

# Rajasthan Urban Land (Certification of Titles) Act, 2016

RAJASTHAN

India

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### Act 12 of 2016

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Rajasthan Urban Land (Certification of Titles) Act, 2016(Act No. 12 of 2016)Statement of Objects and Reasons. - Determination of rights in or over land and maintenance of land records including record of rights as also transfer and alienation etc. thereof, in so far as agricultural lands are concerned, are effectively and duly maintained in accordance with the law enacted by the State Legislature but the situation with regard to the urban lands which are governed by various laws in the State, is not the same. The title holders base their title on series of documents of successive transfers and at times person dealing with them are in a dilemma as to the actual state of title of the property and for that the documents of transfers are couched in clumsy and lengthy legal phraseology to safe guard the interest of the transferee serving as an assurance to the transferee. In order to ward off such a situation and to maintain the record of rights of urban lands also in an authentic manner by a single agency and to certify the said titles, the necessity of enacting a law on the subject is being felt as a measure of good governance and to ensure hassle free transaction of urban lands. These may also help in proper assessments of taxes levied on such transaction besides providing clear title to the persons holding the urban lands and premises.The Bill seeks to achieve the aforesaid objectives.Hence the Bill.[Dated 26.4.2016][Received the assent of the Governor on the 25th day of April, 2016]An Act to provide for survey and maintenance of record of urban lands and certification of titles thereof and matters connected therewith and incidental thereto.Be it enacted by the Rajasthan State Legislature in the Sixty-seventh Year of the Republic of India, as follows: -

## Chapter I

### Preliminary

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

(1) This Act may be called the Rajasthan Urban Land (Certification of Titles) Act, 2016. (2) It shall extend to the whole of the State of Rajasthan. (3) It shall come into force in such urban areas of the State and from such date as the State Government may by notification in the Official Gazette, appoint from time to time and different dates may be appointed for different areas.

## **2. Act not to be in derogation of any other law.**

- The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

## **3. Definitions.**

- In this Act, unless the context otherwise requires, -(i) "abadi", "abadi area" or "abadi land" means an area or land defined as such in clause (b) of section 103 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956); (ii) "agriculture" means agriculture as defined in clause (2) of section 5 of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955); (iii) "certificate" means the certificate of title issued by the Certification Authority under section 25; (iv) "Certification Authority" means the Urban Land Title Certification Authority appointed under section 21; (v) "Clear" means the Rajasthan Computerized Land Evaluation and Administration of Records, a central system of electronic data storage established and maintained, in the manner as may be prescribed; (vi) "DLC rates" mean the rates determined from time to time by the District Level Committee constituted by the State Government under clause (b) of sub-rule (1) of rule 2 of the Rajasthan Stamp Rules, 2004 for the purpose of levying Stamp Duty on instruments; (vii) "fraud" shall have the same meaning as assigned to it under section 17 of the Indian Contract Act, 1872 (Central Act No. 9 of 1872); (viii) "instrument" shall have the same meaning as assigned to it in section 3 of the Transfer of Property Act, 1882 (Central Act No. 4 of 1882); (ix) "land" means the land which is not let or held for agricultural purposes; (x) "misrepresentation" shall have the same meaning as assigned to it under section 18 of the Indian Contract Act, 1872 (Central Act No. 9 of 1872); (xi) "premises" mean any land or building described as such in any record prepared under this Chapter or in any other previously existing record; (xii) "survey" includes identification of boundaries and all other operations antecedent to, or connected with, survey; (xiii) "title holder" means the person who holds title of the urban land in accordance with law and who is issued a certificate of title under and in accordance with the provisions of this Act; (xiv) "Tribunal" means the Tribunal constituted under section 34; (xv) "urban area" means -(i) the area of a Municipality constituted under the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009); (ii) the area under Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959); (iii) the area within "Jaipur Region" as defined in clause (8) of section 2 of the Jaipur Development Authority Act, 1982 (Act No. 25 of 1982); (iv) the area within "Jodhpur Region" as defined in clause (8) of section 2 of the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009); (v) the area within "Ajmer Region" as defined in clause (2) of section 2 of the Ajmer Development Authority Act, 2013 (Act No. 39 of 2013); and (vi) the area of a body or authority declared as urban body under sub-clause (vii) of clause (xvi). (xvi) "urban body" means -(i) a Municipality constituted under the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009); (ii) an

Urban Improvement Trust constituted under the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959);(iii)the Jaipur Development Authority constituted under the Jaipur Development Authority Act, 1982 (Act No. 25 of 1982);(iv)the Jodhpur Development Authority constituted under the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009);(v)the Ajmer Development Authority constituted under the Ajmer Development Authority Act, 2013 (Act No. 39 of 2013);(vi)the Rajasthan Housing Board constituted under the Rajasthan Housing Board Act, 1970 (Act No. 4 of 1970); and(vii)any other body or authority which may be notified by the State Government as an urban body for the purposes of this Act; and(xvii)"urban land" means the land situate in urban area of an urban body except agriculture land.

## **Chapter II**

### **Survey and Maintenance of Record**

#### **4. Survey of land and premises in the urban areas.**

(1)The State Government may, whenever it thinks fit, order, by notification in the Official Gazette, that a survey shall be made of any urban area within the State or any part thereof and such urban area or, as the case may be, part thereof shall thereupon be deemed to be under survey.(2)The State Government may, by the same or a subsequent notification, direct that a urban body having jurisdiction over such urban area or part thereof shall be incharge of the survey so ordered.(3)The urban body, incharge of such survey, shall, in relation thereto, exercise such powers and perform such duties as may be specified in the notification referred to in sub-section (2).(4)Where no urban body is directed to be incharge of any survey ordered under subsection (1), any other officer of the State Government appointed for the purpose shall be incharge of such survey and where no such officer is appointed, the Collector of the District shall be incharge of such survey.(5)The survey ordered under sub-section (1) shall be conducted in the prescribed manner by such officers and servants as are appointed by the State Government for the purpose and after such appointment such officers and servants shall be the officers and servants conducting survey.(6)The State Government may appoint additional officers and servants as it may think necessary to assist the officers appointed under sub-section (5) and every officer appointed under this sub-section shall exercise such powers and perform such duties as may be prescribed.

#### **5. Entry upon land.**

- The officer conducting the survey shall, for the purposes of this Act, have power, either by himself or by other officers or servants employed in the survey, to enter, between the hours of sunrise and sunset, upon any land or premises within the urban area or part thereof under survey, without being liable to any legal proceedings whatsoever on account of such entry or anything done on such land or premises in pursuance of the provision of this Act:Provided that no such entry shall be made upon any land or premises which may be occupied at any time, unless with the consent of the occupier thereof, or without previously giving the said occupier twenty four hours notice of the intention to do so.

## **6. Notice of survey.**

- Before entering on any land or premises for the purposes of survey, the officer conducting the survey shall cause a notice in writing under his hand to be served on the owner or occupier of the land or premises about to be surveyed and on the owners or occupiers of coterminous lands or premises, calling upon them to attend either personally or by an authorized agent on such land or premises before him or before such officer as may be authorized by him in that behalf within a specified time (which shall not be less than three days after the service of such notice) for the purpose of pointing out boundaries and of affording such information as may be needed for the purposes of this Act, and every person on whom such notice may be served shall be bound to attend as required by the notice and to give any information which may be required so far as he may be able to give it.

## **7. Survey may be proceeded with after service of notice under section 6.**

- After due service of notice under section 6, -(i)the officer conducting survey or any other officer or servant authorized by him in his behalf may proceed with the survey whether the persons upon whom such notice has been served are present or not; and(ii)every such person who fails to appear or present as required by the said notice shall be bound by the results of the survey in the same manner and to the same extent as if the survey were made in his presence.

## **8. Survey map and register.**

(1)The officer conducting survey shall prepare a map, register and field book of the urban area or part thereof under survey.(2)Lands and premises of such urban area or part thereof shall be shown on the map and indicative survey number to be assigned to every piece of land shall be shown separately in the prescribed manner.(3)The officer conducting survey shall also prepare for the urban area or part thereof under survey, a register of all lands and premises therein which have been surveyed.(4)The register prepared under sub-section (3) shall specify, in relation to each indicative survey number assigned under sub-section (2), the name of the person or persons appearing at the time of survey to be the owner or person having interest and any other particulars as may be prescribed.

## **9. Erection of boundary marks.**

- The officer conducting the survey may at any time cause to be erected on any land, which is to be or has been, surveyed under this Act, temporary or permanent boundary marks of such materials and in such number and manner as he may determine to be sufficient for the purpose of survey.

## **10. Maintenance of temporary boundary marks.**

(1)When any temporary boundary mark has been erected under section 9, the officer conducting the survey may cause a notice to be served on owner or occupier of land or premises whereon, or

adjoining which, such boundary mark is situate, requiring him to maintain and keep in repair such boundary mark till the survey is completed.(2)Where such owner or occupier does not comply with such notice, the officer conducting survey may repair the boundary mark and expenses incurred in doing so shall be recoverable from such owner or occupier as arrears of land revenue.

## **11. Disputes as to boundaries.**

(1)If in the course of a survey under this Act, a dispute is found to exist as to the boundaries of any land or premises to be surveyed, an inquiry shall be held by an officer specifically authorized in this behalf, for the purpose of determining such dispute.(2)The officer authorized under sub-section (1) shall cause a notice in writing under his hand to be served on the parties concerned requiring them to appear before him, in person or by authorized agent, on a specified day and to produce evidence of possession of the land or premises in dispute.(3)On the specified day or on such other day to which the hearing may be adjourned, the officer authorized under sub-section (1) shall hear the parties, receive the evidence produced by them respectively, consider the effect of such evidence, take such further evidence as he may think necessary and without reference to the merits of the claim of any of such parties to a right to possess the land or premises in dispute, decide which party is in possession of said land or premises at the time of the survey.(4)For the purposes of the inquiry, the officer authorized under sub-section (1) shall have power to summon and enforce attendance of witnesses and compel the production of documents by the same means and in the same manner as is provided in the case of a court under the Code of Civil Procedure, 1908 (Central Act No. 5 of 1908).(5)After the inquiry has been completed, the officer authorized under sub-section (1) shall pass an order in writing defining clearly the subject of dispute and recording his decision and assigning clearly the reasons for such decision.(6)An appeal against the order passed under sub-section (5) shall lie to the Tribunal and such appeal may be preferred within sixty days from the date of such order.

## **12. Record of survey to be sent to the concerned urban body or the authority or department of the State Government.**

(1)As soon as may be, after completion of survey operations in any urban area, the officer incharge of survey shall send all maps, registers and other documents including files on which decisions were recorded and other papers connected with survey to such urban body in whose local area the survey was conducted or to such other authority or department of the State Government as the State Government may specify by general or special order for safe custody of record of survey.(2)If the State Government is satisfied with the survey and approves it, the fact of such satisfaction and approval shall be notified in the Official Gazette.

## **13. Maintenance of record.**

(1)All maps, registers and other documents including connected files and other papers which were part of survey operations and are deposited with the concerned urban body or any other authority or department of the State Government, shall be kept in safe custody by such body, authority or

department of the State Government and shall be maintained by such body, authority or department in the manner as may be prescribed.(2)The urban body, any other authority or department of the State Government which is entrusted with the safe custody and maintenance of the survey records shall cause such maps and entries in registers to be revised and corrected at such intervals and in such manner as may be prescribed and by such officer as may be appointed or authorized in this behalf by the State Government by notification in the Official Gazette.(3)The revision or correction of entries in the register, maps and other record shall be carried out by the officer appointed or, as the case may be, authorized under sub-section (2) in the prescribed manner.(4)The officer appointed or authorized under sub-section (2) for the purpose of revising or correcting maps and registers under this Act shall exercise such powers and proceed in such manner as may be prescribed.

#### **14. Survey fees.**

(1)The owner, title holder or occupier of the land or premises which has been surveyed under this Act shall be liable to pay to the officer or authority incharge of the survey, a fee at such rate, in such manner, within such time after the completion of survey and to such extent, as the State Government may prescribe and any survey fee not so paid shall be recoverable as arrears of land revenue:Provided that -(a)the aggregate amount of survey fee leviable from owners, title holders or occupiers of lands or premises in the urban area or part thereof under survey shall not exceed one third of the total cost of the survey; and(b)no survey fee shall be payable, -(i)by the Central Government or the State Government or by an urban body; or(ii)in respect of any such land or premises, area or value of which not exceed such limits as may be prescribed; or(iii)in respect of land or premises held exclusively for religious worship or charitable purposes.(2)Every owner, holder of title or occupier of land or premises who has paid the survey fee under this section shall be entitled to receive free of charge, and every owner, holder of title or occupier who is not liable to pay such survey fee shall be entitled to receive on payment of such charges, as may be prescribed, a certified extract from the map and a certified extract from the register prepared under this Act so far as they relate to such land or premises.

#### **15. Cost of survey.**

- Subject to the provisions of section 14, the cost of every survey made under this Act shall be met -(i)in case of an urban body in whose local area the survey is conducted, by such urban body; and(ii)in other cases by the State Government:Provided that in the cases covered by clause (i), the State Government may agree -(a)to pay a portion of such cost out of Consolidated Fund of the State, or(b)to advance loan to the urban body for meeting such cost upon such terms and conditions as may be mutually agreed upon.

#### **16. Penalty for failure to comply with requisition in notice.**

- Whoever fails to comply with a requisition contained in any notice issued under this Act and duly served shall be liable to fine not exceed rupees one thousand.

## **17. Inspection of, and copies of extracts from maps, registers and other documents.**

(1) All maps, registers and other documents referred to in sub-section (1) of section 13 shall be open for public inspection in such manner, within such hours, at such places, subject to such conditions and on payment of such fee as the State Government may prescribe. (2) Certified copies of, or, as the case may be, extracts from, such maps, registers and documents shall be granted on payment of such copying fee and in such manner as the State Government may prescribe.

## **18. Rules.**

- The State Government may, by notification in the Official Gazette, make rules not inconsistent with the provisions of this Act - (i) for preparation of maps and registers, the forms thereof, and the collection and record of information in respect of any land or premises within the urban area under survey; (ii) for regulation of all proceedings to be taken under this Act; (iii) for the manner of all inquiries to be made thereunder; (iv) for regulation of all matters which are required to be, or may be, prescribed under this Act; and (v) generally for proper performance of all things to be done under this Act and carrying out of the purposes and provisions thereof.

## **19. Proceedings not to be affected by informality.**

- No proceedings under this Act shall be affected by reasons of any informality, provided that the provisions thereof have, in substance and effect, been complied with.

## **20. Presumption as to maps and entries in registers.**

- All maps and all entries made in the registers prepared under this Act shall be presumed to be correct unless the contrary is proved: Provided that no such map or entry shall affect the right, title or interest of any person to or in any land or premises or shall preclude him from enforcing such right, title or interest in a competent court in accordance with law.

## **Chapter III**

## **Appointment of Urban Land Title Certification Authority**

### **21. Appointment of Urban Land Title Certification Authority.**

(1) As soon as may be after the commencement of this Act, the State Government shall, by notification in the Official Gazette, appoint an officer of the Indian Administrative Service to be the Urban Land Title Certification Authority for the purpose of receiving applications, scrutinizing the documents, verification from relevant official records including the records kept by the local urban bodies, and issuance of certificate of title in such form and in such manner as may be prescribed. (2) The State Government may also appoint such number and category of other officers

and servants as it may think necessary to assist the Certification Authority in discharge of his functions under this Act.

## **22. Applications for issuance of certificate of title.**

(1) A person who either holds title of any urban land immediately before the commencement of this Act, or a person who acquires title of any urban land after the commencement of this Act, may apply in such manner and within such time as may be prescribed. (2) The application under sub-section (1) shall be accompanied by the documents of title or the documents on the basis of which the applicant claims the title and such fee as may be prescribed.

## **23. Scrutiny of documents furnished with application form and their verification from the record.**

- As soon as may be, after the receipt of application under section 22, the Certification Authority shall scrutinize the information and the documents furnished by the applicant and seek their verification from the relevant record maintained by the State Government or any other authority to satisfy himself about the veracity of the information and authenticity of such documents.

## **24. Seeking additional information or documents.**

- The Certification Authority may seek such additional information or documents from the applicant or, as the case may be, from any officer of the State Government or any other authority who maintains relevant record to satisfy himself about the claim of the applicant.

## **25. Issuance of certificate of title.**

(1) The Certification Authority, if he is satisfied, on the scrutiny and verification of the information and documents furnished to him with the application under section 22 and sought by him under section 24, about the veracity of the information and authenticity of such documents and is of the opinion that the title of the applicant may be certified confirming the status of applicant as lawful holder of title of the urban land specified in the application, he may record a finding to that effect stating reasons therefor and enter the data in CLEAR in the prescribed manner and issue a provisional certificate of title for a period of two years without claiming any guarantee whatsoever on behalf of the State Government. (2) No provisional certificate of title shall be issued to any person - (a) unless he - (i) pays the certification cum guarantee charges as specified in sub-section (1) of section 27; and (ii) produces no dues certificates from such authorities and pertaining to such matters, as may be prescribed; and (b) where the title is disputed, whether before a court or otherwise. (3) The Certification Authority shall recall and cancel the provisional certificate issued under sub-section (1), where - (a) a bonafide counter claim or objection regarding the title of the holder of the certificate is filed before him; or (b) the fact that the title of the land to which the provisional certificate relates is subjudic before any court, is brought to his notice, - and shall refund the amount of the certification cum guarantee charge to the holder of such certificate after deducting



such administrative expenses therefrom as may be prescribed.(4)While issuing a provisional certificate of title under sub-section (1), the Certification Authority shall require the holder of the certificate to take, within such time not being more than fifteen days from the date of the issue of such certificate as he may specify, such steps, with respect to the land to which such certificate relates, as may sufficiently reflect the possession and title of the holder of such certificate over such land and continue to reflect so till such certificate remains in force.(5)If, during the period for which a provisional certificate of title issued under sub-section (1) remains in force, no counter claim or objection is received regarding the title of the holder of such certificate, the Certification Authority may, after expiry of the said period, issue a permanent certificate of title to which the State Government shall stand as guarantor for the genuineness and authenticity of the title to the extent specified in such certificate.(6)The certificate of title, both provisional and permanent, shall be in such form as may be prescribed.

## **26. Subsequent changes in title to be recorded in the certificate.**

(1)If after issue of certificate of title under section 25, any change in the title of the title holder takes place, the title holder shall immediately inform the Certification Authority of such change in the prescribed manner and submit the certificate of title to the Certification Authority for the purpose of recording such changes in the certificate.(2)When an information along with the certificate of title is received under sub-section (1), the Certification Authority shall proceed as per the provisions of Secs. 23 and 24 and if he is satisfied about the fact of change, he shall record such change in the certificate of title in the prescribed manner.(3)Where the title holder uses the permanent certificate of title for any purpose whatsoever after the change in the title of the title holder without getting such changes recorded in accordance with the provision of sub-sections (1) and (2), the Certification Authority may, after making such enquiry as he may think necessary and after affording a reasonable opportunity of being heard to such person, impose a penalty equal to 0.05 per centum of the amount of value of the land to which the certificate related calculated at the DLC rates prevalent in the area in which the land is situate at the time of the use of such certificate.

## **27. Certification cum guarantee charges.**

(1)Every person, who seeks a certificate of title under the provisions of this Act, shall be liable to pay, by way of certification cum guarantee charges, an amount equal to 0.5 per centum of the prevailing DLC rates of the land to which certificate relates.(2)Where any change in the certification of title is recorded under section 26, the title holder shall pay by way of certification cum guarantee charges an additional amount equal to 0.05 per centum of the prevailing DLC rates of the land to which certificate relates.(3)The amount of certification cum guarantee charge shall be payable at the time of issue of the provisional certificate of title.

## **28. Establishment of a Sinking Fund.**

(1)There shall be established a sinking fund, hereinafter referred to as "the Fund", for the purposes of this Act.(2)All the moneys realized on account of fees, penalty and certification cum guarantee charge shall be deposited to the Fund.(3)The Fund shall be utilized to meet out the expenses on

account of the payment of any compensation in accordance with the provisions of this Act and such other administrative expenses incurred by the Certification-Authority for the purposes of this Act as may be prescribed.(4)The management, accounts and audit of the Fund shall be regulated by such rules as may be made by the State Government from time to time in this behalf.

## **29. Indemnity.**

- Any person, who enters into an agreement for consideration with the title holder on the basis of a permanent certificate of title issued under this Act and thereby incurs any loss due to any defect of title other than that specified in the certificate, shall be entitled to be compensated by the Certification Authority on behalf of the State Government as guarantor, for such loss to such extent as they are attributable to such defect, in such manner as may be prescribed:Provided that the amount of compensation payable under this section shall not exceed the amount of the value of the land to which the certificate relates calculated at the DLC rates prevalent at the time of issue of the certificate in the area in which the land is situate.

## **30. Cancellation, modification or suspension of the permanent certificate of title.**

(1)Where after issuance of a permanent certificate of title under section 25, the Certification Authority is satisfied that the certificate has been issued under mistake and contains a declaration which is materially wrong, he may immediately suspend the certificate and call upon the title holder - (i) to produce the certificate before him within such time as may be specified by him; (ii) not to use the certificate for any purpose whatsoever; and (iii) to furnish reasons as to why the certificate should not be cancelled or be modified in the manner as may be specified by him. (2) When the title holder produces the certificate before the Certification Authority, he may impound the certificate and order to keep the certificate in such safe custody as he may specify until the certificate is cancelled or modified in accordance with the provisions of this section. (3) Where the title holders does not furnish any reason or the Certification Authority is not satisfied with the reasons furnished by the title holder, the Certification Authority may cancel the certificate or, as the case may be, modify the same so as it may reflect the true nature of the title of the title holder in the land to which the certificate relates. (4) Where the title holder uses the certificate for any purpose whatsoever after it has been suspended or cancelled, the Certification Authority may, after making such enquiry as he may think necessary and after affording a reasonable opportunity of being heard to such person, impose a penalty not exceeding, double the amount of value of the land to which the certificate related calculated at the DLC rates prevalent in the area in which the land is situate at the time of the use of such certificate.

## **31. Penalty for obtaining the certificate of title by fraud, misrepresentation or suppression of facts.**

- If any person has obtained a certificate of title, whether provisional or permanent, by fraud, misrepresentation or suppression of facts, the Certification Authority may, after making such

enquiry as he may think necessary and after affording a reasonable opportunity of being heard to such person, impose a penalty not exceeding, the amount of value of the land to which the certificate related calculated at the DLC rates prevalent in the area in which the land is situate at the time of issue of such certificate.

### **32. Protection of action taken in good faith.**

- No suit or other legal proceedings shall be against the State Government or any other officer or authority for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or any rules made thereunder.

### **33. Appeals.**

(1) Any person aggrieved by an order of the Certification Authority may appeal within sixty days from the date of such order to the Tribunal: Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within said period of sixty days, permit the appellant to prefer the appeal in further period of sixty days from the date of order appealed against. (2) The appeal shall be filed in such manner and be in such form and be accompanied by such fees and documents as may be prescribed. (3) The appeal under this section shall be heard and disposed of in such manner as may be prescribed: Provided that before disposing of an appeal, the appellant shall be given a reasonable opportunity of being heard. (4) Every order made on an appeal under this section confirming, modifying or reversing the order appealed against shall be final.

### **34. Constitution of Tribunal.**

(1) The State Government shall, by notification in the Official Gazette, constitute a Tribunal for the purposes of this Act. (2) The Tribunal shall consist of one person who shall be appointed by the State Government and shall be paid such salary and allowances as may be determined by the State Government. (3) The State Government may provide the Tribunal such other officers and servants as it may think necessary to assist the Tribunal in discharging its functions. (4) The procedure to be followed by Tribunal in deciding the appeals filed under the provisions of this Act shall be such as may be prescribed. (5) The Tribunal shall have same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act No. 5 of 1908) in respect of hearing of appeals.

### **35. Inspection of record and supply of certified copies.**

(1) Any person having interest in the urban land may be allowed by the Certification Authority to inspect the relevant record of the Certification Authority and upon application being presented before the Certification Authority, such person may be provided certified copies of the record on payment of such fee and subject to such conditions as may be prescribed. (2) The Certification Authority shall keep an index of the record for the purpose of enabling the seeker of information in identifying the parcel of land and such index may clearly indicate the arrangement of that

information for convenient search.

### **36. Power to remove difficulties.**

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order do anything, not inconsistent with the object of this Act, which appears to be necessary or expedient for the purposes of removing the difficulty: Provided that no order under this section shall be made after the expiry of two years from the commencement of this Act. (2) Every order made under this section shall be laid, as soon as may be, after it is so made before the House of State Legislature.

### **37. Power of the State Government to fix time limit for disposal of matters under this Act by the officer and authorities subordinate to it.**

- For the purpose of effective implementation of the provisions of this Act, the State Government may fix time limit for the disposal of matters under this Act by the officers and authorities subordinate to it and give such directions to such officers and authorities as it may think fit for the aforesaid purpose and such directions shall have effect notwithstanding anything contained in any other law of the State Legislature for the time being in force.

### **38. Recovery of sums due.**

- Any sum payable under the provision of this Act shall, if not paid by due date, be recoverable as an arrear of land revenue on a certificate issued by the Certification Authority.

### **39. Provisions of Chapter VII-A, Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), not to apply in the areas specified by notification under sub-section (3) of Section 1.**

- Notwithstanding anything in the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), as from the date of issue of a notification under sub-section (3) of section 1 of this Act, the provisions with regard to survey of abadi areas contained in Chapter VII-A of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) shall not apply to the urban area of an urban body specified in such notification.

### **40. Power to make rules.**

(1) The State Government may make rules for carrying out the purposes of this Act. (2) All rules made under this section shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days, which may be comprised in one session or in two successive sessions and, if before the expiry of the sessions in which they are so laid or of the sessions immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rule should not be made, such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so

however that any modification or annulment shall be without prejudice to the validity of anything previously done thereunder.