

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

Subject: Planned Development of Metropolitan Region of the State.

Government Order No. 44 -JK(HUD) of 2020

D a t e d: 04 .02.2020

The State Government has enacted the Jammu and Kashmir Metropolitan Region Development Authorities Act, 2018, to provide for an overarching framework to ensure coordinated, orderly and rapid development of the two Metropolitan areas of the State. Two Metropolitan Region Development Authorities in the two metropolitan regions, namely Jammu Metropolitan Region Development Authority and Srinagar Metropolitan Region Development Authority, have been created in the State under the Act, and their jurisdictions notified.

2. Towards achieving the objective of coordinated and orderly development of these areas, these Authorities have the responsibility, *inter alia*, for preparation of Infrastructure Development Plans, Mobility Management Plans and Plans for sustainable Management of urban environment. While the major city and region level infrastructure works may be undertaken by the MRDAs directly, the MRDAs also have the power and responsibility to examine the development plans of other authorities, departments and agencies working their respective areas, under section 14 of the Act, to ensure that these do not impede the coordinated and orderly development of the metropolitan area.

3. Further, Sub-Section (1) of Section 20 of the Act provides:

“20. No development to be undertaken without the permission of the Authority, - (1) Notwithstanding anything contained in any law of the time being force, except with the previous permission of the Authority, no authority or person shall undertake any development within the Metropolitan Region of the type as the Authority may from time to time specify, by notification in the Government Gazette, and which in the opinion of the Authority, is likely to adversely affect the overall development of the Metropolitan Region.

(2) Any authority or person desiring to undertake development referred to in sub-section (1) shall apply in writing to the Authority for permission to undertake such development.”

4. As per above provisions of the Act, it has been obligatory on the part of any authority or person, both Government and private, not to undertake any development of specified nature, without the prior permission of the MRDA within their areas, which have already been notified vide SRO-456 dated: 17th July, 2019.



5. Accordingly, the following instructions are hereby issued for strict compliance by all authorities entities and persons:

- i. No developmental 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 their 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 any other information that may be required to enable the MRDAs to decide on the request without further recourse.

The above instructions are being issued for strict adherence by all in letter and spirit.

By order of the Lieutenant Governor.

Sd/-

(Dheeraj Gupta) IAS

Principal Secretary to the Govt.

Dated: 04.02.2020

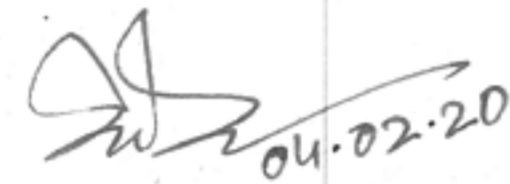
No. HUD-09/2019/MRTC

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13. Chief Executive Officer, Economic Reconstruction Activity.
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15. Commissioner JMC/SMC.
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17. Director, Estates, J&K.
18. Director, ULB, Jammu/Srinagar.
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(Pankaj Kumar Sharma) KAS
Additional Secretary to Govt.