

The Rajasthan Land Revenue (Settlement Operations) (Board of Revenue) Rules, 1957

RAJASTHAN

India

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Rule

THE-RAJASTHAN-LAND-REVENUE-SETTLEMENT-OPERATIONS-BOARD of 1957

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The Rajasthan Land Revenue (Settlement Operations) (Board of Revenue) Rules, 1957Published vide Notification No. 59/71/B.R. Dated 9-9-1957In exercise of the powers conferred by sub-section (1) of Section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) and with the previous sanction of the State Government the Board of Revenue is pleased to make the following RulesPreliminary

1. Title, extent and commencement.

(1)These rules may be called the Rajasthan Land Revenue (Settlement Operations) (Board of Revenue) Rules, 1957.(2)They shall come into force from the date of publication and shall extend to the preorganisation State of Rajasthan except the subdivision of Sironj.

2. Interpretation.

- In these rules unless there is anything repugnant in the subject or context-(1)"The Act" means the Rajasthan Land Revenue Act, 1956.(2)"Form" means a form appended to these rules.(3)"Sections" means a section of the Act.

3. Rules to give effect to the provisions of Section 155.

(1)The Settlement Officer shall submit to the Settlement Commissioner the schedule of rent-rates proposed by him under Sections 152 and 153 together with a brief and simple explanation of the

basis of the rent-rates evolved by him and map of the tract under report, showing all the villages and their grouping into assessment circles or assessment groups together with the reasons therefor.

4.

The Settlement Commissioner, if he sees no preliminary objection to the proposals, will approve the publication of the proposed rent-rates along with the basis in the Official Gazette.

5.

The Settlement Officer shall cause copies of the proposed rent rates along with the basis as published to be affixed at the Tehsil and the Settlement Office.

6. Rules to give effect to the provisions of Section 155(2).

(1)When the proposals have been published in accordance with rule 4 and 5, the Settlement Officer shall issue a notice calling upon land holders and tenants to file, within one month, objections if any, to the proposed rent-rates.(2)The notice shall be published in the Official Gazette and copies of it shall be affixed to the notice boards of the Tehsil and Settlement Office.

7. Rules to give effect to the provisions of Section 164.

(1)Assessment parchas shall be prepared in triplicate in Form B.R. 1.(2)As soon as Assessment parchas are ready the Settlement Officer shall issue a proclamation in Form B.R. 2.(3)On the date and time so fixed the Settlement Officer shall proceed to the villages specified in the proclamation and distribute the parchas.(4)The signature or thumb impression of the recipient of the parchas shall be taken on the counter foil, thereof, in token of receipt.(5)If any person to whom an Assessment Parchas is to be distributed fails to attend at the time and place specified in the proclamation, the Parchas shall be placed on the file and may be handed over to the person concerned, or to his authorised agent, if he appears to claim the Parcha within one month of the date mentioned in the proclamation issued under sub-rule (2).(6)Assessment Parchas that remain undistributed after the expiry of the period of one month from the date mentioned in the proclamation issued under sub-rule (2) shall be sent to the Tehsildar concerned for delivery to the person concerned, or his authorised agent under a proper receipt, which shall be transmitted to the Settlement Officer by the Tehsildar.

8. Rules to give effect to the provision of Section 178.

(1)The statement of customs respecting rights of, and liabilities on the village shall be in narrative form, it shall be as brief as the nature of the subject admits, and shall not be argumentative but confined to a simple statement of the customs which are ascertained to exist. The statement shall be divided into paragraphs numbered consecutively, each paragraph describing as nearly as may be a separate custom.(2)The statement shall not contain relating to matters regulated by law, nor shall

customs contrary to justice equity conscience, or which have been declared to be void by any competent authority, be entered in it, subject to these restrictions, the statement shall contain information on so many of the following matters as are appurtenant to the villages-(a)Common land, its cultivation and management, the enjoyment of the proceeds thereof.(b)Rights of grazing on common land.(c)Rights to the enjoyment of Say or produce.(d)Usages relating to village expenses (Malba).(e)Customs relating to the irrigation of land.(f)Customs relating to tanks, streams, or natural drainages.(g)Customs relating to alluvion and dilluvion.(h)The rights of Government to any property forests, unclaimed unoccupied deserted or wastelands, quarries, ruins or objects of antiquarian interest in land included within the boundaries of the village.(i)The rights of Government in respect of fish and fisheries in streams, rivers, etc.(j)The rights or customs regarding drinking water for human beings and cattle.(k)Any other important usage affecting the rights of land owners, cultivators, or other persons interested in village administration, not being a usage relating to succession and transfer of landed property.(l)Rights or customs in the village and village site relating to common land and its produce, rights of irrigation, water rights, rights of fishing, rights of persons of other villages over the lands of the village, rights of the villagers over the lands of other villages, rights over the lanes paths, drains and other easements like burial and cremation ground pasture-lands, encamping grounds, threshing, floors, Bazars, skinning grounds, rights to graze and take fuel, manure and rubbish etc.(3)Where the Wajib-ul-arz exists, it shall be taken as the basis by the Settlement Officer for preparation of a revised edition.(4)When the Dastur Ganwai or Wajib-ul-arz has been prepared, the Settlement Officer shall, on a date fixed and notified at least seven days before the date so fixed, read out to the villagers assembled for the purpose, the contents of the Dastoor Ganwai and if any person raises any objection to anything contained in the Dastur Ganwai or Wajib-ul-arz, the Settlement Officer shall record and decide such objection and his decision shall be final.

9. Rules to give effect to the provisions of Section 178.

- In assessing rents under section 178 for areas for which short-term settlements were sanctioned, the Settlement Officer shall as far as possible, act in accordance with the provisions of (a) Sections, 110, 114 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955) and (b) the foregoing rules.

10. Rules to give effect to the provisions of section 179(1).

(1)When any change in area occurs owing to alluvion or dilluvion, an inquiry shall be made to ascertain whether there has been any exertion of alluvion land or loss by diluvian.(2)It shall be the duty of the land records staff to submit to the Collector or the permanent Settlement Officer a report, together with a plan prepared after survey and a khasra of any change in the area of a holding caused by such alluvion of diluvian.(3)The Collector or the permanent Settlement Officer shall examine the report and after necessary enquiry proceed to assess or revise the rent in the following manner-(a)The fair assessment of alluvial land shall be determined at the rate placed for similar soil with similar advantages in the circle in which the holding is situate.(b)The assessment of land lost by dilluvion shall be determined according to the soil classification of the land as shown in the land records.

11. Rules to give effect to the provisions of section 179(3).

- If the value of the and in any holding is altered because of its diversion from an agricultural purpose to a non-agricultural purpose or from a non-agriculture purpose the assessment shall be revised on the report of the land records staff to the Collector or the permanent Settlement Officer through the Tehsildar, who shall submit a plan along with the necessary details in the Khasra form. The Collector or the permanent Settlement Officer shall, thereupon-(a)in the case of the land being diverted from an agricultural purpose to a non-agricultural purpose, revise the rent according to the soil classification of the land and the sanctioned rent rates shown in the land records, and(b)in the case of the land being diverted from non-agricultural purpose to an agricultural purpose the, assessment shall be determined at the rate placed on similar soil with similar advantages in the assessment circle in which the holding is situate.

12. Rules to give effect to the provisions of section 182.

- If the correction to be made under section 182 is such as would effect the rights of parties, the Settlement Officer shall first give a notice to the parties interested to appear and be heard in support of the proposed correction.

13. Rules to give effect to the provisions of section 183(2).

(1)On the receipt of an order under sub-section (1) of section 183, the Settlement Officer shall take into consideration the various factor on which the sanctioned rent rates were framed and he shall, before framing his proposals for the modifications needed hear the parties and may, if he deems it necessary, make a local enquiry.(2)The modified proposals shall be published in accordance with rule 4 of these rules and shall be submitted for sanction in accordance with the provisions of Section 156. Form B.R. - 1 Government of Rajasthan (See Rule 7) Settlement Officer Assessment Parcha Name..... Tehsil..... District..... Term of Settlement..... Khata Number.....

Name	Name of father	Caste	Residence(Village)
	Name of Grantee		
.....
Name of Sub-grantee			
.....
Name of Tenant		
Number and name of field	Area	Soil Classification	Area Rate of Rent Rent Remarks

Form B.R.-2 Proclamation for distribution of Assessment parchas under sub-section (3) of Section 164 of the Rajasthan Land Revenue Act, 1956.(15 of 1956)(See rule 7)Whereas the Assessment (Particulars to be given) Parchas in respect of the holding in the marginally noted

area/village/villages under Settlement Operations are ready for distribution, this proclamation is hereby issued in accordance with rule 7 of the Rajasthan Land Revenue (Settlement Operations) (Board of Revenue) Rules, 1957, and all land holders and tenant's are hereby informed that the said Assessment Parchas shall be distributed by the on date to be not earlier than 15 days from the date of proclamation at.....(Name of place to be mentioned) and all tenants and land holders are hereby required to be present on the date and place specified above to receive their respective Parcha. Given under my hand and seal this day of.....Settlement Officer