

The Rajasthan Special Assistance to Disabled Ex-Service Men and Dependants of Deceased Defence Personnel (Allotment of Lands) Rules, 1963

RAJASTHAN

India

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Rule

THE-RAJASTHAN-SPECIAL-ASSISTANCE-TO-DISABLED-EX-SERVICE of 1963

- Published on 27 November 1963
- Commenced on 27 November 1963
- [This is the version of this document from 27 November 1963.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rajasthan Special Assistance to Disabled Ex-Service Men and Dependants of Deceased Defence Personnel (Allotment of Lands) Rules, 1963 Published vide Notification No. F. 7 (183)/Irg/62 dated 27-11-1963, published in Rajasthan Gazette, Part 4-C, Extraordinary, dated 20-2-1964 In exercise of the powers conferred by section 28, read with section 7, of the [Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954)] [Substituted and Added by Notification No. F. 12(1) Revenue Col./Wel/70, G.S.R. 117, dated 22.01.1974 - Rajasthan Gazette, Part IV-C(I), dated 17.10.1974.], the State Government hereby makes the following rules for the grant of lands already reserved, or to be reserved, for allotment to disabled ex-servicemen and dependants of deceased defence personnel, namely:-

1. Short title and commencement.

- These rules may be called the Rajasthan Special Assistance to disabled Ex-Servicemen and Dependants of Deceased Defence Personnel (Allotment of Lands) Rules, 1963.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)"disabled ex-servicemen" means a person, who has suffered the loss of a limb or has been permanently disabled in hostilities [or due to mine

blast or any other accident like landslide or any other enemy action, before or after the actual operations] [Inserted by Notification No. F.15 (61), G.S.R. 166, dated 16.07.1977 - Rajasthan Gazette, Part IV-C(I), dated 18.08.1977.] in Ladhak or the North East Frontier Agency or in any military operations anywhere else to which the provisions of these rules may by notification in the Official Gazette be extended, rendering him unfit for further service in the defence services;(b)"dependants of deceased defence personnel" includes widow, son, unmarried daughter and parents of member of the defence forces who dies as a result of hostilities [or due to mine blast or any other accident like landslide or any other action, before or after the actual operations] [Inserted by Notification No. F.15 (61), G.S.R. 166, dated 16.07.1977 - Rajasthan Gazette, Part IV-C(I), dated 18.08.1977.] in Ladhak or the North East Frontier Agency or in any military operations anywhere else to which the provisions of these rules may by notification in the official Gazette [shall be extended] [Substituted and added by Notification No. F. 12(1) Revenue Col./Wel/70, G.S.R. 117, dated 22.01.1974 - Rajasthan Gazette, Part IV-C(I), dated 17.10.1974.].

3. Applications of rules.

- These rules shall apply only to the Government lands falling within the Bhakra, Chambal or Rajasthan Canal Project Colonies and already reserved or to be reserved, by notification in the official Gazette for allotment to the disabled ex-servicemen and dependants of deceased defence personnel.

4. Applicability of General Colony Conditions.

- The Rajasthan Colonisation (General Colony) Conditions, 1955, issued under the sub-section (2) of section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954) (hereinafter in these rules referred to as the General Colony Conditions) shall, mutatis mutandis apply to all allotments of land made under these rules.

5. Persons eligible for allotment.

- A disabled ex-servicemen or such dependants or any deceased defence personnel settled in Rajasthan as may undertake to maintain other members of the family of the deceased shall be entitled for allotment under these rules: Provided that persons already in possession of land in excess of the ceiling area as defined in clause (64) of section 5 of the Rajasthan Tenancy Act (Rajasthan Act No. 3 of 1955), shall not be entitled for allotment of any land under these rules: [Provided] [Substituted by Notification No. F. 12(1) Revenue Col./Wel/70, G.S.R. 117, dated 22.01.1974 - Rajasthan Gazette, Part IV-C(I), dated 17.10.1974.] further that persons having less than the ceiling area may be allotted land up-to the ceiling area.

6. [Extent of allotment. [[Substituted by Notification No. F. 4(13) Revenue/Col./87, S.O. 71, dated 12.05.1988 - Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 27.07.1989, page 70, w.e.f. 27.07.1989 = 1990 RSCS/Part II/page 52/H. 50, for the following:

'6. Extent of allotment. - Subject to the provisions contained in the provisions to rule 5, the scale of allotment under these rules shall be as under:-(i)- Officers of and above the rank of second lieutenant - Fifty bighas of irrigated or one hundred bighas of un-irrigated land.(ii)- Junior Commissioned Officers, including Naiks and other ranks. - Twenty five bighas of irrigated or fifty bighas of un-irrigated land.Explanation.- One bigha shall be taken as being equal to five-eighths of an acre.']] - Subject to the provisions contained in Rule 5, the disabled Ex-Serviceman and dependents of deceased defence personnel shall be allotted 25 bighas of irrigated or 50 bighas of un-irrigated land.Explanation - One bigha shall be taken as being equal to five eights of an acre.]

7. Terms and conditions of Allotment.

(1)No Nazrana or purchase price shall be charged from any person to whom land is allotted under these rules, but the allottee shall have to pay betterment charges, recovery whereof shall commence three years after irrigation starts.(2)The tenure shall be governed by the provisions of Condition No. 9 of the General Colony Conditions referred to in Rule 4.(3)The allottee shall have to pay land revenue, and other charges, as laid down in Condition No. 14 of the General Colony Conditions.(4)[In case the allottee fails to take possession of the land allotted to him within six months from the date of allotment, the allotment shall be deemed to have been cancelled and the land shall thereupon be available for re-allotment to any other person under these rules.] [Inserted by Notification No. F. 7(183) Irg./62, dated 09.09.1996 - Rajasthan Gazette, Part IV-C, dated 16.02.1967.]

8. Procedure for allotment.

- An application for allotment under these rules shall be made on the pro forma appended to these rules through the Officer Commanding of the Unit in which the disabled ex-servicemen or the deceased defence personnel served in Ladhak or the North East Frontier Agency or in any military operations any where else to which the provisions of these rules may, by notification in the official Gazette be extended:Provided that in the case of the dependants of a deceased defence personnel, the application may be made through the Secretary of the District Soldiers Board concerned.

9. Allotting Authority.

- For lands reserved in the Rajasthan Canal Project Area and the Bhakra Project Area, the Colonisation Commissioner, Rajasthan and for lands reserved in the Chambal Project Area, the Collectors shall be the authority competent to allot lands under these rules, after such summary enquiry, if any, as may be necessary.

10. Sub-letting.

- Notwithstanding anything contained in the General Colony Conditions, the restrictions on sub-letting the land as laid down in section 45 of the Rajasthan Tenancy Act shall not apply for 10 years in the case of allot-tees under these rules.Pro Forma

S. No.	Name of the persons	Killed, disabled or reported missing	Regimental number	Unit	Name of the claimant with relation	Particulars of existing holding whether joint or severely	Recommendations of the D.S.S. & A's Boards	Remarks of Collector
1	2	3	4	5	6	7	8	9

Notifications Under the Rajasthan Special Assistance to Disabled Ex-Service Men and Dependants of Deceased Defence Personnel (Allotment of Lands) Rules, 1963 Rule 2

1. [Notification No. F. 7(183) Irg./92, dated 22-10-1965 - Rajasthan Government Gazette, Part 4-C, dated 2-12-1965, page 435.]

In pursuance of clause (a) and (b) Rule 2 of the Rajasthan Special Assistance to Disabled Ex-Servicemen and Dependents of Deceased Defence Personnel (Allotment of Lands) Rules, 1963 (as originally published under Irrigation Department's Notification No. 7 (183) Irg./62, dated 27th November, 1963 in Part IV-C of the Rajasthan Gazette ; dated 20th February, 1964 it is hereby notified that the provisions of the said rules shall also be applicable to the area of military operations in the :- (a) Rann of Kuch; and (b) State of Rajasthan, Kashmir and Punjab on account of hostilities with Pakistan since 5th day of August, 1965. Rule 3

2. [Notification No. F. 7(132) Irg./62, dated 27-1-1963 - Rajasthan Gazette, Part IV-C, dated 30.1.1964].

In exercise of the powers conferred by Rule 3 of the Rajasthan Special Assistance to Disabled Ex-servicemen and Defence Personnel (Allotment of Lands) Rules, 1963, the State Government hereby reserves two lakhs acres of land in the following villages commanded by Indira Gandhi Canal for allotment to the disabled ex-servicemen and dependents of defence personnel who died in military operations or hostilities in Ladhak or the North East Frontier Agency, namely:- Villages:-

Anupgarh Tehsil	Bikaner Tehsil	Bikaner Nausars Tehsil
1. Binjors	1. Karmwala	1. Gulamwala
2. Anupgarh	2. Ramjanwala	2. Ballar
3. Sherpura	3. Beriyanmali	
4. Sivani	4. Siyasar Chogan	
5. Hisanki		
6. Gharsana		
7. Ch. Shera		
8. Ch. II Ghammi		
9. Ch. I Singawala		

10. Sakhi
11. Ch. 9 Handiwala
12. Koriband Ch. No. 1
13. Ch. 3 Gujar
14. Ch. 4 Kala Keri
15. Ch. 6 Tejula
16. Ch. 8 Sakhi
17. Ch. 2 Khobar
18. Khanuwali
19. Ch. No. 1 Kanuwali

3. [Notification No. F. 7(182) Irg./62 dated 21-1-1963.]

Subject. - Reservation of land in Indira Gandhi Canal Area for disabled Ex-Servicemen and dependents of deceased personnel fighting in Ladhak and N.E.F. Agency. The Governor has been pleased to order that two lacs acres of Agricultural unoccupied land be reserved in Indira Gandhi Canal Area for allotment to disabled Ex-Servicemen or dependents of those who are killed in action against the Chinese in Ladhak and N.E.F. Agency.