

Government of Jammu and Kashmir



Housing Policy

Housing and Urban Development Department

2004

Housing Policy of Jammu and Kashmir State

1.1 Food, clothing and shelter are the three basic minimum needs of the people. Of these, shelter fulfils much more than the basic needs – it is the most durable economic asset of a household, which provides a sustainable basis for improving the quality of life of its members. Decent housing contributes much to personal health and well-being, confidence and security. The ways in which housing is produced and exchanged have an impact over equity and poverty-eradication. Manner of construction and location of houses influence environmental sustainability and mitigation of natural disasters; and the design of dwellings both reflects and protects technological developments and cultural heritage. In all these areas, housing stands in reciprocal relationship with wider issues - both influencing and being influenced by the pursuit of economic growth, sustainable development and human security.

1.2 Keeping in view the much wider economic, social, cultural and personal significance of housing, the Second United Nations Conference on Human Settlements 1996 – Habitat II – resolved to build together a ‘*world where everyone can live in a safe home with the promise of a decent life of dignity, good health, safety, happiness and hope*’.

1.4 Redeeming its pledge before this world body and its commitment to provide *Housing for All*, the Government of India formulated a *National Housing and Habitat Policy* in 1998, with the objective of creating a ‘*surplus in housing*’.

stock in the country' and providing 'quality and cost effective housing and shelter options to the citizens, especially the vulnerable groups and the poor'.

1.5 As per the census report on *Housing, Household Amenities and Assets*, released by the Registrar General of India in April 2003, housing scenario in Jammu and Kashmir are somewhat better than many of the States. Of the total number of 1,551,768 households in the State, more than 93% own their homes, 4.3% live in rented accommodation and 2.1% either reside in illegal settlements or are houseless. 7.78 lac people live in slums and 10,792 persons are houseless in the State.

1.6 But the ownership status of the houses does not reflect the actual housing shortages in the State. 22.7 % of the households, with average size of 6.4 persons, live in one room tenement, 26.2% live in two and 18.7% in three dwelling room accommodation. 28.7 % of the households have the privilege of living in four or more room houses, compared to the national average of 14%.

1.7 The quality of bulk of the houses, either self-owned or rented, are much below the acceptable standards and do not provide the environment of healthy and secured living. 48.3% of the houses are mud masonry and 91.6% are without concrete roofs. Only 8.7% houses have tap water and 23.1% are provided with water closet latrines. 39,381 houses (2.5%) have been listed as dilapidated in the report of the Registrar General. If the entire houseless population of the

State, half of the households living in slums and one room tenement and all the dilapidated houses are counted, the State has a total housing shortage of 4.45 lac dwelling units.

1.8 It is estimated that construction of new houses to meet the shortages would need an investment of Rs. 9,000 crore. Similarly, upgradation and improvement of the existing sub standard housing stock would require investment of other Rs 1,000 crores. Not more than 10% of this will flow from banks, financial institutions. Central and State governments during the next fifteen years. The position is equally grim if we consider the requirements of funds to meet the development of urban and rural infrastructure like roads, water supply, electricity, drainage, sewerage and sanitation.

1.9 This gap in resources for housing development cannot surely be met from the public exchequer. Historically, bulk of housing construction in this State, as in rest of the country has taken place through individual initiative. But individual households find themselves helpless against inadequate supply of developed land at affordable rate, soaring prices of construction materials, cumbersome process of building and other permission, poor state of infrastructure development, unscrupulous practices of real estate developers, deteriorating environment for healthy living and so on. There is definitely a large scope for improvement in the prevailing situation within the constraints of available resources, which is possible through the creation of an enabling environment through legal and institutional changes,

capacity building and various other innovative practices, which can facilitate large public, private, private-public, co-operative and individual investment in housing for providing housing for all. It is in this background that this *Housing Policy of the Jammu and Kashmir State* has been formulated.

Objectives of the Housing Policy

2.1 The goals and objectives of the *Housing Policy of Jammu and Kashmir State* shall be to:

- a) Facilitate creation of adequate housing stock, both in rural and urban areas, to bring down the shortage of housing below the level of zero by the year 2015.
- b) Provide quality and affordable housing and shelter options to the economically weaker sections and other vulnerable groups in the society.
- c) Make legal, institutional and procedural changes to encourage increased public, private and co-operative sector investment in housing.
- d) Forge strong partnerships between private, public and cooperative sectors for housing activity.
- e) Guide the growth of future urban and rural settlements in a planned manner.
- f) Provide adequate infrastructure facilities and healthy and pollution free environment in the settlements.

- g) Ensure that all dwelling units have easy accessibility to basic sanitation facilities and water.
- h) Develop appropriate building norms and designs for different regions of the State keeping in view the seismic, climatic, ecological and aesthetic factors.
- i) Develop and disseminate low cost housing technology with locally available construction materials and disseminate such technologies to the people.
- j) Promote skill upgradation in house building activity.
- k) Protect and promote cultural heritage, architecture, and traditional skills.
- l) Establish a Management Information System in the housing sector to strengthen the monitoring of building activities in the State.

Legal and Regulatory Regime

3.1 Entire legal and regulatory framework for housing and infrastructure development activities in the State shall be reviewed comprehensively and appropriate changes shall be made in the laws, rules and procedures to give a boost to housing and supporting infrastructure.

3.2 Appropriate legal framework shall be developed to encourage private sector participation for the development

of new towns and housing colonies. The process for according approval for such projects shall be liberalized, while protecting at the same time, the rights and interests of the plot/house/flat owners, particularly the economically weaker and other vulnerable groups in the society and maintaining the environmental and other standards of healthy and secure living.

3.3 The J&K Development Act and the J&K Town Planning Act shall be amended to bring these Acts in conformity with the new municipal laws of the State and to promote better efficiency and accountability in the formulation, implementation and monitoring of development plans for the towns and other settlements.

3.4 The existing system of preparation of zonal plans, which is rigid, slow and non-functional shall be replaced by a dynamic and flexible system of development control and zoning regulations that would facilitate and not restrict planned development of the settlements.

3.5 The J&K Co-operatives Act shall be amended and a separate chapter on Housing Co-operatives shall be inserted to empower housing cooperatives to take up more housing projects.

3.6 The capital cities of Jammu and Srinagar account for more than 50% of the total urban population of the State. Both the cities are attracting migration of population not only from the rural areas but also from district and other towns. The primate nature of the two cities calls for a regional approach to the development, which will provide

an integrated framework for human settlement planning in the regions. A legislative and institutional framework for the preparation and implementation of a regional settlement plan in all the regions of the State shall be developed.

3.7 Due to growing scarcity and price of land, housing actives in the capital cities are increasingly taking the form of apartments and condominiums. No legal framework for maintenance and management of the apartments are available at present. Apartment ownership legislation shall be formulated for the facility of the apartment owners.

3.8 A fast, transparent and accountable system of sanctioning plans for construction of houses both in rural and urban areas shall be developed. Water and power connections to the buildings shall be sanctioned only on the basis of a certificate from the municipal authorities that the building has been constructed according to the approved plan.

3.9 The Jammu and Kashmir Houses and Shops Rent Control Act, 1966 shall be amended to stimulate investment in rental housing which is a viable shelter option for the low income groups. New constructions would be specifically excluded from Rent Control in order to encourage investment in Rental Housing.

3.9 The Stamp Duty for registration of immovable property shall be rationalized to eliminate large scale evasion of duty, growth of power to attorney regime, and avoidable litigation in courts. The stamp duty on asset securitization shall also be reduced to help in setting up secondary

mortgage market. The procedure for registration in the conveyance of immovable properties shall also be simplified.

Land Assembly and Development

4.1 Land is the most critical input for housing. Considering the specific requirements of housing and urban infrastructure projects, both in the public and private sector, a land acquisition legislation would be drawn up for the urban areas. Alternatively, the existing Land Acquisition Act would be suitably amended.

4.2 Other more feasible alternatives like land sharing and land pooling arrangements would be considered with appropriate statutory support. Land assembly and development by the private sector would also be encouraged. Successful models developed in the States of Haryana, Gujrat and Maharastra shall be studied for their possible replication in the Jammu and Kashmir State.

4.3 A portion of land in housing colonies shall be earmarked at affordable rates for housing those who provide essential services. This would also help in checking the growth of slums.

4.4 Valuable agricultural land and orchard are being converted for residential uses, particularly along road arteries, both in the rural and urban areas, without any proper planning and in violation of laws. It may be expected that adequate provisioning of housing sites and better enforcement of laws shall discourage this trend. The Government and all its agencies shall work in that direction.

4.5 In the rural areas housing sites with ownership rights shall be allotted to the landless, rural poor and those displaced due to execution of development projects. Such rights shall be given jointly in the name of both husband and wife.

Housing Board and Development Authorities

5.1 J&K Housing Board has a large mandate for construction of houses for the people throughout the State, but its activities have mostly remained confined to construction of houses for the Estate Department in the capital cities of Jammu and Srinagar. The Board shall expand its activities to other towns and settlements and for people of various economic groups.

5.2 Development authorities would revamp their method of working and facilitate assembly and availability of land and development of infrastructure. They would enter into strategic partnership with private and co-cooperative sector for construction of quality houses in adequate numbers to meet the housing shortages in the State.

Public-Private Partnerships

6.1 An enabling framework for public - private partnership for housing development shall be developed. Corporate, Private and Cooperative Sectors have their own strengths and weaknesses. Strategic partnership of these sectors with public sector housing agencies like Housing Board and Development Authorities can counterbalance the strength and weaknesses of the respective sectors. These partnership arrangements can be effected through various

modes of project financing like Build, Own, Operate and Transfer and their other derivatives, in accordance with the laws of the State.

6.2 Other non-State actors like small-scale producers in the informal sector, community organizations, and NGOs of different kinds have a different set of comparative advantages in housing, particularly for the slum dwellers and urban poor. Creative partnerships with all these stake holders shall also be developed for enlisting their co-operation for the delivery of housing and related facilities for the poor.

Economically Weak and other Vulnerable Groups

7.1 Since bulk of the housing shortages is for the poor, economically weaker sections and other vulnerable groups, special efforts shall be made to meet these demands. The following strategy shall be adopted in this regard:

- a) Government shall continue to subsidize the cost of housing plots/ houses for the economically weaker sections, and scheduled caste/ scheduled tribes both under various centrally sponsored schemes like Indira Awas Yojana, Valmiki Ambedkar Awas Yojana etc and State sector schemes.
- b) Pricing of housing plots/ houses for economically weaker sections in housing colonies developed both by the public and private sector agencies shall be cross subsidized with middle and high income groups.

- c) Housing conditions for the poor living in slum areas shall be improved and upgraded.
- d) Housing projects for economically weaker sections pursuing particular vocations such as safai karamcharies, fishermen, weavers etc shall be taken up with the assistance of various centrally sponsored schemes. The benefits of these schemes have not been fully availed of in the State.

7.2 State Government shall continue to reserve a proportion of the housing plots/ houses for the families belonging to the Scheduled Castes/Scheduled Tribes communities, war widows, ex-servicemen, handicapped persons, freedom fighters, and families affected by the terrorist violence.

7.3 The housing for the low paid employees and workers would be planned in the close vicinity of their place of work. Large industrial complexes shall be persuaded to provide housing for employees as part of their industrial projects.

7.4 Special needs of physically and visually challenged persons shall be taken care of in the planning and design of buildings and public places.

7.5 Planning and design of housing complexes shall also include provision for hostel accommodation for working women, crèches and day-care centres.

Slum Improvement and Upgradation

8.1 Efforts shall be made to make Jammu and Kashmir a no-slum State by the year 2015. In this direction all the existing slums shall be improved under *in-situ* slum improvement programmes by upgrading the services, amenities, hygiene and environment. In cases where such *in-situ* improvement is not possible, the slums dwellers shall be resettled in planned colonies.

8.2 Simultaneously effective steps shall be taken to prevent the growth of new slums. These shall include strengthening of social housing scheme for economically weaker sections, earmarking of areas in planned colonies for construction workers, safai karamcharies and other service providers and vigilance and protection of public land from getting further encroached.

Housing Finance

9.1 Affordable finance is 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, simplification of procedure and a sharp rise in the net inflow of housing credit. Commensurate benefits of these changes have not flown to the State of Jammu and Kashmir. Efforts shall be made to significantly scale up the net inflow of housing credit in the State. In this direction Government shall persuade the National Housing Bank, housing finance institutions, commercial banks and

insurance sector to extend the network of their operations in the State to provide affordable housing credit to the people.

Ecology and Environment

10.1 No settlement can support unbridled consumption of natural resources, such as land, water, forest cover and energy. Norms for consumption of these resources as also conservation techniques would be specified and enforced.

10.2 Ecological inventory and environmental assessment of all major housing projects shall be made at the stage of planning to make them sustainable.

10.3 Solid and liquid waste management in the towns and cities is an area of critical concern in the State. Restrictions on the use of non-degradable packing materials shall be strictly enforced. Efforts shall be made to segregate solid waste at the source and process the waste materials for generation of energy, compost or other materials or dump them in the landfill sites under proper conditions.

Low Cost Housing Technology

11.1 Various innovative low cost housing design and alternate construction materials and technologies have been developed in different parts of the country. These shall be disseminated to the field on a large scale through a network of Building Centres which shall be set up in district headquarters and other places.

11.2 Skilled and unskilled workers engaged in construction activities shall be given training in the use of low cost technologies for house building activities.

11.3 New technologies of house construction that have been tested and approved by the Bureau of Indian Standards and National Building Organization shall be incorporated in the standards and schedules of various public and private construction agencies.

11.4 Further research work shall be carried out in consultation with engineering colleges and other technology centres for the development of new technologies based on locally available raw materials and climatic conditions in different regions of the State.

11.5 Special efforts shall be made for the development and use of renewable energy sources in the housing sector particularly, solar, bio-mass and waste based energy to reduce the stress on the natural environment. Energy efficiency in building materials and construction technology shall be promoted through research and extension activities.

11.6 Nearly 1% of the housing stock is destroyed every year due to natural hazards. Therefore disaster mitigation techniques for new constructions as well as strengthening of existing houses shall be built into the design standards to prevent continuing loss of housing stock and human lives from major natural hazards like earthquakes, cyclones, floods, landslides and avalanches.

Architecture and Design

12.1 Architectural designs of houses have significant bearing on the character and aesthetics of human settlements. Different geographical regions of the State have unique architectural heritage which has developed over the years according to the local climate, building materials, environment and heritage. Unfortunately, this tradition is badly threatened at many places by mindless copying of designs from outside that are not in accordance with the local conditions.

12.2 Government shall promote development of a range of model type designs of houses of different size and specifications that are in harmony with the local environment. Government shall also institute awards for the best designed buildings in different regions to encourage the promotion of innovative designs that are sensitive to local conditions.

12.3 Government shall also take measures for the preservation and conservation of heritage buildings and zones in urban and rural areas.

Housing for Government Employees

13.1 Government employees in Jammu and Kashmir constitute nearly 4% of the total population of the State and the households of these employees account for more than 18% of the total households. Most of them reside in the urban areas. Innovative group and rental housing schemes for government employees can solve the problem of housing

to a significant extent. Government shall formulate schemes in this direction.

Review and Monitoring

14.1 A Management Information System (MIS) on house building activities shall be developed to monitor the implementation of the policy and to assist in decision making.

14.2 The *Housing Policy of the Jammu and Kashmir State* shall be reviewed from time to time to take stock of the progress made in its implementation and also to take necessary corrective measures for achieving the overall objectives of providing *Shelter to All*.
