

The Rajasthan Kasar Bhom Abolition Rules, 1961

RAJASTHAN

India

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Rule THE-RAJASTHAN-KASAR-BHOM-ABOLITION-RULES-1961 of 1961

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The Rajasthan Kasar Bhom Abolition Rules, 1961 Published vide Notification No. F. 5(77) Revenue/B/58, dated 1-12-1961, published in Rajasthan Gazette, Part 4-C, Extraordinary, dated 4-12-61 In exercise of the powers conferred by section 5 of the Rajasthan Kasar Bhom Abolition Act, 1961 (Raj Act 45 of 1961), the State Government hereby makes the following rules, namely:-

1. Short title & Commencement.

(1) These rules may be called the Rajasthan Kasar Bhom Abolition Rules, 1961. (2) They shall come into force at once.

2. Interpretation.

- In these rules, unless the subject or context otherwise requires-(i) "Act" means the Rajasthan Kasar Bhom Abolition Act, 1961 (Rajasthan Act 35 of 1961); (ii) "Form" means a form appended to these rules; (iii) "section" means a section of the Act; (iv) words and expressions used in these rules and not defined in the Act or in these rules shall have the meanings assigned to them by the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

3. Completion of Kasar Khwars.

- Immediately on the publication of these rules, and in any case within one month thereof, the Tehsildars of the Tehsils containing the villages in which 'Kasar Khwars', as defined in clause (i) of section 2 of the Act, reside, shall cause to be prepared an accurate and up-to-date list in Form 'A', of all persons, who were entitled to receive Kasar Bhom for the year ending on the 31st day of December, 1960. Such list shall be compiled on the basis of the old lists of kasar khwar bhomias' of the Tehsil and old 'kharas' and other Tehsil records, and, where 'settlement parchas' for the payment of kasar bhom were distributed by the Settlement Department and the record thereof is available in

Tehsil, on the basis of such record.

4. Proclamation inviting applications for compensation.

(1) Immediately after the compilation of the list referred to in the preceding rule, and in any case within one month of the commencement of these rules, each Tehsildar shall issue a proclamation inviting applications for 'Kasar Khwars' for the payment of the compensation to which they are entitled under section 3 of the Act. (2) The proclamation shall be in Form 'B' and shall be published by pasting copies thereof on the notice board of the Tehsil and on the notice board of the Village Panchayat and at some place of public resort in the village: and the proclamation shall be further published by beat of drum in the villages concerned.

5. Form of application for Compensation.

- An application by a 'Kasar Khwar' for the payment of compensation shall be in Form 'C' and shall be submitted in duplicate to the Tehsil in which the 'kasar khwar' resides, within one month of the publication of the proclamation referred to in rules 4: Provided that the Tehsildar may entertain an application after the period prescribed in this rule if he is satisfied that the 'Kasar Khwar' was prevented by sufficient cause from submitting the application within the prescribed time: Provided further that if a 'kasar khwar' is unable to file his application in the prescribed form, the Tehsildar shall, on his request, get the kasar khwar's claim prepared for him.

6. Determination of Compensation.

(1) On receipt of an application under rule 5, the Tehsildar shall verify the particulars given therein by reference to the list of 'kasar khwar bhomias' prepared under rule 3 and see whether the applicant's name appears in the list and the amount of Kasar Bhom payable according to the list tallies with that mentioned in the application; and the Tehsildar shall also look up the old Tehsil Kharas and verify the payment of Kasar bhom to the applicant in the past and also see the 'settlement parcha', if any, possessed by the applicant. (2) After satisfying himself by verification as indicated above, and by such further inquiry, if any as he may deem necessary, the tehsildar shall pass an order, in Part II of Form 'C', determining the amount of compensation. Form 'A' (See Rule 3) List of Kasar Khwar Bhomias

1. Name of Tehsil with name of District.

2. Date of compilation of list.

S. No.	Name of Village	Name of Kasar Khwar Bhomia with parentage, age, if known, and address	Amount of Kasar Bhom payable to him for the ending on 31-12 1960.
1	2	3	4

Date on which Kasar Bhom was last paid to him with particulars of the year for which paid; amount paid with particulars of Ledger/Cashbook in which entered.	Remarks	(In this column enter reference to settlement parcha for Kasar Bhom if any, and other evidence on the basis of which the entry has been made).
5	6	7

Form 'B' (See Rule 4) Proclamation under rule 4 of the Rajasthan Kasar Bhom Abolition Rules, 1961 Whereas the Rajasthan Kasar Bhom Abolition Act, 1961 (Rajasthan Act 35 of 1961) which provides for the abolition of Kasar Bhom in the State of Rajasthan came into force from the 14th day of November, 1961; And whereas, by virtue of section 3 of the said Act, all Kasar Bhom rights stand abolished as from the first day of January, 1961 and all payments on account of such rights have been discontinued as from such date, and the Kasar Khwars have been released from the liability to render any service in lieu of the Kasar Bhom; And whereas, under section 3 of the said Act, compensation is payable to every Kasar Khwar whose Kasar Bhom rights stand abolished, at an amount equal to five times the total amount of Kasar Bhom payable to him for the year ending on the 31st day of December, 1960 in three yearly installments, the first of such installments being payable on the first January, 1962; and the compensation payable under the said Act shall carry interest at the rate of 2, 1/2 percent per annum from the date of abolition till the date of payment: Now, therefore, in pursuance of sub-section (2) of section 3 of the said Act and of rule 4 of the Rajasthan Kasar Bhom Abolition Rules, 1961, this Proclamation is hereby made directing every Kasar Khwar, who considers himself entitled to compensation under the said Act to submit his application for compensation in Form 'C' within one month of the publication of this proclamation.

Seal of tehsil Signature of Tehsildar of

Date..... Tehsil.....

Form 'C' (See Rule 5)

Part I – Application under Rule 5 of the Rajasthan Kasar Bhom Abolition Rules 1961 for the payment of compensation for the abolition of kasar Bhom rights.

To The Tehsildar, Tehsil District

1. Name of village, with name of Tehsil and name of district.
2. Name of Kasar Khwar Bhomia (applicant) Parentage, Age; full address.
3. Amount of Kasar Bhom that was payable to him on the 31st December, 1960. Rs. nP.
4. Last date on which applicant received payment of Kasar Bhom from the Tehsil and amount received.

5. Evidence in support of the applicant being a kasar khwar;
- (i) No. and date of settlement parcha for Kasar Bhom if any possessed by him (to be produced for the inspection of the Tehsildar at the time of verification).
- (ii) Entry in the Tehsil kharas Ledger or Cashbook or some other record of payment of Kasar Bhom to the applicant in the past.
- (iii) Other documentary evidence if any (particulars to be given)
- (iv) Name of Lambardar/Patwari or some other responsible person, who would verify applicant's claim of being a kasar khwar and the amount of Kasar Bhom payable to him.
6. Total amount of compensation claimed by applicant (amount of Kasar Bhom payable for the year ending on the 31st December, 1960 multiplied by five).

Signature.....Date.....Verification I solemnly verify that the particulars given above are correct to the best of my knowledge and belief and that I have stated the Truth and have not suppressed or concealed anything. Date.....Signature.....Witness.....Form 'C'

Part II – Determination of compensation by Tehsildar

I Tehsildar of having satisfied myself by verification of the particulars given in Part I of this Form in the manner indicated in sub-rule (1) of rule 6 viz., by a reference to the list of kasar khwar bhomias/ settlement parchas of Kasar Bhom/local enquiry or otherwise that the particulars are correct and the applicant was a kasar khwar, I hereby declare Shri..... S/o..... of village..... Tehsil..... to be entitled to the following amount of compensation under section 3 of Rajasthan Act 35 of 1961. Amount of Kasar Bhom payable to him for the year ending on 31st December, 1960, Rs nP multiplied by five equal to Rs.....nP..... I hereby direct that the total compensation of Rs..... nP..... shall be paid in cash to the said Shri..... as shown hereafter. On the 1st of January, 1962:-

First installment of compensation	Interest @ 2 1/2% from 1-1-61 to.....	Total of Cols. 1 & 2	Acknowledgment by applicant
1	2	3	4

On the 1st of January, 1963:-

Second installment of compensation	Interest @ 2 1/2% from 1-1-61 to.....	Total of Cols. 1 & 2	Acknowledgment by applicant
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1	2	3	4
On the 1st of January, 1964:-			
Third installment of compensation	Interest @ 2 1/2% from 1-1-61 to.....	Total of Cols. 1 & 2	Acknowledgment by applicant
1	2	3	4

I also direct that duplicate copy of this order be given to the said Shri.....to keep with him and to produce it at the time of receiving the installments of compensation and interest if any.

Seal of Tehsil Signature of Tehsildar.....

Date.....