

The Rajasthan Land Revenue (Allotment of Land for Receptacles) Rules, 1961

RAJASTHAN

India

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Rule

THE-RAJASTHAN-LAND-REVENUE-ALLOTMENT-OF-LAND-FOR-REC of 1961

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The Rajasthan Land Revenue (Allotment of Land for Receptacles) Rules, 1961Published vide Notification No. F. 2(24) Revenue /B/61, dated 28-7-1961In exercise of the powers conferred by clause (xiv) of sub-section (2) of Section 261 of the Rajasthan Land Revenue Act, 1956 (15 of 1956) the State Government hereby makes the following rules, namely;-

1. Short title and commencement.

(1)These rules may be called the Rajasthan Land Revenue [(Allotment of Land for Receptacles)] [Amended by No. F. 6(117) Revenue B/1/64, Dated 16-6-1966; published in Rajasthan Gazette Part IV-C, Dated 15-2-66.] Rules, 1961.(2)They shall come into force at once.

2. Interpretation.

- In these rules, unless there is anything repugnant in the subject or context-(i)"the Act" means the Rajasthan Land Revenue Act., 1956.(ii)"Form" means a form appended to these rules.(iii)"receptacle" means a piece of land for-(a)dumping household refuse, stable litter, cattle dropping or other rubbish:(b)making or storing manure for the allottee's field: or(c)storing fodder for the allottee's cattle or a Bagar.

3. Scope of rules.

- These rules shall govern the allotment of land for receptacles in a village, as defined in clause (v) of Section 3 of the Act, situated elsewhere than in (a) any of the River Valley Project areas mentioned in the proviso to the sub-section (1) of Section 15 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955):(b)the Rajasthan canal area mentioned in Section 15-A of the same Act, or (c) any city or town.

4. Nature and extent of the land to be allotted.

(1)The lands to be allotted for receptacles, under the Rules shall ordinarily be unassessed lands recorded as Gair Mumkin, Banjar Qadeem or Banjar jadeed but if lands of these categories are not available other unoccupied Government, agricultural land, whether assessed or unassessed may be allotted:Provided that the following classes of land shall not be allotted, namely:(i)irrigated lands classed as Chahi, Nehri or Talabi; and(ii)land recorded as permanent threshing floors, groves, orchards, birs, forests, abadi, cremation grounds burial grounds, en-camping grounds, parade grounds, pals of some tank or embankment, roads railways rivers, nallas pastures or grazing grounds:Provided further that no allotment for a receptacle shall be made within a radius of-(a)twelve miles of the municipal limits of the city of Jaipur;(b)six miles of any other city as defined in the Rajasthan Municipalities Act, 1959:(c)three miles of any other municipality:(d)ten miles of any area for which the State Government has, by an order issued under section 3 of the Rajasthan Urban Improvement Act.. 1959, directed the carrying out of a civil survey and the preparation of master plan:(e)five miles of any city, town, village or other area in which an industry with an investment capital of over one crore of rupees has been or is proposed to be. set up, or within the area that may be fixed by the Government for this purpose:(f)any area that may be notified by the State Government; and(g)one hundred yards of the railway boundary of the National Highway or any road maintained by the Government or a Panchayat.(2)The maximum area to be allotted for a receptacle shall be five hundred square yards.

4A. Allottee's rights in the lands.

- The allottee shall have no proprietary right in the allotted land, which shall vest in the Government, the Government shall have the right to resume the land at any time without payment of any compensation; and the allottee shall not put up any structures-kachcha or pucca of a permanent nature on the allotted land.

5. Application for allotment of land under section 98.

- An application for allotment of land for a receptacle under section 98 of the Act shall be made in Form A' to the Tehsildar of the Tehsil under which the village in which the land is required is situated, and it shall be made through the patwari of the circle concerned.

6. Enquiry and disposal of application.

(1) Immediately on receipt of an application under rule 5 and in any case within a fortnight of its receipt, the Patwari shall complete Part II of the form and submit it to the Tehsildar. (2) The Tehsildar shall, within one month of the receipt of the Patwari's report, and after making such enquiry as he deems fit, pass orders in exercise of the powers delegated to him by Government notification No. F. 6 (1 17) Revenue B/1 /64. Dated 10-12-1964 either allotting or rejecting the application. (3) Deleted. Form A (See Rule 5) Application under section 98 of the Rajasthan Land Revenue Act, 1965 for allotment of land for receptacle. To The Tehsildar, Through: The Patwari Circle No..... Sir, I hereby apply under Section 98 of the Rajasthan Land Revenue Act, 1956, read with rule 5 of the Rajasthan Land Revenue (Allotment of Land for Receptacles) Rules, 1961, for the allotment of land for a receptacles as defined in the said rules.

2. The necessary particulars are given below:-

- (1) Name of the applicant with parentage and full address
- (2) Particulars of the land held by the applicant;-
 - (a) Name of village
 - (b) Khasra number
 - (c) Area
 - (d) Soil-class
 - (e) Rent
- (3) Particulars of cattle possessed by applicant cows, calves, bullocks, buffaloes, horses, donkeys
- (4) Purpose for which land required for serving as receptacle for-
 - (a) House hold refuse, stable litter, cattle droppings or other rubbish
 - (b) Making/storing manure
 - (c) Storing fodder for applicant's cattle
- (5) Particulars of land applied for-
 - (a) Khasra number
 - (b) Area
 - (c) Soil-class if any
 - (d) Distance from applicant's field/Bara/house.
- (6) If land is required for storing fodder for cattle, state where fodder is being stored at present

3. I fully understand that I shall have no proprietary right in the land, which shall vest in the Government, the Government shall have, the right to resume the land at any time without payment of any compensation and that I shall have no right of transfer by exchange, mortgage, sale, gift, bequest or

otherwise; and I hereby undertake not to put up any structures-Kachcha or pucca of a permanent nature on the allotted land. I shall abide by the orders passed under the provisions of the Act and the Rules.

Yours faithfully Signed resident of.....dated.....

Part II – Patwari's Report

The above application was received by me on.....(date to filled in). I have seen my record and have inspected the site. (The applicant's statement in regard to the area of land held by him and the number of cattle etc. is correct/is incorrect/ [particulars] [Strike out the portions not required.] are as below:(Particulars to be given)The land applied for a receptacle is situated at a distance of..... furlongs/yards from the applicant's house/Bara/field. The land is unassessed and unoccupied and has been unoccupied for.....years. Its khasra no is.....and its recorded soil class is.....No one has any objection to the land applied for/..... have such and such objections.Submitted to the Tehsildar for orders.Signed.....PatwariCircle
No.....Date.....

Part III – Tehsildar's order

I have considered the application and the Patwari's report (and have also seen the [site]) [Strike out the portions not required] and heard the objections of Shri.....for reasons given below the application is hereby [accepted/rejected.] [Strike out the portions not required](Reasons to be given)(Submitted to the S.D.O.)Signed.....TehsildarDate.....

Part IV – Deleted