

# **The Rajasthan Land Revenue (Allotment of Unoccupied Government Agricultural Lands for The Construction of Schools, Colleges, Dispensaries, Dharamshalas & Other Buildings of Public Utility) Rules, 1963**

RAJASTHAN

India

## **The Rajasthan Land Revenue (Allotment of Unoccupied Government Agricultural Lands for The Construction of Schools, Colleges, Dispensaries, Dharamshalas & Other Buildings of Public Utility) Rules, 1963**

### **Rule**

### **THE-RAJASTHAN-LAND-REVENUE-ALLOTMENT-OF-UNOCCUPIED-G of 1963**

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The Rajasthan Land Revenue (Allotment of Unoccupied Government Agricultural Lands for The Construction of Schools, Colleges, Dispensaries, Dharamshalas & Other Buildings of Public Utility) Rules, 1963 Published vide Order No. F. 5(109) Revenue B/60, Dated 20-7-1963; published in Rajasthan Gazette Part 4(Ga), Dated 10-10-63, p. 339 In exercise of the powers conferred by section 102 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby lays down the following condition on which it is willing to make allotment, of unoccupied Government agricultural lands for the construction of schools, dispensaries, dhannashalas and other buildings of public utility.

#### **1. [ Class of land to be allotted. [Substituted by G.S.R. 4, Dated 14-2-1995; published in Rajasthan Gazette Part 4(Ga)(I), Dated 8-6-95, p. 9-15.]**

- Any unoccupied Government land may be allotted for any of the purposes mentioned in clause 2. if the allotting authority is satisfied that no suitable un-culturable land is available:] Provided that if

land recorded as pasture (Gochar) is to be allotted, the procedure of consultation with panchayat as laid down in Rule 7 of the Rajasthan Tenancy (Government) Rules, 1955 framed under the Rajasthan Tenancy Act, 1955 (Act 3 of 1955) shall be followed: Provided further that lands which are irrigated by any source or are recorded as public path, beds of river or tank shall not be allotted without prior approval of the State Government: Provided also that no allotment shall be made without prior consultation of Town Planning Department in case of cities and towns for which Master Plan has been approved or is under preparation.

## **2. [ Maximum Area to be allotted. [Substituted by G.S.R. 4, Dated 14-2-1995; published in Rajasthan Gazette Part 4(Ga)(I), Dated 8-6-95, p. 9-15.]**

- Subject to the requirements, the maximum area to be allotted shall be shown below]-

Purpose	Maximum Area to be Allotted
(a) Primary Schools	2 acres (including school and hostel buildings as well as play grounds)
(b) Middle Schools	5 acres (including school and hostel buildings as well as play grounds)
(c) Secondary Schools/Senior Secondary Schools/BSTC Schools	10 acres (including schools and hostel buildings as well as play grounds)
(d) Degree and post-graduate colleges	30 acres (including college and hostel buildings as well as play grounds)
(e) Central Schools managed by Kendriya Vidyalaya Sangathan	15 acres (including schools and hostel buildings as well as play grounds)
(f) Navodaya Vidyalaya managed by Navodaya Vidyalaya Sangathan	30 acres (including school and hostel buildings as well as play grounds).
(g) Hostels	2 acres (including play grounds)
(h) Panchayat Ghars	5/16 acres
(i) Dharamshalas, Musafir Khanas	1/2 acres
(j) All types of dispensaries	1 acre
(k) Primary Health Centre	2 acres
(l) Government office building	2 acres
(m) Temples, Gurudwaras, 200 sq. Yards Mosques or other religious places	200 Sq. Yards
(n) Other buildings of public utility	5/16 acres]

## **3. Term and condition of allotment.**

- [(i) The allotment shall be made on lease hold basis for a period of 99 years. The lease deed shall be in Form-I.(ii)The allotment to a Government Department or an institution or a local body, or an authority or a Board shall be made free of cost.]The allotment to non-government institutions shall be made on a premium at the following rates-(a)If allotted land is situated within a municipal

boundary of a town or city the premium shall be equivalent to 75% of market price of agricultural land to be determined according to the index price as fixed for registration purposes.(b)If the land is situated in the rural areas, premium shall be equivalent to half the market price of agricultural land to be determined according to the index price as fixed for registration purposes.(c)If the land allotted is in excess of the maximum limits prescribed in clause 2, the premium for the excess area shall be equivalent to the market rate of agricultural land to be determined according to the index price as fixed for registration purposes.(d)[ If the land situated in any rural area is allotted to charitable institutions of categories mentioned below for hospitals, diagnostic centres and nursing homes, the premium charges shall be as follows] [Inserted by No. F. 6(13) Revenue/6/9I/part/18, Dated 20-8-1996, published in Rajpatra Part I V(ga), dated 27-12-1996, p. 107(3); and]-

#### Category-A

Charitable institutions willing to install at least one advanced diagnostic or curative plant/equipment from within the list approved by the State Government from time to time or provide some medical facility for advanced medical or super speciality services as per the plan approved by the State Government. 25% of the market price of agriculture land

#### Category-B

Charitable institutions providing medical facility not covered under Category "A" 25% of the market price of agriculture land,

[(Provided that no premium shall be charged in case allotment of land is to be made for the purpose of educational, social or economic upliftment of women, to a non-Government institution)]

[Substituted by No. F. 6(13)R-6/91/17, Dated 6-7-1995, published in Rajpatra part IV(ga), dated 10-7-1995, p.55(3).]."[x x x] [Second proviso deleted by No. 7 dated 29-8-1998[4-9-1998] which reads as under:-'Provided further that no premium shall be charged where a khatedar tenant surrenders his land formally to the State Government for allotment under this order.](iii)[ The land shall be used strictly for the purpose for which it is allotted and the construction of the building for which the land is allotted shall commence within six months of handing over the possession. The allottee shall within two years of handing over the possession, be liable to complete the construction of the building and also put it to use for the purpose for which the land was allotted. [Substituted by G.S.R. 4, Dated 14-2-1995; published in Rajasthan Gazette Part 4(Ga)(I), Dated 8-6-95, p. 9-15.](iv)The land shall vest in the State Government.(v)The building constructed or the institution started on the allotted land shall be used for the benefit of the public, sale, sub-letting or transfer in any form of the allotted land and building constructed thereupon shall not be made without the prior approval of the allotting authority. The allotting authority shall, while allowing the transfer, charge fresh premium from the transferee as prescribed in clause (ii) above].(vi)The allottee shall give a written undertaking to abide by each and every one of the foregoing conditions.(vii)In the event of any breach of the above conditions, the land shall revert to the State Government along with the construction thereon without any claim for compensation.

**4. [ Allotting Authority. [Substituted by S.O. 196, Dated 5-12-1988; published in Rajasthan Gazette Extraordinary Part 4(Ga)(II), Dated 5-12-88, p. 361(4).]**

- All allotments under these conditions shall be made by the Collector.] [Substituted by G.S.R. 4, Dated 14-2-1995; published in Rajasthan Gazette Part 4(Ga)(I), Dated 8-6-95, p. 9-15.][Provided where the area to be allotted to a Government Department or an institution or a local body or an authority or a board exceeds upto 25% of the maximum area prescribed in clause 2, the Collector shall obtain prior approval of the Divisional Commissioner. Provided also that no allotment other than to a Government Department or an institution or a local body or an authority or a board shall be made without obtaining prior approval of the State Government.] [Added by G.S.R. 4, Dated 14-2-1995; published in Rajasthan Gazette Part 4(Ga)(I), Dated 8-6-95, p. 9-15.]

#### **4A. [ Allotment of Land for rolling up Technical Institutions in the lagging areas. [Inserted by Notification No. S.O. 360, dated 26.2.2007 (w.e.f. 10.10.1963).]**

- Notwithstanding anything contained in clauses 2, 3 and 4, the land may be allotted to private investors for setting up Technical Institutions in the lagging areas on the following conditions, namely:-(i)the allotment shall be made on the lease hold basis for a period of 25 years, the lease may be renewed for another such period as the Government may decide;(ii)the allotment shall be made free of cost ;(iii)the allotment of land shall not exceed 5 bighas for setting up of Industrial Training Institution and 10 acres outside the municipal limits of the City, for setting up of Polytechnic College;(iv)the land shall be allotted under this clause for setting up only one polytechnic college in each lagging district and for setting up only one Industrial Training Institution in each lagging block;(v)the allottee shall establish the Institution, for which the land is allotted within 18 months of allotment of land, failing which the land shall revert to the State Government;(vi)the allotment shall be made by the collector, after the recommendation of the Department of Technical Education, Government of Rajasthan, Jaipur;(vii)the land shall be used strictly for the purpose for which it is allotted;(viii)the land shall vest in the State Government;(ix)the sale, sub-letting or transfer in any form of the allotted land and construction thereupon shall not be made without the prior approval of the allotting authority; and(x)In the event of any breach of the above conditions, the land shall revert to the State Government alongwith the construction thereon without any claim for compensation. Explanations. - For the purpose of this clause:(1)'Technical Institutions' means Polytechnic Colleges and Industrial Training Institutions.(2)'Lagging districts' means the district which do not have any Polytechnic Colleges.(3)'Lagging blocks' means blocks which do not have any Industrial Training Institution.]

#### **5. Remission of land revenue or rent.**

- Remission of land revenue or rent under sub-section (3) of section 90 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) for the land allotted under this order shall be sanctioned by the Collector concerned, provided that the area does not exceed the scale laid down in para 2 above.

## **6. Supersession of Order No. F. 6(89) Revenue B/58, Dated 20-1-1961.**

- The foregoing provisions shall also govern the allotment of land to Government departments for the construction of schools, colleges, dispensaries etc. and this departments Order No. F. 6(89) Revenue B/58, Dated 20-1-1961 is hereby cancelled.]

## **7. [ Allotment by Government. [Added by No. F. 6(13) Revenue/91/30, Dated 26-8-91; published in Rajasthan Gazette Part 4(Ga)(I), Dated 26-9-1991.]**

- Notwithstanding anything hereinbefore contained in this order, the State Government may allot land exceeding the maximum area specified in para 2 on such terms and conditions as it may deem fit.][Form] [Added by S.O. 450, Dated 11-8-1975; published in Rajasthan Gazette Part IV-C, Dated 21-8-75.] (I)This lease deed made on the day of. between the Government of the State of Rajasthan hereinafter called, "the lessor" which expression shall unless excluded by subject or context, include his successors in office and permitted assigns of the one part, and Shri..... S/o..... resident of.....Tehsil..... District.....(hereinafter called "the lessee" which expression shall, excluded by subject or context include his successors and assigns) of the other part. Whereas the lessee has applied to the Lessor for allotment of unoccupied Government land, described in the Schedule hereto the purpose or.....And whereas the Lessor has agreed to grant the lease of the said land to the lessee for a period of 30 years on the terms and conditions hereinafter appearing. Now this Deed witnesses as follows.-

**1. That in pursuance of the aforesaid agreement, the lessor hereby demises to the Lessee the said land to hold the same upto the Lessee from.....day of.....for a period of 30 years.**

**2. That the parties hereto mutually agree as follows:-**

(i)That the allotment shall be free of cost.(ii)That the term of lease shall be made for a period of 30 years.After the expiry of the period of 30 years, the Lessor may review the position and if the land is being used for the purpose for which it was allotted and is necessary for that purpose, the term may be renewed for another term of 30 years.(iii)That the land shall be used strictly for the purpose for which it is allotted and the construction of the building for which the land is allotted shall be started within one year of allotment. Provided that land for the construction of a school or college may also be used for an agricultural purpose connected with the school or college.(v)That the land shall vest in the Government. Provided that if the land is allotted to a village Panchayat for the construction of a Panchayat Ghar, it shall be vest in the Panchayat.(vi)The building constructed or the institution started on such land shall be sued for the benefit of the public and there shall be on malafide transfer to any member or members of the family of the donee to whom allotment is made.(vii)That in the event of any breach of the aforesaid condition, the land shall revert to the State Government alongwith the construction thereon without any claim for compensation.In witnesses the parties hereto have signed this deed on the day and year first above written.Signed by the Lessee....Witness: 1.....

**2.**

.....Signed by.....For and behalf of the Government.Witness:1.....

**2.**

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