

The Rajasthan Colonisation (Eviction of Trespassers) Rules, 1975

RAJASTHAN

India

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Rule

THE-RAJASTHAN-COLONISATION-EVICTION-OF-TRESPASSERS-RULES of 1975

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The Rajasthan Colonisation (Eviction of Trespassers) Rules, 1975 Published vide Notification No. G.S.R. 200 (38)/F. 4 (23) Revenue/Col/75, dated 24-11-1975 - Rajasthan Gazette, Extraordinary, Part 4, Sub-part 1, dated 27-11-75 In exercise of the powers conferred by section 22 read with section 28 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government hereby makes the following rules to provide for eviction of trespassers, namely:-

1. Short title and commencement.

(1) These Rules may be called the Rajasthan Colonisation (Eviction of Trespassers) Rules, 1975. (2) They shall come into force at once.

2. Definition.

- In these Rules, unless the subject or context otherwise requires, -(a) "Act" means the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), (b) "Section" means section of the Act; (c) "Form" means a form appended to these rules.

3. Form of notice.

- Notice [x x x] [Deleted vide Notification No. G.S.R. 8/F. 4 (31) Revenue/Col./76, dated 16-4-1979, published in Rajasthan Gazette, Part IV-C, Sub-part I, Ordinary, dated 19-4-1979.] sub-section (3) of section 22 shall be in form 'A'.

4. Warrant for arrest to direct trespasser to be brought out.

- Every warrant under section 22 for the arrest of the trespasser shall direct the officer entrusted with its execution to bring him before the Collector with all convenient speed. Such warrant shall be in Form 'B'.

5. Warrant of committal of trespasser to Jail.

- When any person is brought under a warrant issued under Rule 4, the Collector shall make an order for the detention of the trespasser in the civil prison. The warrant of committal to civil Jail shall be in Form 'C'.

6. Classification of civil prisoner.

- The Collector shall, after taking into consideration the social status of the trespasser send his recommendation to the Superintendent of Jail about the classification of the prisoner as superior class or ordinary class. On receipt of this recommendation, the Superintendent shall treat the superior class civil prisoner as 'B' Class in-mate and the ordinary class civil prisoner as 'C' class in-mate as prescribed in the Rajasthan Prison Rules, 1951.

7. Food and Clothing from private sources.

- A civil prisoner under these rules can supplement his diet and clothing from his private sources. Form 'A' [See Rule 3] Notice under section 22 of the Rajasthan Colonisation Act, 1954. In the Court of Collector..... District..... Miscellaneous case No of 19 State Versus S/o..... Caste..... Resident of..... Whereas you have committed trespass on Government unoccupied land belonging to Khasra number..... of village Tehsil..... measuring..... during the agriculture year..... Notice is hereby given to you that you should vacate the said land before..... (date) or to appear in person or by a pleader on the day of..... 19 at..... O'clock in the..... noon and to show cause as to why you should not be evicted there from. You are also required to show cause why penalty for committing trespass during the said agricultural year on the said land should not be imposed up to 50 times the annual rent or assessment as the case may be. [Take further notice that you had committed trespass on the same land in the agriculture year This notice is being given to you in respect of subsequent trespass in the year..... You are required to show cause why you should not be committed to civil prison for a term which may extend to three months and to pay penalty up to 50 times the annual rent or assessment as the case may be.] [Strike out it not application.] Also take notice that on your failure to appear on the said date, time and place the case shall be decided in your absence. Given under my hand and the seal of the Court, this day of 19 Seal Collector..... District. Form 'B' [See Rule 4] Warrant of arrest in execution of order under section 22 of the Rajasthan Colonisation Act, 1954 In the Court of Collector District Miscellaneous case No. of 19..... State Versus..... S/o..... Caste Resident of..... To The Bailiff of the Court. Whereas Shri S/o..... caste resident of was ordered to be committed to civil prison in

the above noted case; These are to command you to arrest the said Shri and to bring him before the court with all convenient speed. You are further commanded to return this warrant on or before the day of 19 ... with an endorsement certifying the day on which and the manner in which it has been executed or the reasons why it has not been executed. Given under my hand and the seal of the court, this day of 19. Seal Collector, District. Form 'C' [See Rule 5] Warrant of Committal of trespasser to Civil Jail under Section 22, Rajasthan Colonisation Act, 1954. In the Court of Collector District Miscellaneous case No. of 19 State Versus S/o Caste Resident of To, The Officer In-charge of the Jail, at Whereas who has been brought before this court this day of 19 ... under a warrant in execution of the order made and pronounced by the said court on the day of 19 and by which order it was directed that the said Shri should be committed to civil prison for for committing subsequent trespass on unoccupied Government land; You are hereby commanded and required to take and receive the said Shri into the civil prison and keep him imprisoned herein for a period not exceeding Given under my signature and the seal of the Court, this day of 19 Seal Collector District.