

The Bhakra Project Gadoliya Lohars (Allotment of Government Lands) Rules, 1955

RAJASTHAN

India

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Rule

THE-BHAKRA-PROJECT-GADOLIYA-LOHARS-ALLOTMENT-OF-GOVE of 1955

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The Bhakra Project Gadoliya Lohars (Allotment of Government Lands) Rules, 1955Published vide Notification No. D.17558/F.6 (293) Revenue B/55 dated the 21st December 1955, published in Rajasthan Gazette Part 4-C, dated 31-12-55(Section 28)In exercise of the powers conferred by section 28 of the Rajasthan Colonisation Act, 1954, (Rajasthan Act XXVII of 1954), the State Government is pleased to make the following rules:-

1. Short title and commencement.

(1)These rules may be called the "Bhakra Project Gadoliya Lohars (Allotment of Government Lands) Rules, 1955."(2)They shall come into force from the date of their publication in the Rajasthan Gazette.(3)They shall apply only to Government land commanded by the Bhakra Project Canals and reserved for allotment to Gadoliya Lohars.

2. Interpretation.

- In these rules unless there is anything to the contrary in the subject or context:-(i)"Act" means the Rajasthan Colonisation Act, 1954, (Rajasthan Act XXVII of 1954).(ii)"Allotting authority" means the Director of Colonisation, Bhakra Project.(iii)"Colony Tehsildar" means an officer appointed as Tehsildar in the Colonisation Department.(iv)"Commanded land" means land shown as such by the Irrigation Department in their command statements of Chaks or Canals.(v)"Godoliya Lohars" means the class of Lohars who left Chittor under a vow not to settle down at any one place and who are still continuing to live a nomadic life moving in their carts from one place to another from time

to time and who have not permanently settled down in normal domestic life in any village or town.(vi)"Government land" means and includes all unoccupied lands, common villages lands and lands held under temporary cultivation leases or leases granted for any specific period or under any specific conditions if such period of lease has expired or its conditions have not been duly fulfilled.

3. Power of Government to settle an allottee.

- No person shall be entitled as of right to an allotment of any land under these rules and the Government of Rajasthan hereby reserves to itself and retains absolute discretion in the selection of an allottee under these rules.

4. Conditions of allotment.

- (i) All allotments of Government lands under these rules shall be on Ghair Khatedari tenancy with a right to ultimate conferment of Khatedari rights and unless otherwise stated all allotments so made shall be subject to the terms and conditions prescribed under the Rajasthan Colonisation (General Colony) Conditions, 1955.(ii)All allottees shall pay in full the price of Government lands as may be fixed by the Government from time to time for allotment to landless tenants, provided that they shall not be called upon to pay any earnest money before allotment of lands but shall pay the price of the land in yearly or half-yearly instalments in such number of years as the Government may from time to time direct.

5. Eligibility of allotment.

- Only such families of Gadoliya Lohars as are roaming about in Rajasthan shall be allotted lands under these rules and amongst them also priority shall be given to such families as are roaming about in Bikaner Division.

6. Extent of allotment.

- (i) An area of 25 bighas (one Murabba) of commanded land shall be allotted to each family of Gadoliya Lohars.Note. - For purposes of this rule one bigha of commanded and irrigable land shall be deemed to be equivalent to 3 bighas of uncommanded and Barani land.(ii)Where there are more than one applicant for the same land, it shall be allotted by auction to the highest bidder.Note. - The auction shall be for the premium to be paid over and above the price and instalments fixed and the bid amount of premium will be liable to be paid down in cash immediately the auction is sanctioned in favour of the bidder. No person will be allowed to bid unless he has deposited Rs. 5/- per bigha as earnest money for honouring in his bids.

7. Contents of application for allotment.

- (i) A family of Gadoliya Lohars applying for allotment of Government land shall be required to file with his application an affidavit duly certified by Magistrate or an oath Commissioner giving true

information therein on the following points:-(a)Place or places where they have been roaming or camping during the last one year.Explanation. - For purposes of this clause, if a family has stayed in any one village for a period of more than 6 months continuously it shall be deemed to have camped at that village but if it has not continuously stayed for any such period at any one village and has been roaming about from place to place from time to time it shall be deemed to have roamed in that area.(b)Whether the family is landless tenant or whether the head of the family or any member thereof has in his name any tenure Khata of land held under proprietary, Rauropsie or Khatedari rights in the village or at any other place. In the later case the class of land (i.e. Irrigated or Barani) its area, tenure and place of its location shall be specified in detail.

8. Procedure for allotment.

- (i) In order to ensure that only such families are allotted lands as are roaming about in Rajasthan or in Bikaner Division all applicants shall be required to produce a certificate thereof from the Panchayat in whose jurisdiction they have camped during the last one year or from three of such Panchayats in whose jurisdiction they have roamed during the said period.(ii)Applications for allotment of land shall be made to the Colony Tehsildar who, after due scrutiny of the applicants and after taking such further evidence as he may deem necessary to satisfy himself that the applicants have been roaming about or camping in Rajasthan or in the Bikaner Division, as the case may be, will submit them to the allotting authority with his recommendations.

9. Application of provisions of Rajasthan Colonisation (General Colony) Conditions, 1955.

- All allotments of Government lands made under these rules shall be subject to the provisions of the Rajasthan Colonisation (General Colony) Conditions, 1955, so far as they are applicable thereto and save in so far as they are inconsistent with or have been expressly modified, abrogated or supplemented by these rules.