

# Rajasthan Review and Validation of Rent Rates Act, 1955

RAJASTHAN

India

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### Act 6 of 1955

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Rajasthan Review and Validation of Rent Rates Act, 1955(Act No. 6 of 1955)[Published in the Rajasthan Gazette (Raj-Patra) Part IV-A No. 8 dated the 9th April, 1955][Received the assent of His Highness the Rajpramukh on the 9th day of April, 1955]An Act to provide for the review of rent rates, sanctioned by the Government, in certain cases.Be it enacted by the State Legislature of Rajasthan, in the Sixth Year of the Republic of the India, as follows: -

### 1. Short title, extent, commencement and duration.

(1)This Act may be called the Rajasthan Review and Validation of Rent Rates Act, 1955.(2)It extends to the whole of Rajasthan.(3)It shall come into force on its publication in the Rajasthan Gazette.(4)It shall cease to have effect on the 1st day of January, 1956, except as respects things done or omitted to be done before that date, and section 6 of the General Clauses Act, 1897 (X of 1897), shall apply upon the expiry of this Act as if this Act were a Central Act and had then been repealed by a Central Act.

### 2. Interpretation.

(1)In this Act, unless the context otherwise requires,-(a)"Board" means the Board of Revenue of Rajasthan constituted under the Rajasthan Board of Revenue Ordinance, 1949 (Rajasthan Ordinance XXII of 1949);(b)"prescribed" means prescribed by rules made under this Act, and(c)"reviewing officer" means the Settlement Officer or Assistant Settlement Officer, for the area concerned.(2)The General Clauses Act, 1897 (X of 1897) applies to the interpretation of this Act as it applies to an Act of Parliament.

### **3. Review of rent rates in certain circumstances.**

- Notwithstanding any custom, usage or practice to the contrary and notwithstanding anything contained in any law, enactment, rule, order or instrument for the time being in force, the State Government may, if satisfied before the closing of settlement operations in an area, that the rent rates sanctioned by the State Government for such area in the course of settlement operations need modification on account of an error of judgment having been discovered-(a)in the formation of assessment circles, or(b)in the classification of soil, or(c)in the rent rates for particular classes of soil, the State Government may order that the rent rates for such area shall be reviewed; and thereupon the reviewing officer shall proceed to take action in accordance with the provisions of this Act.

### **4. Framing of proposals for review.**

(1)The reviewing officer shall frame his proposals for the modifications that are needed in the nature of-(a)redistribution of the area into fresh assessment circles;(b)alterations in the classification of soil, including the introduction of new classes of soil;(c)alterations in the rent rates for a class of soil, or revision of rents in general without such alteration; and(d)modifications in any other matter, consequential on the above.(2)The reviewing officer shall also record for each village whether his proposals apply to that village in full, or whether they apply to that village with any modifications either for the village as a whole or for a specified area or class of soil therein.

### **5. Matters to be considered by the reviewing officer.**

- The reviewing officer shall, in framing his proposals under section 4, have due regard to the following matters:-(a)the level of rents paid by tenants who held or were admitted to substantial holdings in the area at various times over a series of years, excluding years which might have been declared the State Government as abnormal for the purpose of prices of agricultural commodities;(b)the rent rates sanctioned for similar soil in the adjoining areas in the last preceding settlement; and(c)the value of the share at which the rent rates were evolved on the basis of the prices of commodities ten years before the commencement of the settlement operations, excluding years that might have been declared by the State Government as abnormal for the purposes of prices of agricultural commodities,

### **6. Publication of proposals and hearing of objections.**

(1)The reviewing officer shall publish the proposals framed by him under section 4 in the prescribed manner, and shall consider and dispose of such objections thereto as may be received within thirty days of such publication.(2)The reviewing officer shall then submit to the Board his final proposals for the modifications that are needed of the nature mentioned in clauses (a) to (d) of sub-section (1) of section 4.

## **7. Action by the Board.**

- The Board shall, after causing such further inquiries, if any, to be held by the reviewing officer as it may think necessary and after such inquiry, if any, by itself as may be necessary, forward the proposals of the reviewing officer to the State Government with its opinion thereon.

## **8. Action by the State Government.**

- On receipt of the proposals with the opinion of the Board, the State Government may sanction the final proposals of the reviewing officer as approved by the Board, with such alterations and additions, if any, as it may think fit, and on such sanction the rent rates previously sanctioned shall be deemed to have been cancelled and the new rates so sanctioned shall take effect from such date as the State Government may specify, not preceding the date on which the rates previously sanctioned came into force, and the modifications made by such sanction in other matters shall also take effect from such date as aforesaid.

## **9. Validation of rent rates.**

- Notwithstanding any custom, usage or practice to the contrary and notwithstanding anything contained in any law, enactment, rule, order or instrument for the time being in force, all action taken by the State Government at any time or after the 10th January, 1951, and before the commencement of this Act in the nature of modifications in rent rates, classification of soil and assessment circles previously sanctioned and other connected matters shall be deemed to have been taken under this Act, and the legality thereof shall not be questioned.

## **10. Rules.**

- The State Government may by notification in the Rajasthan Gazette, make rules-(a)prescribing the procedure to be followed by the reviewing officer under this Act;(b)providing for the fees to be taken for anything to be done under this Act; and(c)generally to carry out the provisions of this Act.

## **11. Repeal.**

- The Rajasthan Review and Validation of Rent Rates Ordinance, 1955 (Rajasthan Ordinance 2 of 1955), is hereby repealed, but not so as to affect its previous operation.