

Rajasthan Bhoodan Yagna Rules, 1956

RAJASTHAN

India

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Rule RAJASTHAN-BHOODAN-YAGNA-RULES-1956 of 1956

- Published on 14 January 1956
- Commenced on 14 January 1956
- [This is the version of this document from 14 January 1956.]
- [Note: The original publication document is not available and this content could not be verified.]

Rajasthan Bhoodan Yagna Rules, 1956 Published vide Notification No. F. 2(1)/1/1 Vitlhi Rachna (Vikas)/71-Published in Rajasthan Gazette, Part 4-C, dated 14.1.1956 In exercise of the powers conferred by section 32 of the Rajasthan Bhoodan Yagna Act, 1954 (XVI of 1954) and with the previous sanction of the State Government, the Rajasthan Bhoodan Yagna Board makes the following Rules for the purpose of carrying into effect the provisions of the said Act, namely :-[Chapter - I] [Substituted vide Notification No. G.S.R. 41/F.Bhoo (408) 75-76 (Jan.) Ra/39, dated 10-1-80, Published in Rajasthan Gazette, Part IV-C(I), Ordinary, dated 26-6-1980.]

1. Short title and commencement.

- These rules may be called the Rajasthan Bhoodan Yagna Rules, 1956 and shall come into force on their publication in the Rajasthan Gazette.

1A. Definitions.

- In these rules unless the subject or context otherwise requires :-(i)"Act" means the Rajasthan Bhoodan Yagna Act, 1954 (Act No. XVI of 1954).(ii)"Committee" means a Tehsil Committee Constituted under Section 14 of the Act.(iii)"Form" means a form appended to these Rules.(iv)"Lessee" means a Bhoodan Lessee.(v)"Sanyojak" means a Sanyojak of Tehsil Committee.(vi)"Section" means a Section of the Act 7.Chapter - II Procedure and Disposal of the Business of the Board

2.

(i)A meeting of the Board shall be either ordinary or special.(ii)The date, time, and place of a meeting shall be fixed by the Chairman, or the Secretary in consultation with the Chairman.(iii)The meeting of the Board shall be called by the Secretary.(iv)Notice of every meeting specifying the time and place thereof and accompanied by the agenda showing the business to be transacted thereat,

shall be dispatched by post under certificate of posting to every member of the Board at the address notified by the Member and recorded in a register specially mentioned for the purpose at least seven clear days before an ordinary meeting and four clear days before a special meeting.

3.

No business other than that, specified in the agenda shall be transacted at any meeting save with the permission of the Chairman.

4.

A notice of adjournment of a meeting exhibited at the place thereof on the date on which the meeting is adjourned shall be sufficient notice of the subsequent meeting.

5.

Save as otherwise directed by the Chairman, the business of every ordinary meeting shall, as far as possible be taken up in the following order: (a) confirmation of minutes of the previous meeting, (b) all subjects deferred from previous meeting, and (c) other business in such order as may be fixed by the Chairman. [5A. A special meeting may be called by the Board to consider some specific matters of urgent importance. The restriction as laid down in Rule 5 of the Rules shall not be applicable to such meeting.] [Inserted vide Notification No. G.S.R. 41/F.Bhoo (408) 75-76 (Jan) Ra/39, dated 10-1-1980, Published in Rajasthan Gazette Part IV-C, Sub-part (1). Ordinary', dated 26-6-1981.]

6.

(i) Minutes of the meetings of the Board shall be recorded and signed by the Secretary in a book maintained for the purpose and shall be confirmed at the next ensuing meeting, whether ordinary or special, and shall thereupon be signed by the Chairman in token of confirmation: Provided that the minutes shall not be placed for confirmation unless seven days have elapsed since the meeting to which they relate. (ii) Any member of the Board may prefer an objection before the confirmation of the minutes. This chairman shall decide all such objections and make any corrections or alterations as may be necessary after taking the sense of the Board.

7.

(i) In the event of an emergency arising out of the administrative business of the Board, if the Chairman is of the opinion that immediate action should be taken, he may cause a draft proposal to be circulated among the members of the Board, such proposal may be acted upon as if it has been adopted at a meeting of the Board. (ii) Every proposal adopted under sub-rule (1) shall be placed for ratification at the next meeting of the Board.

8.

The Chairman, or under his direction, the Secretary, may dispose of all business requiring immediate attention other than matters governed by Rule 7. Any action taken in pursuance of this Rule shall be submitted for confirmation at the next meeting of the Board.

9.

The quorum required for the meeting of the Board shall be one-third of the number of its members. A meeting, adjourned for want of quorum, can transact its business without quorum and such an adjourned meeting can be held the next day.

Chapter - III Service conditions of and remuneration to the Members of the Board, Sanyojaks and other workers

10.

(i) The Board, for its proper and efficient working may engage part-time or whole-time workers including the members of the Board and Sanyojaks. (ii) The maximum remuneration to be given under sub-rule (i) shall not exceed Rs. 300/- per mensem and the minimum shall not be less than Rs. 60/- Per mensem. (iii) The travelling and other allowances, leave and other conditions of service shall be regulated by resolutions passed by the Board from time to time.

11.

(i) The Secretary shall- (a) maintain a record of the proceedings of the meetings of the Board. (b) carry on correspondence on behalf of the Board. (c) maintain Accounts according to Rules. (d) prepare not later than the fifteenth day of February, every year, the budget estimates of income and expenditure for the year commencing on the first day of April next. (e) do all such work as may be entrusted to him and carry out all directions given to him by the Board or the Chairman and be directly responsible to the Board in the discharge of his duties. (f) supervise the work of and maintain discipline in the staff of the Board, and (g) control the income and expenditure of the Board sanctioned in the Budget. (ii) The Secretary may- (a) sanction contingent expenditure not exceeding Rs. 50/- at a time, (b) with the approval of the Chairman, delegate all or any of his powers to his assistants, and (c) with the sanction of the Chairman, open bank accounts in the names of the Board to be operated by the Chairman or the Secretary.

Chapter - IV Terms of office and filling of casual vacancies in the office of the members of Committee and Procedure and Disposal of Business of Committees

12.

(i) The term of office of members of a Committee shall be two years. At the expiry of the term, a new Committee shall be constituted at which outgoing members shall be eligible for appointment. (ii) The Board shall appoint one member of the Committee to be its Sanyojaka, who shall preside over the meetings of the Committee.

13.

The Sanyojaka or any member of the Committee may at any time resign his office' in writing and the resignation shall be addressed to the Board. No resignation of the Sanyojaka shall take effect unless it has been accepted by the Board.

14.

The Board may, after giving an opportunity to make a representation, remove a member of a Committee, if in its opinion, such member has failed to discharge his duties properly or is incapacitated from acting or has so abused his position or powers as to render his continuance as a member detrimental to the interest of the Committee.

15.

Upon the occurrence of a vacancy in a Committee by death, removal or resignation, the Board shall appoint a member to fill the vacancy, and such member shall hold office during the un-expired terms of his predecessor.

16.

(a)The Sanyojak may call meetings of the committee as and when necessary but a meeting shall be called at least once a month.(b)The Sanyojak shall dispatch by post under certificate of posting a notice of every meeting at least five clear days before the date of the meeting together with the agenda stating the business to be transacted therein.(c)The quorum for a meeting of the Committee shall be of three members.(d)If at any meeting the Sanyojak is not present, the members present shall elect one of their members to preside over the meeting.(e)If at any meeting of a Committee a quorum is not present, the person presiding shall adjourn the meeting at such other date and times as he may deem fit, and announce the same before adjourning such meeting. No business other than that which would have been brought before the original meeting shall be brought before the adjourned meeting. No quorum shall be required for such an adjourned meeting.(f)On an adjournment under sub-rule (e), a notice of the adjourned meeting shall be exhibited at the place of the meeting on the same day and it shall be sufficient notice of the subsequent meeting.

17.

Unless otherwise directed by the Sanyojak or the person presiding, the business of every meeting shall be taken up in the following order :-(a)confirmation of minutes of the previous meeting,(b)all subjects deferred from previous meetings, and(c)all other business in such order as may be fixed by the Sanyojak.

18.

The minutes of every meeting of a Committee shall be recorded in a Minute Book and signed by the Sanyojak and shall be confirmed at the next meeting. The Sanyojak shall, after taking the sense of the meeting, correct or alter the minutes upon an objection in writing by any member.

19.

No acts or proceedings of a Committee shall be called in question on account of any vacancy therein.

20.

(i)A Committee shall act in accordance with such directions as the Board may from time to time, give.(ii)A Committee may entrust on its behalf the work of the distribution of land to any one or more of its members or to any other person or persons or to a village Committee.

21.

The Sanyojak may dispose of all urgent work but any action taken under this rule shall be reported by the Sanyojak for confirmation to the next meeting of the Committee.

22.

(i)Any person aggrieved by a decision of the Committee in regard to the distribution of land may, within thirty days from the date thereof, appeal to the Board against such decision.(ii)The Board may, after calling for a report from the Committee and hearing the appellant, confirm, modify or reverse the decision of the Committee.Chapter - V Principles to be Followed for the Distribution of Land and Qualifications of Persons to whom Lands may be given

23.

In the distribution of land the Committee or Board shall follow as far as practicable the following principles laid down by Shri Acharya Vinoba Bhave :-(i)At least one week before the date fixed for the distribution of land, a proclamation, by beat of drum, announcing that date, shall be caused to be made in the village in which the land is situated and in such other village or villages as the committee may deem fit.(ii)A second proclamation shall be made on the day preceding the date fixed for distribution of land.(iii)The members of the Committee or its deputies charged with the distribution of land shall, before the date fixed for distribution, collect all necessary information concerning the lands to be distributed and shall also inspect the lands and determine their quality for the purpose of distribution.(iv)On the date fixed for the distribution of land public meeting of the residents of the village including landless persons shall be held by the representative of Board or the members of the Committee entrusted with the work of distribution of land. They shall ascertain the names of landless persons residing in the village. Any landless person may express his desire for

allotment of land in the meeting to the representative of or a member of the committee. The representative or member of the Committee shall invite opinion of the people assembled in respect of the demands for allotment of land and shall propose allotments in accordance with the agreement reached among the landless persons seeking allotment. Failing such agreement the members shall determine the allotment by toss of coin or by drawing of lots. The allotments as determined in the meeting shall be reported to the Committee: Provided that, as far as practicable, one-third of the land available for distribution in a village shall be allotted to Harijans and other members of Scheduled Castes and Tribes. (v) In making allotments involving the establishment of new settlements or the expansion of existing settlements into large units regard shall be had to such directions as the Board may give in that behalf. (vi) Allotments shall be made so as to avoid fragmentation of holdings as far as possible.

24.

Lessee shall, as soon as may be, after allotment of land, execute a Pratigya Patra in Form B and shall be given by the Committee or Board, as the case may be a Praman Patra (Patta) in Form C.

25.

The Committee or Board, as the case may be, shall forward to the Patwaris every month a list of the names of persons to whom land has been allotted in the previous month with particulars of the land.

26.

The maximum and the minimum area of land to be allotted under the provisions of the Act shall be determined from time to time by the Committee according to the local conditions and the directions of the Board. Chapter - VI Miscellaneous [27. Any casual vacancy of the Chairman or member of the Board, caused due to resignation, death or any other reason, shall be filled up in the same manner in which the Board is constituted under Section 4 of the Act.] [Substituted vide Notification dated 20.12.1990-Rajasthan Gazette, Part 4(c), dated 31.1.1991, page 228.]

28.

(i) The declaration for the grant of land to the Board shall be in Form A. (ii) The representative of the Board of the Sanyojak shall, from time to time file the declarations with the Tehsildar concerned who shall give a receipt for the same.

29.

The Tehsildar shall, on receipt of advice from the Board for the confirmation of the declaration, publish the declaration in the following manner: (a) a notice containing the particulars shown in the declaration shall be issued in the Form D and copies thereof shall be served, free of charge on, all persons jointly recorded in respect of the land except the person on whose behalf the declaration has

been filed.(b)a copy of the notice shall be affixed on a conspicuous place in which the land is situated, and(c)the service of the notice shall be effected either by registered post or by personal service.

30.

(i)The objections under sub-section (2) of Section 17 of the Act shall be in writing and shall be filed by the parties personally or through their agents before the Tehsildar.(ii)In making enquiry under sub-section (3) of Section 17 of the Act the Tehsildar shall ascertain whether-(a)the donor making the declaration has a prima facie right, title or interest in the land specified in the declaration,(b)the donor is legally competent to make the donation, and(c)the land is vacant:Provided that in these cases where the land donated is subject to a sub tenure or is in the occupation of any other person, it shall be deemed to be vacant if the sub-tenure holder or the person in occupation agrees in writing to the donation of the land and is prepared to vacate it in favour of the Committee or the grantee:Provided further that if the person in actual possession is not prepared to vacate the land in favour of the Committee or the grantee the donation may be accepted subject to the right of the sub-tenant or occupant.

31.

The investigation and disposal of objections under Section 17(3) shall be completed-(a)within fifteen days if the objector resides within the district concerned, or(b)within thirty days if the objector resides outside the district concerned.