

# **The Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi in Indira Gandhi Canal Area) Rules, 1971**

RAJASTHAN

India

## **The Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi in Indira Gandhi Canal Area) Rules, 1971**

### **Rule**

### **THE-RAJASTHAN-COLONISATION-GRANT-OF-LAND-FOR-RESIDENCE of 1971**

- Published on 28 January 1971
- Commenced on 28 January 1971
- [This is the version of this document from 28 January 1971.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi in Indira Gandhi Canal Area) Rules, 1971 Published vide Notification No. G.S.R. 246/F. 4(a) Revenue/Col./68 dated 28-1-1971, published in Rajasthan Gazette, Part 4(1), Ordinary, dated 18-2-1971 In exercise of the powers conferred by section 28 read with sub-section (1) of section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government hereby makes the following rules regarding conditions on which land may be granted in Chak Abadi in the Indira Gandhi Canal Area for purpose of building houses for residence and further direct that these rules may be regarded as a statement of conditions for the above mentioned purpose under sub-section (2) of section 7, namely:-

#### **1. Title.**

- These rules may be called the Rajasthan Colonisation (Grant of Land for residence in Chak Abadi in Indira Gandhi Canal Area) Rules, 1971.

#### **2. Interpretation.**

- In these rules, unless the context otherwise requires, -(a)[x x x] [[Deleted by Notification No. F. 4(2) Revenue/Col./87, dated 08.08.1988-Rajasthan Gazette, Part IV-(C), Extraordinary, dated 27.07.1989, page 71, which ran as under: '(a) 'Area Development Commissioner' means an officer

appointed by the State Government as such and shall also include any other Officer so appointed to exercise the powers and perform the functions of the Area Development Commissioner.'](a-1) "Beneficiary of the Integrated Rural Development Programme" means a person who has been identified as being below the subsistence level and included in the Integrated Rural Development Programme and certified as such by the Collector or his authorised representative.] [Inserted by Notification No. F. 4(7) Revenue/Col./83, dated 16.04.1986-Rajasthan Gazette, Part IV-(C), Extraordinary, dated 19.07.1986, page 84.](aa) "Chak" means part of a village or villages which has been separately demarcated from the main village or villages for convenience of cultivation, irrigation or for any other purpose.] [Inserted and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.](b) "Chak Abadi" means the land set apart in a chak in the Indira Gandhi Canal Project area for purposes of habitation.(c) "Plot" means a plot of land marked out for construction of a house for residential or commercial purposes.(d) "Chak Abadi Plan" means a plan approved by the [Colonisation Commissioner or Collector, as the case may be] [Inserted and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.](e) "Collector" shall mean the Collector as defined in the Rajasthan Colonisation Act, 1954.(f) "Colony Tehsildar" means an officer appointed as such by the State Government and shall, where colonisation operations have been closed, include the Tehsildar appointed under section 20 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. XV of 1956)].(ff) "Integrated Rural Development Programme" means a programme undertaken by the Stale Government to identify the poorest persons subsisting below the poverty line, as well as the subsistence level and residing in a rural area and to provide productive assets and benefits for their economic upliftment.] [Inserted by Notification No. F. 4(7) Revenue/Col./83, dated 16.04.1986-Rajasthan Gazette, Part IV-(C), Extraordinary, dated 19.07.1986, page 84.](g) [ All other expressions used in these rules shall, unless there is something to the contrary in the subject or context, bear the meaning if any, assigned to them in the Rajasthan Colonisation (General Colony) Condition, 1955.] [Inserted and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.]

### **3. Size of plots.**

- The size of the plots shall be as approved by the [Colony Tehsildar concerned] [Inserted and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.] in the Chak Abadi Plan, from time to time, for the area.

### **4. Persons eligible for allotment.**

- Tenants including Khatedars, Ghair Khatedars, sub-tenants, village artisans and other bona fide residents of the village will be entitled to allotment or purchase of residential sites in the Chak Abadi.

### **5. Procedure for allotment.**

- Applications for allotment of plots shall be made to the [Colony Tehsildar] [Inserted and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.]

concerned in writing with details of Chak and Village wherein he holds land and of residential accommodation already, if any, with the applicant.

## **6. Disclosures.**

- The applicant with his application shall attach copies of Fard Khatas of the land held by him in a chak or chaks. In case he holds land in more than one Chak he shall state in the application the number of Chak in which he wants residential plots.

## **7. [ Disposal of application. [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.]**

- On receipt of an application, the Colony Tehsildar shall immediately register it in a register to be maintained in his office and shall issue a receipt for the same to the applicant.]

## **8. Publication.**

- A notice of 15 days in the Form 'A' inviting objections to the allotment of plot applied for shall be pasted in the village Chaupal and at the site.

## **9. Enquiry and Report.**

- The Colony Tehsildar shall scrutinise the application and conduct or get conducted such enquiry as he may consider necessary for finding the true state of facts mentioned in the application.

## **10. [ Disposal of objections. [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.]**

- Objections, if any, received under Rule 8 shall be disposed of by the Colony Tehsildar after such enquiry as he may deem necessary.]

## **10A. [ [Added by Notification No. F. 4(2)Revenue/Col./87, dated 12.7.95-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 7.8.95, page 86. = 1996 RSCS/Part II/page 105/H. 84.]**

Notwithstanding anything contained in these rules, after issuing the allotment order by the Allotting Authority, the allottee at the time of taking possession of the allotted agricultural land, shall be allotted vacant land situated in concerned Chak Abadi by the Colonisation Tehsildar on the principle of first come first served.]

## 11. Price.

(1) The plots shall be sold on the following reserve price, namely:-(i) If the plot of land is situated beyond the radius of [3 Kilometers of development area of a Mandi Rs. 3/- per Sq. Meter] [Substituted by Notification No. page 4(2) Col./87, dated 28.2.98-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 11.3.98, page 199(2) = 1998 RSCS/Part II/page 360/H. 327, for the following expression: '3 miles of a mandi Rs. 1.00 per Sq. yard.'][The price shall recoverable in 3 equal annual instalments. The first instalment shall be paid within 15 days of the issue of allotment order failing which the allotment order shall be liable to be cancelled. The remaining two instalments shall be paid on or before the 15th August every year failing which an interest [@12 percent] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.] per annum shall be charged.](ii) [ If the plot of land is situated within the radius of 3 kilometers, of development area of- [[Substituted by Notification No. F. 4(2) Col/87, dated 28.2.98-Rajasthan Gazette, Extraordinary, Part IV-C(I), dated 11.3.98, page 199(2) [w.e.f. 11.3.98] = 1998 RSCS/Part II/page 360/H. 327, for the following expression: '(ii) If the plot of land is situated within the radius of 3 miles [of:](a) A Class Mandi - Rs. 3.00 per sq. yd.(b) B Class Mandi - Rs. 2.00 per sq. yd.(c) C Class Mandi - Rs. 1.50 per sq. yd.']]

(a) A Class mandi Rs. 10.00 per Sq.mtr.

(b) B Class mandi Rs. 6.00 per Sq.mtr.

(c) C Class mandi Rs. 4.00 per Sq.mtr.]

[(1-a) No price shall be charged from the persons of Scheduled Castes and Scheduled Tribes, Beneficiaries of the Integrated Rural Development Programme, and Pak Ousters who are allotted land in Indira Gandhi Canal Project area for cultivation.] [[Substituted by Notification No. F. 4(7) Revenue/Col./83, dated 16.04.1986-Rajasthan Gazette, Part IV-(C), Extraordinary, dated 19.07.1986, page 84, for the following: 'Persons of Scheduled Castes and Scheduled Tribes shall be allotted these lots on 50% of the Reserved price.']](2) The possession of plot will be given after the deposit of [1st instalment] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.],(3) In case there are more than one applications for the same plot it will be put to auction and sold to the highest bidder.

## 12. Use of plot for no other purpose.

- A plot allotted under these rules shall be used for residential purposes only and the plot shall be [not] [Corrected by Notification dated 31.05.1971-Rajasthan Gazette, Part IV-(C), dated 01.07.1971.] used at any time for any purpose other than for which it is allotted.

## 13. Construction of building.

- The allottee shall have to commence construction of the building within 6 months from the date of allotment and complete it within eighteen months to the satisfaction of the [Colony Tehsildar] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.] failing which the plot shall be resumed without payment of any compensation.

#### **14. Grant of Patta.**

- On the payment of the purchase price and completion of the building, the allottee will be given a patta in the Form 'B' [by the colony Tehsildar] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.] concerned.

#### **15. Alienation.**

- Until the price of the plot have been fully paid and the building has been constructed thereon, the allottee shall not alienate or transfer the plots granted to him without permission of the [Collector] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.].

#### **16. Shops.**

- There will be [at least] [Inserted, added and substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.] 12 plots for construction of shops in each Chak Abadi. The plots will be sold by public auction.

#### **17. Plots for religious and other public utility purposes.**

- Plots in each Chak Abadi will be reserved for public purposes like gardens, temples, mosques, Schools and Panchayat Ghar etc. and will be allotted free of price. Such reservation will be sanctioned by the Collector.

#### **18. Entry of Government Officers.**

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

#### **19. [ Sale proceeds to be credited to Government Account. [Substituted by Notification dated 25.11.1975-Rajasthan Gazette, Part IV-(C), dated 04.12.1975.]**

- Sale proceeds shall be deposited in the Government Account.]

#### **19A. [ Management of Chak Abadi Vesting in Gram Panchayat. [Inserted by Notification No. F. 4(2) Revenue/Col./87, dated 08.08.1988-Rajasthan Gazette, Part IV-(C), Extraordinary, dated 27.07.1989, page 71.]**

- The State Government or the Collector with the prior approval of the State Government, may transfer any chak abadi to the concern gram panchayat and thereafter the gram panchayat shall be empowered to manage allot and sale the plots under these rules. The procedure laid down in Rajasthan Panchayat (General) Rules, 1961 pertaining to sale of abadi land shall also apply if not inconsistent with the provisions of these rules.]

**20. [ Inherent Powers of Government. [Inserted by Notification dated 26.05.1976-Rajasthan Gazette, Part IV-(C), Extraordinary dated 03.06.1976.]**

- Nothing contained in these rules shall at any time, in any manner limit the powers of Government to dispose of any land in Chak Abadi in any manner as it deems fit.]Form 'A'[See Rule 8]Notice of application for Residential site.It is hereby notified that ..... s/o ..... caste ..... resident of ..... has applied ..... [sq. meter] [Substituted by Notification No F. 4 (2) Col./87, dated 28.2.98-Rajasthan Gazette, Extraordinary, part IV-C(I), dated 11-3-98, page 199 (2). [w.e.f. 11.3.98] = 1998 RSCS/ part II/page 360/ H. 327, for the following expression : 'sq. Yard'] of land bounded on ..... on the north by ..... for on the east by ..... on the south by and on the west by for allotment as a site for constructing a house. Persons having any objection to the grant of the land applied for should intimate the same to the Patwari of the village or to the undersigned direct, within fifteen days of the publication of this notice, where-after no objection will be entertained.[Colony Tehsildar]Dated.....Form 'B'[See Rule 14]Form of Patta for allotment of land for residential purposes in Chak AbadisIt is hereby certified that the plot specified below and situated in the Abadi ..... of Chak ..... Tehsil ..... District ..... has been allotted to Shri ..... tenant of Chak..... Tehsil.....District..... for residence on payment of..... as charges.The site shall be held by the above tenant and his heirs and assignee subject to the provisions of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954) and Rajasthan Colonisation (Grant of land for residence in Chak Abadi in Indira Gandhi Canal Area) Rules, 1971.

No. of plot with boundaries.    Dimensions    Area

Dated.....

Signature.