

The Land Acquisition (Rajasthan Amendment) Act, 1987

RAJASTHAN

India

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Act 8 of 1987

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The Land Acquisition (Rajasthan Amendment) Act, 1987 Act No. 8 of 1987 [Received the Assent of the President on the 3rd day of April, 1987]. An Act further to amend the Land Acquisition Act, 1894 in its application to the State of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Thirty eight Year of the Republic of Indian as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Land Acquisition (Rajasthan Amendment) Act, 1987. (2) It shall extend to the whole of the State of Rajasthan. (3) It shall be deemed to have come into force on 3rd January,

2. Insertion of new section 56 in the Land Acquisition Act, 1894.

- After section 55 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), herein after referred to as the principal Act, the following shall be added, namely:- "56. Provisions consequential to the extension of this Act to the State of Rajasthan. - (1) Consequent on this Act having been extended to the State of Rajasthan on the 24th day of September 1984, herein after referred to as the date of extension, the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act 24 of 1953), hereinafter referred to as the State Act, shall be deemed to have been repealed on the date of extension. (2) Where in any proceeding under the State Act pending on the date of extension, the State Government, the Collector or the Court has, on or after the said date and before the commencement of the land Acquisition (Rajasthan Amendment) Act, 1987, done anything, taken, any action or made any order which is at variance with that as is provided in this Act, such thing action or order shall, subject to the other provisions of this section be deemed to have been done, taken or made under and in accordance with the provisions of this Act and such proceeding shall not be re-opened or reviewed or liable to be challenged on the ground of not being in accordance with the provisions of this Act. (3) All things done, actions taken or order made in regard to acquisition of any land for the

Union on or after the date of extension and before the commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987 shall be deemed to have been done, taken or made under the direction of the Union.(4)Where any proceeding pending under the State Act on the date of extension or instituted after the said date, a declaration under section 6 or an award under section 11 has been made after any of the respective periods as specified in section 6 or section 11-A, as the case may be, has expired, the said period or the periods, as the case may be, shall be deemed to have been extended upto the date of such declaration or award. In a proceeding pending on the date of commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987, such period or periods shall be deemed to have been extended upto, and the declaration or the award, as the case may be shall be made within, one year and two year respectively after such commencement.(5)When the Collector has before taking possession of any land on or after the date of extension and before the commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987 not tendered and paid eighty per centum of the compensation in accordance with subsection (3-A) of section 17, such possession shall not be liable to be challenged on that ground in any Court. The Collector shall in such a case tender and pay that amount within three months after such commencement.(6)Any person convicted and punished under the State Act before the commencement of the Land Acquisition (Rajasthan Amendment) Act., 1987 shall not be liable to enhanced punishment as provided in section 46.(7)Notwithstanding anything otherwise contained in clause first of sub-section (1) of section 23, in determining the amount of compensation to be awarded in a proceeding pending on the date of extension, tin market value of the land at the date of the publication of the order under section 4 of the State Act shall be taken into consideration.(8)In a proceeding where the amount of compensation has been determined before the commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987, whether by the Collector or by the Court, the amounts in addition to the market value of the land as specified in sub-section (1-A) and sub-section (2) of section 23 shall be further paid after adjustment of any sum paid earlier under the said sub-sections, by the Collector to the persons to whom compensation was payable or paid. These amounts shall be payable in every proceeding and in regard to every award as specified in sub-sections (1) and (2) of section 30 of the Land Acquisition (amendment) Act, 1984 (68 of 1984).(9)Where, in the cases as specified in sub-sections (2) and (3) of section 30 of the Land Acquisition (Amendment) Act, 1984 (68 of 1984) interest is payable or has been paid under section 28 or section 34, the amount of such interest shall be re-determined and paid after adjustment of any sum paid * * * under the said sections by the Collector at the respective rates specified in and in accordance with the provisions of the said sections as amended by the said Act.(10)In a matter where award has been made after the date of extension and section 28-A is applicable, an application under t he said section, if not made earlier, maybe made within three months from the commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987.(11)Notwithstanding the coming into force of the Land Acquisition (Amendment) Act, 1984 (68 of 1984), the first proviso to sub-section (1) of section 11 shall become applicable in the State of Rajasthan on the commencement of the Land Acquisition (Rajasthan Amendment) Act, 1987."

3. Repeal and Savings.

(1)The Land Acquisition (Rajasthan Amendment) Ordinance, 1986 (Ordinance No. 3 of 1987) is hereby repealed.(2)Notwithstanding such repeal all things done, action taken or orders made under

the principal Act as amended by the said Ordinance shall be deemed to have been done, taken or made under the principal Act as amended by this Act. [Notification No. F. 22(3) Revenue/I/54, dated 25-2-1954; published in Rajasthan Gazette Part I, dated 6-3-54]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Bakhra Project Hanumangarh to perform the function of a Collector under the said Act within the local limits of his jurisdiction. [Notification No. F. 22(16) Revenue/I/54, dated 23-7-1954, published in Rajasthan Gazette Part 1(a), dated 31-7-54]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Jaipur to perform the function of a Collector under the said Act within the local limits of his jurisdiction. [Notification No. F. 22(17) Revenue/I/54, dated 4-8-1954, published in Rajasthan Gazette Part 1(b), dated 14-8-1954]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Jawai River Project, Jodhpur, to perform the function of a Collector under the said Act within the local limits of his jurisdiction. [Notification No. F. 22(2) Revenue A/55/23136, dated 20-3-1955; published in Rajasthan Gazette Part 1(a), dated 23-4-55]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is hereby pleased to appoint the Land Acquisition Officer, Rana Pratap Sagar, Sagar Dam Area, Chambal Project and the Land Acquisition Officer Canal Area, Chambal Project to perform the function of a Collector under the said Act for the purposes of Land Acquisition within their respective jurisdiction. [Notification No. F. 22(3) Revenue 1/54, dated 29-3-1955, published in Rajasthan Gazette Part 1(a), dated 23-4-55]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, (Rajasthan Act XXIV of 1953), the Government of Rajasthan is pleased to appoint the Deputy Director of Colonisation posted at Hanumangarh and Nohar to perform the function of a Collector under the said Act within the local limits of their respective jurisdiction. [Notification No. F. 22(8) Revenue A/55, dated 20-4-1955; published in Rajasthan Gazette Part 1(a), dated 7-5-55]. - In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Raj. Act No. XXIV of 1953), the Government of Rajasthan is hereby pleased to appoint the Land Acquisition Officer Jodhpur to perform the functions of a Collector under the said Act for the land required for the following projects:-(1) Extension of Hemawas Bundh towards Hemawas village. (2) Guide Bunds along Bandi Feeder into Hemawas. (3) Ora Project-to the extent of the area sub merged. (4) Bhula Tank to the extent of the area sub merged. (5) Canal system of Bhula Tank. [Notification No. D. 21711 /F. 22(15) Revenue 1/54, dated 14-5-55, published in Rajasthan Gazette Part 1(a), dated 28-5-55]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953), the Government of Rajasthan is hereby pleased to appoint the Additional Collector, Jodhpur to perform the function of a Collector under the said Act for purposes of Land Acquisition within his respective jurisdiction. [Notification No. D-14260/F. 22(3) Revenue 1/54, dated 10-9-1955; published in Rajasthan Gazette Part 1(a), dated 31-12-1955]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953 (Raj. Act XXIV of 1953), the Government of Rajasthan hereby specially appoint the Deputy Director of Colonisation, Suratgarh Division, with Head Quarters at Hanumangarh by virtue of his office to perform the function of a Collector under the said Act within the local limits of his jurisdiction. [Notification No. F. 22(8) Revenue A/55, dated 14-3-1956, published in Rajasthan

Gazette Part 1(a), dated 21-4-1956]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953 (Raj Act XXIV of 1953), the Government of Rajasthan is hereby pleased to appoint the Land Acquisition Officer, Jawai River Project Jodhpur to perform the function of a Collector under the said Act for the lands required for the following projects.

1. Sheoganj Sirohi Ora Project
2. Jaitaran Pali Girinanda
3. Jalore Jalore Bankli Bundh
4. Pindwara Jalore Jubilee Tank
5. Sheoganj Jalore Sukri Inundation Project
6. Sirohi Jalore Maila Goad Project
7. Sirohi Jalore Tonk Irrigation Project
8. Jaswantpur Jalore Ramseen
9. Bhinwal Jalore Sagi
10. Sirohi Sirohi West Banas Irrigation Project
11. Pindwara Sirohi Kalumbari Project
12. Sirohi Sirohi Sukli River Inundation Project
13. Bhinmal Jalore Bundi Inundation Project
14. Badesar Sirohi Dehpura -do-
15. Jalore Jalore Khari -do-

[Notification No. 9903/F. 22(2) Revenue/A/55, dated 7-9-1956; published in Rajasthan Gazette Part IV-C dated 22-11-56]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953 [Raj. Act XXIV of 1953], the Government of Rajasthan has been pleased to appoint the Land Acquisition Officer, Rana Pratap Sagar Dam headquarters at Kota to perform the function of a Collector under the said Act within the Right Main Canal area in addition to the powers already conferred upon him vide Government notification No. F. 22(2) Revenue/A/55/23136, dated 29-3-56.[Notification No. D. 2572/P.W./1/57, dated 25-6-1957; published in Rajasthan Gazette Part IV-C, dated 23 7-1957]. - In exercise of the powers conferred by sub-section (c) of section 3 of Rajasthan Land Acquisition Act, 1953, the Governor is pleased to appoint the Sub-Divisional Officer, Kishangarh to perform the functions of Collector under the said Act.[Notification No. F. 6(59) Irg./57/dated 20-2-1958; published in Rajasthan Gazette Part IV-C. dated 5-6 58]. - In exercise of the powers conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953 (Raj. Act XXIV of 1953), the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, R;ma Pratap Sagar Dam Headquarter at Kota, to perform the function of a Collector under the said Act, so far as to award of compensation in 65 villages of Bhainsrodgarh Tehsil District Chittorgarh (List attached) is concerned.Tehsil Bhainsrodgarh of Chittorgarh District.

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| 1. Matasara. | 34. Chhatar pura |
| 2. Coyat. | 35. Dabar Bans |
| 3. Aranya (Mafi). | 36. Latoor |
| 4. Khedili. | 37. Govind pura |

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| 5. Modi. | 38. Ganga-ka-khera |
| 6. Retauli. | 39. Bala Ganj |
| 7. Manoli. | 40. Megpura |
| 8. Antaralia | 41. Pipal Kheri |
| 9. Naya Gaon. | 42. Malgarh |
| 10. Prempura | 43. Bakhari |
| 11. Khangar Pura | 44. Awal hera |
| 12. Jaswant Pura | 45. Chittoria |
| 13. Muwada | 46. Sarag pura |
| 14. Kuwakhera | 47. Tora-ka-khera |
| 15. Jhinkara | 48. Kehso-ka-khera |
| 16. Narain Pura | 49. Barban |
| 17. Doongaria | 50. Main pura |
| 18. Talar | 51. Kanwar pura |
| 19. Than-ka-khera | 52. Rajpura |
| 20. Neemari | 53. Dootara |
| 21. Barkhera | 54. Rosi |
| 22. Kethoola | 55. Motipura |
| 23. Kanti | 56. Pialda |
| 24. Kevpura | 57. Amerpura |
| 25. Kerpura | 58. Gopal pura |
| 26. Kanwar Pura (Uthen). | 59. Vandha |
| 27. Neem-ka-khera | 60. Amiya (Khalsa) |
| 29. Amlat | 61. Bawari khera |
| 28. Roop pura | 62. Charmi |
| 30. Chak-Bawari-Kamal | 63. Aemati |
| 31. Kherat | 64. Kundalia |
| 32. Anand pura | 65. Rawat-Bhata |
| 33. Rampuraia | |

[Notification No. F. 6(54) Revenue/B/58/Irg., dated 9-11-1958; published in Rajasthan Gazette Part IV-C, dated 27-11-57]. - In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Raj Act XXIV of 1953), the Government of Rajasthan is pleased to appoint the Deputy Colonisation Officer, Rajasthan Canal Project, Suratgarh to perform the functions of a Collector under the said Act within the limits of his jurisdiction.[Notification No. F. 4(2) RCPD/61-II, dated 7-2-1962; published in Rajasthan Gazette Part IV-C, dated 26-4-1962]. - In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Act XXIV of 1953) and in partial modification of this Department Notification No. F. 4(2) RCPD/61, dated 1-6-1961. the State Government hereby appoints all the Assistant Colonisation Commissioners, Rajasthan Canal Project to perform the functions of Collector under the said Act

within the Districts of Ganganagar, Bikaner and Jaisalmer, in connection with the working of the Rajasthan Canal Project.[Notification No. F. 4(35) Ind/1/95, dated 31-10-1995; published in Rajasthan Gazette Extraordinary, part IV-C, dated 2-1-96, page 343]. - S.O. 186. - In supersession of this department notification of even number dated 10th April, 1995 and in exercise of the powers conferred by clause (c) of section 3 of the Land Acquisition Act, 1894 (Act 1 of 1894), the State Government hereby appoints, Dy. Manager (Land), Rajasthan State Industrial Development and Investment Corporation Ltd. Jaipur (RIICO) who is an officer of Rajasthan Administrative service on deputation to RIICO, as Land Acquisition Officer for Alwar and Jaipur to perform the functions of Collector under the aforesaid Act for acquisition of Land as may be required by RIICO from time to time for establishment/development of Industrial Areas. In all the districts other than Alwar and Jaipur, functions of the Collector shall be performed by the concerned Sub-Divisional Officer/Land Acquisition Officer under the provisions of Land Acquisition Act, 1894.[Notification No. P. 1(2) Raj/4/86/9 dated 30-4-90; published in Rajasthan Gazette Extraordinary, part 4(C)(II), dated 4-5-90, page 25].,lovkso 16% Hkwfe vtZu vf/kfu;e] 1894 vf/kfu;e lao 1 o"kZ 1894 dh /kkjk 3 ds [k.M (x) }kjk iznRr 'kfDr;ksa dk iz;ksx djrs gq, jkT; ljdkj ,rn~}kjk Hkwfe vokfIr vf/kdkjh cjflaxlj fyXukbV ,oa rki ifj;kstuk chdkusj dks mDr ifj;kstuk gsrq Hkwfe vokfIr ds fy, mDr vf/kfu;e ds vUrxZr dysDVj dk dk;Z djus dks fu;qDr djrh gSSA[la;k io 7@37 ufovk&3&87] fnukad 18&8&1993] jkto jkti= Hkkx 1 (d) vlk/kkj.k] fnukad 28&8&1993 i`B 31-]Hkwfe vokfIr vf/kfu;e] 1894 dsUnzh; vf/kfu;e lao 1 lu~ 1894 /kkjk 3 ds [k.M (x) }kjk iznRr 'kfDr;ksa ds iz;ksx esa jkT; ljdkj fuEu vf/kdkjh dks muds lEeq[k uxj fodkl U;kl ds fy, Hkwfe vokfIr djus gsrq mDr vf/kfu;e ds rgr dysDVj ds d`R;ksa ds fuoZgu gsrq fu;qDr djrh gS%

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