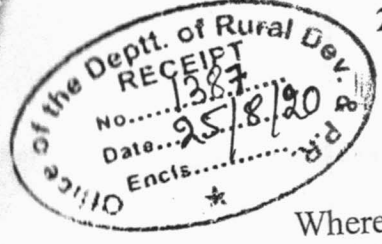
SO (Adm.)
P4T Sec


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

Subject: Effective implementation of Jammu Master Plan-2032 and J&K Metropolitan Region Development Authorities Act-2018.



Circular No. 03-JK(HUD) of 2020
Dated: 24-08-2020.

Whereas, Jammu Master Plan-2032 was notified vide SRO No. 90 of 2017 dated 03.03.2017, which spreads over an area of 652.33 Sq Km. having a total number of 421 villages within its jurisdictional area. It has generally been observed that many constructions are being undertaken within jurisdictional limits of Master Plan by various encroachers/violators without seeking requisite building permission from the competent authority i.e. Jammu Development Authority/Jammu Municipal Corporation;

Whereas, in few cases, it has been observed that these violators have even sought NOCs from Block Development Officers (BDOs) within the area falling in the limits of Jammu Master Plan 2032. Some of them have also raised loans from Banks/Financial institutions recognized by the Government for raising constructions as per NOCs granted by the BDOs. Violation of land use of Jammu Master Plan-2032 have been reported;

Whereas, the Block Development Officer is not competent to issue NOC for raising any construction of building within the jurisdictional limits of Master Plan 2032;

Whereas, building permission of Master Plan is granted as per J&K Control of Building Operation Act, 1988 (COBA) as per extant Building Byelaws by the competent authorities within their jurisdictional areas viz JDA/JMC Further, while undertaking said illegal constructions, violators manage connections of electricity from PDD and water from JalShakti Department, which necessitate, linking Building Permission with grant of electricity and water connections (temporary/permanent);

Handwritten notes: 1. Andorse it to all BDOs for not grant building permission. Mm 26/08.

Whereas, due to the fact that in some cases, electricity and water connections have been regularized by the Power Development Department and Jal Shakti Department, without having legal building permissions from Competent Authority, as a result, the illegal constructions are completed before completion of mandatory statutory provisions provided under law;

Whereas, the Government of Jammu and Kashmir has enacted J&K Metropolitan Region Development Authorities, Act, 2018 wherein, the following instructions have been issued for strict compliance by all

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②

Authorities, entities and Persons, vide Government Order No. 44-JK(HUD) of 2020 dated 04.03.2020:-

- i. No development activity involving a quantum of land more than 10 kanals, or which shall have a significant impact on the urban environment, traffic and mobility in their surroundings, shall be undertaken by any authority or person within these regions, without the prior written permission of the respective metropolitan region Development Authority.
- ii. Before transferring any land to any authority, entity or a person for any activity within these regions, the competent authority shall ensure that the indenting department has included there in the prior written permission from the respective MRDA.
- iii. No permission for construction or any other developmental activity, or for commencement of work on any project of the nature and description given at (i) above, shall be granted by any authority, including any municipal or local authority, or project implementing agency, without the prior written permission of the respective MRDA, as stipulated above.
- iv. To ensure expeditious disposal of these cases, the cases for the permission of the MRDAs shall be submitted along with a self-contained note giving all the details of the project, the permitted land use in the area per extant norms endorsed by the respective Development Authority or the Chief Town Planner, as the case may be the details of how the project shall conduce to the coordinated and orderly development of the region, the justification for quantum of land requisitioned keeping in view the relevant norms and considerations of efficiency of land use, and other information that may be required to enable the MRDAs to decide on the request without further recourse.

Now, therefore, for effective enforcement of Jammu Master Plan-2032 and J&K Metropolitan Region Development Authorities, Act, 2018, it is impressed upon all the Administrative Secretaries to direct the concerned field functionaries not to grant any kind of NOCs till asked by the Competent Authority and making it mandatory to have a copy of sanctioned building permission granted under J&K Control of Building Operation Act and J&K Metropolitan Region Development Authorities, Act, 2018, as a pre-requisite before sanctioning any temporary/permanent electricity/water connection in favour of any individual in the entire Union Territory of Jammu and Kashmir including Municipalities and notified areas under J&K Metropolitan Region Development Authorities, Act, 2018.

Sd/-

(Dheeraj Gupta) IAS
Principal Secretary to the Government
Housing & Urban Dev. Department

Dated: 24-08-2020

No: HUD-07/2005/JDA-II
Copy to the:-

1. All Financial Commissioners.
2. Director General of Police, J&K.
3. Principal Secretary to the Lieutenant Governor.
4. All Principal Secretaries to the Government.
5. Principal Resident Commissioner, J&K government, New Delhi.

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6. Chief Electoral Officer, J&K.
7. All Commissioner/Secretaries to the Government.
8. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
9. Divisional Commissioner, Jammu/Kashmir.
10. Director General, J&K Institute of Management, Public Administration and Rural Development.
11. Chairman, J&K Special Tribunal.
12. All Heads of Departments/Managing Directors.
13. All Deputy Commissioners.
14. Chief Executive Officer(s), Jammu/Srinagar Smart City Limited.
15. Chief Executive Officer, Economic Reconstruction Agency.
16. Vice Chairman, JDA/SDA/LAWDA.
17. Commissioner, JMC/SMC.
18. Director, Information, J&K.
19. Secretary, J&K Public Service Commission.
20. Director Estates, J&K.
21. Director, ULB, Jammu/Kashmir.
22. Managing Director, J&K Housing Board.
23. Additional Secretary to Chief Secretary.
24. Chief Town Planner, Town Planning Organization, Jammu/Kashmir.
25. Chief Architect, J&K Architect Organization, J&K.
26. Director, Archives, Archaeology and Museums, J&K.
27. Secretary, J&K Services Selection Board.
28. General Manager, Government Press, Jammu/Srinagar.
29. Private Secretary to the Hon'ble Lieutenant Governor.
30. Private Secretary to Advisor (S) to the Lieutenant Governor.
31. Private Secretary to Advisor (F) to the Lieutenant Governor.
32. Private Secretary to Advisor (B) to the Lieutenant Governor.
33. Private Secretary to Advisor (BK) to the Lieutenant Governor.
34. Private Secretary to the Chief Secretary.
35. Private Secretary to Principal Secretary to the Government, Housing and Urban Development Department.
36. Incharge website, GAD/ H&UDD.
37. Government Order File/Stock File.

(Amreet Singh) KAS
Deputy Secretary to Government
Housing and Urban Dev. Department

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