

# The Rules for the Allotment & Sale of Plots Rules, 1972

RAJASTHAN

India

## The Rules for the Allotment & Sale of Plots Rules, 1972

### Rule

### THE-RULES-FOR-THE-ALLOTMENT-SALE-OF-PLOTS-RULES-1972 of 1972

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The Rules for the Allotment & Sale of Plots Rules, 1972 Published vide Notification G.S.R. 1, Rajasthan Gazette part (4)C(1) dated 5-4-1972 Page 1G.S.R. 1, dated April 4, 1972. - The Governor of Rajasthan hereby makes the following rules for allotment of plots in Adarshnagar Colony Jaipur to displaced persons from West Pakistan, namely: -

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

- (i) These rules may be called the Allotment and Sale of Plots [xxx] [Deleted by GSR 81 (62) Notification No. F.3-11 (23) Reh/65/VI-A dated 16-7-75 Published In Rajasthan Gazette IV-C dated 24-7-75 page 169 (142).] Rules, 1972.(ii)They shall extend to Adarshnagar Colony Area and such other Colonies where plots are situated in Jaipur City and which are available for allotment by the Rehabilitation Department.(iii)They shall come into force at once.

#### 2. Interpretation.

- In these rules, unless there is anything repugnant to the subject or context: -(a)"Committee" means a Committee formed under rule 6;(b)"Competent Authority" means an Officer of the Rehabilitation Department of Rajasthan who was authorised to issue Refugee Registration Card;(c)"Displaced Person" means any person who on account of the setting up of the Dominions of India and Pakistan, or on account of civil disturbances or the fear of such disturbances in any area now forming part of West Pakistan, has, after the first day of March, 1947, left or been displaced from, his place of residence in such area and who has been subsequently residing in India and includes any person who is resident in any place now forming part of India and who for that reason is unable or has been rendered unable to manage, supervise or control any immovable property belonging to him in West

Pakistan and also includes the successor in - interest of any such person;(d)"Head of family" means a person who is Karta of the family and in whose favour Refugee Card was issued by the Competent Authority;(e)"Refugee Card" means a card on which the names of the family members, alongwith the Head of Family are mentioned and issued by the Competent Authority.

### **3. Eligibility of allotment and extent.**

- A displaced person shall be eligible for allotment of the Plot of land under these rules, provided:(i)he is a displaced person from West Pakistan and got himself registered as a refugee in Rajasthan:(ii)he is a bonafide resident of Rajasthan or has served in any capacity in Central or State Government in Rajasthan and having not permanently settled anywhere else in India is likely to settle in Jaipur City of Rajasthan permanently;(iii)he has no other residential plot anywhere else in India in his own name or in the name of any member of his family who is dependent on him or residing with him.(iv)he has not been allotted a plot or residential house as measures of rehabilitation against the Refugee Card in his possession;(v)he has not been advanced any loan as a refugee or otherwise he has paid all the due instalments of loan advanced to him with interest in time;(vi)he has not sold, mortgaged, alienated, gifted or otherwise parted with any house or plot owned by him or his family members.

### **4. Priorities for allotment.**

- Priorities for allotment of plots amongst displaced persons shall be in the following order.  
-(a)Displaced persons in whose favour allotment had been sanctioned and cost of the plot had been paid by the application but the possession of the plot was not given by the State Government to which he was entitled and is still entitled.(b)Displaced person who could not secure any rehabilitation benefit and who has no residential premises even to this day for permanent settlement.(c)Displaced person who is an ex - serviceman/or serving in the Armed Forces of India and likely to retire in the next three years from the date of these rules and who has not been settled anywhere in India but has an intention to settle permanently in Jaipur City in Rajasthan.(d)Displaced person who has retired or is serving as Civil Government servant in the Central or State Government or Nationalised concerns and who has not been settled anywhere in India so far and who are nearing retirement and have an intention to settle permanently in Jaipur in Rajasthan.(e)Displaced persons not covered under above clause.

### **5. Procedure of allotment.**

- (i) In the first instance for the purpose of allotment of plots to displaced persons under these rules, only pending applications will be considered and for disposal of these applications a general notice may be published in a local daily newspaper, intimating the date by which the applicants can furnish documents in proof of their eligibility and priority and can also file objections against the persons who are not eligible for allotments.(ii)Within the time fixed in the general notice published under sub - rule (1) applicants will submit copies of the documents in support of their applications and will also support their claims of eligibility and priority by an affidavit duly verified by a Magistrate or an Oath Commissioner.(iii)After considering all the pending applicants, if plots are still available for

allotment, fresh applications may be invited by issuing public notice within the time fixed therein, which shall not be less than 30 days from the date of such notice. The public notice shall be issued in a local Daily Hindi Newspaper.

## 6. Allotment of plots.

- Allotment of plots shall be made by a Committee consisting of: -

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| (i) Commissioner, Rehabilitation   | Chairman |
| (ii) Collector, Jaipur   | Member   |
| (iii) Chief Town Planner, Rajasthan  |          |
| (iv) Chief Engineer. P.W.D.  |          |
| (v) A representative of the West Pakistan Refugee Association, Jaipur nominated by Government. |          |
| (vi) Dy. Secretary, Rehabilitation   | Convener |

(2) For the purposes of allotment of plots, the Deputy Commissioner, Rehabilitation shall scrutinize the applications for deciding the eligibility and priority of the applicants. (3) The Committee demarcate plots for the residential, commercial, industrial or public purposes separately. (4) The Committee will also prepare a list of plots which are to be allotted on fixed price and a list of plots which are to be sold by public auction. (5) After scrutiny the Committee shall allot the plots to the eligible displaced persons on fixed prices. The Dy. Commissioner Rehabilitation shall send an intimation of such allotment to the allottees with full particulars of the plot and the allotment price thereof and also endorse a copy of this letter to the Collector. (6) [ The Commissioner may request the Collector of the District to sell by auction such of the plots which are so earmarked for this purpose or get them auctioned by the Officers of his own Department. The auction shall be open to all bonafide residents of Rajasthan. The auction of the plots shall be conducted either by an Auction Officer, not below the rank of an Officer in the Ordinary time scale of the State Services, nominated by the Commissioner/Collector or by a Professional auctioner approved by the Department] [ Substituted by GSR 81(62) Notification No. F 3-11 (23) Reh/65/VI-A dated 16-7-1975, Published in Rajasthan Gazzette Part IV-C dated 24-7-1975 at page 169 (142).]

## 7. Conditions of sale by auction.

- (i) The following shall be the conditions of sale by auction under these rules: (a) [ Such plots may be put to auction by the Collector as are approved by the Commissioner, who shall be competent to withdraw any plot/plots from auction without assigning any reasons.] [ Substituted by GSR 81(61) Notification No. F 3-11 (23) Reh/65/VI-A dated 16-7-1975, Published in Rajasthan Gazzette Part IV-C dated 24-7-1975, page 169 (142).] (b) No person shall be allowed to bid unless he deposits an earnest money amounting to three per cent of the total price of each plot fixed by the Government. This earnest money shall be refunded on the spot to the unsuccessful bidders at the conclusion of the auction. (c) [ XXXX ] [ Deleted by GSR 81(61) Notification No. F 3-11(23) Reh/65/VI-A dated 16-7-1975, Published In Rajasthan Gazette Part IV-C dated 24-7-1975, page 169 (142).] (d) No person shall, at any auction, retract his bid and if any dispute arises, the land shall be put up to auction

again at the last undisputed bid.(ii)The highest acceptable offer shall be communicated to the Collector and the sale shall not be completed unless the offer is accepted by him:Provided that the Collector shall not without the approval of the State Government, accept an offer which is less than [xxx] [ Deleted by GSR 81(61) Notification No. F 3-11(23) Reh/65/VI-A dated 16-7-1975, Published In Rajasthan Gazette Part IV-C dated 24-7-1975, page 169 (142).] the price fixed by the Government.(iii)The State Government reserve the right to reject any bid without assigning any reason therefor or to withdraw any plot/plots from auction at any time without assigning any reason.[iv] xxx] [ Deleted GSR 81(61) Notification No. F 3-11(23) Reh/65/VI-A dated 16-7-1975, Published In Rajasthan Gazette Part IV-C dated 24-7-1975, page 169 (142).]

## **8.**

(a)The possession of the plot will be given after depositing the full price. The allottee/purchaser shall deposit the price of the plot within 15 days of the intimation of allotment/auction and if the price is not deposited within 15 days, the plots shall be deemed to have been resumed to the Government and will be allotted/sold as per rules.(b)The price of the plots allotted/auctioned shall be deposited in the Government Treasury at Jaipur through the Collector.(c)The possession of the plot shall be handed over to the allottee/purchaser by the Collector after the price has been deposited.(d)The Collector shall also intimate the Urban Improvement Trust, Jaipur regarding the full particulars of the plots together with the particulars of the allottee/purchaser as well as the date of handing over of the possession of the plot. A copy of the same shall be given to the allottee/purchaser.

## **9. Price.**

- The plot shall be allotted or sold on such reserve price or premium as fixed by the State Government from time to time.

## **10. Use.**

- A plot allotted under these rules shall not be used at any time for any purpose other than for which it is allotted.

## **11. Construction of building.**

- The allottee shall have to commence construction of the building within one year from the date of allotment and complete it within 3 years, in accordance with the plan approved by the Urban Improvement Trust, Jaipur failing which the plot shall be resumed without payment of any compensation.

## **12. Grant of Patta.**

- On the payment of purchase price and completion of building a patta will be issued by the Urban Improvement Trust, Jaipur. Before issue of Patta, Urban Improvement Trust will charge a sum of Rs. 15/- per patta from the applicant and will obtain "No Dues Certificate" from the Collector.

## **13. Alienation.**

- Until the expiry of 10 years from the date of construction, the allottee shall not alienate or transfer the plots granted to him. In case of such alienation, the plots shall stand resumed to the Government without any compensation.

## **14. Entry of Government Officers.**

- The allottee shall permit without let or hinderance, servants of the Government authorised in that behalf to enter the land or building thereon at all times for the purposes of enforcing compliance with any of the terms and conditions of the allotment for ascertaining whether they have been duly performed or observed provided no residential building shall be so entered except at a reasonable time and after 24 hours, notice.

## **15. Sale proceeds to be credited to Government account.**

- The sale proceeds of the plots will be credited to the Consolidated Fund of the State Government.