

The Rajasthan Land Revenue (Eviction of Trespasser) Rules, 1975

RAJASTHAN

India

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Rule

THE-RAJASTHAN-LAND-REVENUE-EVICTION-OF-TRESPASSER-RUL of 1975

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The Rajasthan Land Revenue (Eviction of Trespasser) Rules, 1975 Published vide Notification G.S.R. 72, Dated 20-10-1975; published in Rajasthan Gazette Extraordinary Part 4-C(1), Dated 23-10-75, p. 397 In exercise of the powers conferred by clause (xiv) of sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following Rules to provide for eviction of trespassers, namely:-

1. Short title and commencement.

(1) These rules may be called the Rajasthan Land Revenue (Eviction of trespassers) Rules, 1975 (2) They shall come into force at once.

2. Definitions.

- In these rules, unless the subject or context otherwise requires-(a)'Act' means the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956):(b)'Section' means section of the Act:(c)'Form' means form appended to these Rules.

3. Form of Notice.

- Notice under sub-section (3) of section 91 shall be in Form 'A'.

4. Warrant for arrest to direct trespasser to be brought out.

- Every warrant issued under section 91 for the arrest of the trespasser shall direct the officer entrusted with its execution to bring him before the Tehsildar with all convenient speed, such warrant shall be in form B.

5. Warrant of committal of trespasser to Jail.

- When any person is brought under a warrant issued under rule 4, the Tehsildar shall make an order for the detention of the trespasser in the civil prison. The warrant of committal to civil Jail shall be in Form 'C'.

6. Classification of civil prisoner.

- The Tehsildar shall, after taking into consideration the social status of the trespasser, send his recommendation to the superintendent of Jail about the classification of the prisoner as superior class or ordinary class. On receipt of this recommendation, the superintendent shall treat the superior as 'B' class inmate and the ordinary class civil prisoner as 'C' class inmate as prescribed in the Rajasthan Prison Rules, 1951.

7. Food and clothing from private sources.

- A civil prisoner under these rules can supplement his diet and clothing from his private sources. Form A (See Rule 3) Notice under section 91 of the Rajasthan Land Revenue Act, 1956 In the Court of Tehsildar.....District.....Miscellaneous Case No of 19.State.....Versus.....AB.....S/o.....Caste.....Resident of.....Whereas you have committed trespass on Government unoccupied land belonging to Khasra number.....of village.....Tehsil.....measuring.....during.....the agricultural.....year.....Notice is hereby given to you that you should vacate the said land before..... (date) or to appear in person or by a pleader on the..... day.....of.....19.....at.....O'clock in the.....noon and to show cause why penalty for committing trespass during the said agricultural year on the said land should not be imposed up to 50 times the annual rent or assessment as the case may be. Take further notice that you had committed trespass on the same land in the agricultural year.....This notice is being given to you in respect of subsequent trespass in the year you are required to show cause who you should not be committed to civil prison for a term which may extend to three months and to pay penalty upto 50 times the annual rent or assessment as the case may be. Also take notice that on your failure to appear on the said date, time and place, the case shall be decided in your absence. Given under my hand and the seal of the Court, this day of 19.....Tehsildar.....Tehsil*Seal*Strike out if not applicable. Form B (See Rule 4) Warrant of arrest in execution of order under section 91 of the Rajasthan Land Revenue Act, 1956 In the court of Tehsildar.....District.....Miscellaneous Case No.....of 19 State.....versus.....AB.....S/o.....Caste.....Resident of.....Whereas Shri.....

S/o..... Caste.....Resident of.....was.....ordered.....to.....be.....committed to.....civil.....prison.....in the above noted case:There are to command you to arrest the said Shri.....and to bring him before the court with all convenient speed.You are further commanded to return this warrant on or before the.....day of.....19.....with an endorsement certifying the day on which and the manner in which it has been executed, of the reasons why it has not been executed.Given under my hand and the seal of the court, this.....day..... of 19....SealTehsildar.....TehsilForm C(See Rule 5)Warrant of committal of trespasser to civil Jail under section 91 of the Rajasthan Land Revenue Act, 1956In the court of Tehsildar.....District.....Miscellaneous Case No.....of.....19 State..... Versus.....AB.....S/o.....Caste.....Resident of.....ToThe Officer Incharge of the JailAt.....Whereas.....who.....has.....been brought before this.....day of.....19.....under a warrant of the order made and pronounced by the said court, on the.....day of.....19...and by which order it was directed that the said Shri.....should be committed to civil prison..... for committing sub-sequent trespass on unoccupied Government Land;You are hereby commanded and required to take and receive the said Shri..... into.....the.....civil prison and keep him imprisoned therein for a period not exceeding.....Given under my signature and the seal of the court, this.....day of.....19.....SealTehsildar.....Tehsil