

The Rajasthan Municipalities (Modification) Order, 1960

RAJASTHAN

India

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Act 5 of 1960

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The Rajasthan Municipalities (Modification) Order, 1960 Order No. 5 of 1960 [Notification No. F 4 (34) LSG/59-Part II, dated 13-9-1960, Published in Rajasthan Gazette, Part VI-A, dated 19-6-1960] In exercise of the powers conferred by section 301 of the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959), the State Government hereby makes the following order, namely:-

1. Short title, commencement and duration.

(1) This order may be called the Rajasthan Municipalities (Modification) Order, 1960. (2) It shall come into force upon its publication in the Official Gazette. (3) It shall remain in force for a period of three months.

2. Supersession.

- The Rajasthan Municipalities (Modifications) Order, 1960, issued under Notification No. F 4 (34) LSG/59 Part II, dated 14th July, 1960 published in the gazette extraordinary, dated the 15th July, 1960 is hereby superseded.

3. Modification of Rajasthan Act 38 of 1959.

- It is hereby directed that during the period of operation of this Order, the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959) shall have effect subject to the following modification, namely:- Modifications To sub-section (2) of section 14 of the said Act, the following proviso shall be added, namely: - "Provided that the period of filing objections to the drafts of the orders published under this sub-section on or after the 15th day of July, 1960 and before the commencement of the Rajasthan Municipalities (Modification) Order, 1960 (Order No. V of 1960), shall notwithstanding anything in the said drafts, be one month from such commencement and no fresh publication

thereof shall be necessary." [Order No. F. 18(149) Revenue/Col/ 73, dated July 15, 1975.] S.O. 78 - In exercise of the powers conferred by section 92 and 102-A of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) read with section 10 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government hereby pleased to order that whenever the conversion of agricultural land into abadi land in project areas is in imperative necessity due to expansion of population and need for more housing accommodation for the people, and suitable unoccupied Government agricultural land is available for such conversion, the Collector may, in exercise of the powers conferred on him under section 92 of the Rajasthan Land Revenue Act, 1956 set part any such land for the development of abadi. On receipt of a request from an Improvement Trust, a Municipal Board of a Village Panchayat for the conversion of any unoccupied Government agricultural land, the Collector shall consider the request, carefully examine the need for expansion of abadi and see whether the conversion of that particular land is an imperative necessity. If the Collector is satisfied about such need and the Improvement Trust, Municipal Board or village Panchayat as the case may be, is prepared to pay the capitalised value as shown in the Table given below for conversion of such unoccupied Government agricultural land into abadi land, he shall place it at the disposal of the Improvement Trust, Municipal Board or Village Panchayat, as the case may be, for the Development of the land. The Collector may, after charging the capitalised value, direct that the land shall not be used for any other purpose and the provisions of the Local Self Government Department Notification No. F. 7(187) LSG/58-II dated 8-10-1959 (as published in the Rajasthan Gazette Extraordinary, Part IV-C, dated 12-10-59 relating to Government owned nazul lands placed at the disposal of the Municipal authority, shall be applied : Provided that the reserve price of the land fixed for the respective Project and for the soil class of land shall be charged in addition to above.

2. The Improvement Trust, Municipal Board of Village Panchayat, as the case may be, shall use the land for the development of abadi.

3. In respect of the lands other than these belonging to the State Government, the sanction of the State Government will be necessary for the conversion of agricultural land for non- agricultural purpose as laid down in section 90A of the Rajasthan Land Revenue Act. 1956 as the powers to convert private land into abadi si to be exercised sparingly in cases of imperative necessity only.

Table Calculation of Capitalised Value

S. No.	Name of Towns & Cities Ratio
(1)	Towns & Cities with population of the sanction 10 thousand and above according rent rates to the latest available Census.
(2)	Other Towns and Villages with population of Twenty times of the sanctioned 10 thousand and above according rent rate to the latest available Census.

(3) Other Towns and Villages Twenty times of the sanctioned rentrate.

Local Self Government Department Order[No. OE/F. 1 (22) DLB/88, dated 17-9-1988, Published in Rajasthan Gazette, Part IV-C, dated 9-2-1989]G.S.R. 110. - In exercise of the powers conferred by sub-section (1) and clause (a) of sub-section (2) of section 297 read with sub-section (5) of section 68 of Rajasthan Municipalities Act, 1959 (Rajasthan Act No. 38 of 1959) the State Government hereby prescribes that powers to dispose of the cases referred to in clause (1) below shall be exercised by the Commissioner of the Municipal Council or Executive Officer of the Municipal Board, as the case may be, subject to the conditions mentioned in clauses (2), (3) and (4):-
(1)List of cases to be disposed of:-
(a)Disposal of strip of land;
(b)Regularisation of old possessions before 21-8-1971;
(c)Regularisation of encroachments upto 1-1-1981 in Kachi basties whose survey was conducted in the year 1980; and
(d)Disposal of cases under Rajasthan Government Grant Act, 1961.
(2)In disposing of the cases referred to in clause (1) above, the approval of the Administrator/President/Chairman of the Municipal Council/Board and the Collector concerned in case of Municipal Councils and Municipal Boards situated at district headquarters and Sub-Divisional Officer concerned in case or other Municipal Boards shall be obtained.
(3)In case of difference of opinion between the Commissioner/Executive Officer and the Administrator/President/Chairman as the case may be, the decision of the Collector or the Sub-Divisional Officer, as the case may be, shall be final.
(4)This order shall be in relaxation of the rules governing matters referred to in clause (1) above during the period of campaign 'Prashasan Shahron ki Aur' beginning from 2nd October, 1988.