

Rajasthan Anti-Ejection Officers Proceedings and Decisions (Validation) Act, 1955

RAJASTHAN

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Act 12 of 1955

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Rajasthan Anti-Ejection Officers Proceedings and Decisions (Validation) Act, 1955 Rajasthan Act No. 12 of 1955 [Published in the Rajasthan Gazette (Raj-Patra) Extraordinary, Part IV-A, dated October 31, 1955.] [Received the assent of His Highness the Rajpramukh on the 23rd day of October, 1955.] An Act to validate the proceedings and decisions of Anti-Ejection Officers in certain cases. Whereas it is laid down in the Rajasthan (Protection of Tenants) Ordinance, 1949 (Rajasthan Ordinance IX of 1949) that cases arising under Sections 7 and 8 thereof will be heard and disposed of by a Sub-Divisional Officer or other officer of equal status; And whereas the State Government appointed from time to time a number of revenue officers, designated as Anti-Ejection Officers or Anti-Ejectment Officers to deal with such cases without declaring that such officers shall have the status of Sub-Divisional Officers; And whereas some of such officers took proceedings and pronounced decisions in many such cases; And whereas the validity of the said proceedings and decisions has been challenged on the ground of lack of jurisdiction; And whereas it is expedient to declare such proceedings and decisions to be valid and to provide for the disposal of such cases in future; Be it enacted by the Rajasthan State Legislature in the Sixth Year of the Republic of India as follows:-

1. Short title.

- This Act may be called the Rajasthan Anti-Ejection Officers Proceedings and Decisions (Validation) Act, 1955.

2. Definitions.

- In this Act, unless the subject or context otherwise requires, -(a) "Anti-Ejection Officer" or "Anti-Ejectment Officer" means a revenue officer of any grade whatsoever appointed by the State

Government to deal with, hear and decide cases to which this Act applies; and(b)"Cases to which this Act applies" means a case arising under Section 7 or Section 8 of the Rajasthan (Protection of Tenants) Ordinance, 1949 (Rajasthan Ordinance IX of 1949).

3. Validation of proceedings and decisions in cases to which this Act applies.

- Notwithstanding anything contained in the Rajasthan (Protection of Tenants) Ordinance, 1949 (Rajasthan Ordinance IX of 1949) or in any other enactment or in any judgment, decree, order or decision of any Court and notwithstanding any defect or want of appointment, form, procedure or jurisdiction,-(1)all Anti-Ejection Officers or Anti-Ejectment Officers appointed by the State Government from time to time before the commencement of this Act shall be deemed to be, and be always deemed to have been officers of equal status with Sub-Divisional Officers and competent to deal with, hear and decide cases to which this Act applies;(2)all decisions given by the said Anti-Ejection Officers or Anti-Ejectment Officers in such cases before the commencement of this Act shall be deemed always to have been validly given by them as revenue officers of competent jurisdiction;(3)all proceedings taken before the commencement of this Act by the said Anti-Ejection Officers or Anti-Ejectment Officers in such cases, whether finally disposed of or pending, shall be deemed always to have been validly taken as revenue officers of competent jurisdiction; and(4)all proceedings taken or decisions given, after the commencement of this Act, by such Anti-Ejection Officers or Anti-Ejectment Officers, whether appointed before or after such commencement, in cases to which this Act applies, whether pending at the commencement of this Act or arising after such commencement shall be valid as if the said officers were officers of equal status with Sub-Divisional Officers.

4. Power to appoint Anti-Ejection Officers.

- The State Government may, after the commencement of this Act, appoint by notification in the Rajasthan Gazette, any revenue officer to be an Anti-Ejection Officer or Anti-Ejectment Officer for the purpose of cases to which this Act applies and such officer shall be deemed to be an officer of equal status with a Sub-Divisional Officer.

5. Repeal.

- The Rajasthan Anti-Ejection Officeron-ki-Karyawahiyon aur Nirnaya (Vaidha Karan) Adhyadesh, 1955 (XIV of 1955), is hereby repealed.