

**.GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT**

Notificattion. No, 5(109)Rev-/B/60

Dated: 20.07.1963

**Condition for(Allotment of Unoccupied Govt. Agricultural Lands for the
Construction of Schools, Colleges, Dispensaries, Dharamshalas and other
building of public utility), 1963**

In exercise of the powers conferred by Sec 102 of the Rajasthan Land Revenue Act, 1956, the State Government hereby lays down the following condition on which it is willing to make allotment of unoccupied Government agricultural lands for the construction of Schools, Dispensaries, Dharamshalas and other building of Public Utility.

- **Class of land to be allotted.** (1) Any unoccupied Government land [except land recorded as Johad Paitan and beds of river or tank], may be allotted for any of the purposes mentioned in clause (2), if the allotting authority is satisfied that no suitable un-culturable land is available:

Provided that if land recorded as pasture (Gochar) is to be allotted the procedure of consultation with panchayat as laid down in rule 7 of the Rajasthan Tenancy (Govt) Rules 1955 framed under the Rajasthan Tenancy Act, 1955 (Act 3 of 1955) shall be followed:

Provided further that land which are irrigated by any source or are recorded as public path, pasture, oran, [], ghair mumkin pahad shall not be allotted without the prior approval of the State Government.

Provided also that no allotment shall be made without prior consultation of town planning department in case of cities and town for which Master Plan has been approved or is under preparation.

- **Maximum Area to be allotted.** – subject to the requirements the maximum area to be allotted shall be as shown below

Purpose		Maximum area to be Allotted
(a)	Primary School	2 Acres (including hostel buildings play ground etc.)
(b)	Middle School	[4 acres] (including hostel buildings play ground etc.)
[(bb)	Government Industrial Training Institute	6.5 acres (including hostel building, play ground and quarters

		for teachers and staff members);]
(c)	Secondary School/ Senior Secondary School/BSTC School	[7 acres] (including hostel buildings play ground and quarters for teachers and staff members etc.)
(d)	Degree and Post Graduate College	[15 acres] (including hostel buildings play ground and {residential facilities for teachers and staff members)
[(dd)	Universities	30 acres (including hostel buildings play ground and residential facilities for teachers and staff members)]
(e)	Central School (managed by Kendriya Vidhyalaya Sangthan)	15 acres (including school and hostel buildings, play ground and residential facilities for teachers and staff members)
(f)	Navodaya Vidhyalaya managed by Navodaya Vidhyalaya Sangthan	30 acres (including school and hostel buildings, play ground and residential facilities for teachers and staff members)
(g)	Government Hostel	2 acres (including hostel ground)
(h)**	Panchayat Ghar	3 acre (including Rajiv seva Kendra,Kishan Seva Kendra, Gram Panchayat Office
(hh)**	Panchayat Samiti	6 Acre (Including Kishan Seva Kendra, Block Static office, Panchayat Samiti office and other offices ; and
[(i)	Public Utilities building and Dharamshalas	1 acre
(j)	Dispensaries/sub-centers of Ayurvedic Medical and Animal Husbandry Department without indoor facilities.	1.5 acre (including staff quarters)
(k)	Primary Health Centers/hospital in Tehsil and District level with indoor facilities	5 acre (including staff quarters medical shops. Vehicle parking etc.)
(l)	Government Office Building	2 acres
[(l-a)	For setting up Panorama by the Art and Culture Department	3 acres;]
[(l-b)	For setting up of pumping as per the station and other like requirement for the structure by the Public Health Structure and Engineering Department	(Added by Notification dated 08-04-2022
(m)	Girdawar/patwar ghar	0.5 acre
(n)	Temple/Mosque,Gurudwara and other religious places	0.5 acres.
[(o)	For setting up of kiosk by	10 sqm.

	educated unemployed youth belonging to Scheduled Caste and Schedule Tribes and person with benchmark disability who has passed matriculation or equivalent examination	
(p)	For setting up of school by educated unemployed youth belonging to Scheduled Caste, Schedule Tribes, and person with benchmark disability who has a post graduate degree in any faculty	2500 sqm.
(q)	For setting up of Degree College by educated unemployed youth belonging to Scheduled Caste] Schedule Tribes and person with benchmark disability who has a post graduate degree in any faculty	5000 sqm.
(r)	For setting up of Veterinary Dispensary by educated unemployed youth belonging to Scheduled Caste, Schedule Tribes and person with benchmark disability who possesses a Bachelor's degree in Veterinary Sciences	600 sqm.
(s)	For setting up of Veterinary Hospital by educated unemployed youth belonging to Scheduled Caste, Schedule Tribes and person with benchmark disability who possesses a Bachelor's degree in Veterinary Sciences	2000 sqm.

Provided that the allotment of land for the purpose of sub clause (o), (p), (q), (r) and (s) shall be made outside the urbanisable limits or the peripheral belt of an urban area as defined in section 90-B or the Rajasthan Land Revenue Act 1956.

Explanation – For the purpose of sub clause (o), (p), (q), (r) and (s) “Youth” means a person of age group of 18 to 45 years.]

[(t)	For setting up of veterinary Hospital by registered veterinary Doctor	1620 sq. mts.
(u)	For setting up of Veterinary Dispensary Centre (Artificial Insemination Centre)	486 sq. mts]

	by Veterinary Assistant.	
[(v)]	For erection of status of a martyr killed in any defense operation.	upto 500 sq. mts.]

3. Term and condition of allotment – (i) The allotment shall be made on lease hold basis for a period of 99 years. The lease deed shall be in Form -1.

[Provided that charitable institutions to whom land has been allotted on lease hold basis for a period of thirty year and period of lease has not expired and annual payments due under prior allotment have been deposited, shall be entitled to get the lease extended up to the remaining period left to make it 99 years in all; if they deposit the difference amount of premium, payable as per present market value pursuant to provision of sub-clause (ii) and the premium already deposited for the existing lease:]

[Provided further that in case if the land has been allotted on lease hold basis for a period of thirty years for the purpose of educational, social or economical upliftment of the women to the non-government institution and the period of lease has not expired and annual payments due have been deposited, shall be entitled to get the extension of the lease period upto the remaining period left to make it 99 years in all, on payment of twenty five percent of the premium as specified in clause (ii) as late fee:]

Provided also that in case if the lease period of the thirty period has been expired and lessee has not been applied for extension of lease period before expiry of such lease period, application of the extension may be considered if lessee deposits five percent per annum of premium as specified in sub clauses (ii) as late fee:

[Provided also that in case of land allotted for educational, social or economical upliftment of women to the non-government institution for a period of thirty years and such period of thirty years has been expired and lessee applies upto September 30, 2018 for extension of lease period, such period may be extended without late fee.]

Provided also that in case if the land has been allotted on lease hold basis for a period of thirty years for the purpose of establishment of educational and technical training institutions for disabled persons to the non-government institution and the period of lease has not expired and annual payments due have been deposited, such non-government institution shall be entitled to get the extension of the lease period up to the remaining period left to make it 99 years in all . In such cases for the extension of lease period no premium shall be charged. (Added by Notification dated 8-10-21)

(ii) The allotment to a Government Department or an institution or a local body, or an authority or a Board shall be made free of cost. The allotment to non-government institutions shall be made on a premium at the following rates –

- If allotted land is situated within a municipal boundary of a town or city the premium shall be equivalent [to the market rates of agricultural land as recommended by the District Level Committee Constituted under clause (b) of sub rule (1) of rule (2) of the Rajasthan Stamp Rules, 2004 or the rates approved by the inspector general of stamps under sub Rule (1) of Rule 58 of Rajasthan Stamps Rules 2004, or the rates determined by the State Government under sub-rule (3) of rule 58 of the Rajasthan Stamp Rules, 2004], whichever is higher.
- If the land is situated in the rural area premium shall be equivalent [to the market rates of agricultural land as recommended by the District Level Committee Constituted under clause (b) of sub rule (1) of rule (2) of the Rajasthan Stamp Rules, 2004 or the rates approved by the inspector general of stamps under sub Rule (1) of Rule 58 of Rajasthan Stamps Rules 2004 or the rates determined by the State Government under sub-rule (3) of rule 58 of the Rajasthan Stamp Rules, 2004, whichever is higher.]

Provided that if the educational and technical training institutions are established for the disabled persons, premium shall be equivalent to [50%] of the payable price under this order.

- deleted by notification dated 26.04.11..
- If the land situated in any rural area is allotted to medical institutions for hospital diagnostic centers and nursing homes. The premium charges shall be as follows –

Area	Rates
Upto 10,000 Sq Metres	25% of the prevailing market price of the Agriculture land.
More than 10,000 Sq. Metres	50% of the prevailing market price of the Agriculture land.

Provided that these institutions shall provide minimum 10% of beds free to the B.P.L. cardholders and shall charge 25% of expenditure incurred on treatment, medicine and investigation from B.P.L. Cardholders.

Provided further that if the construction of the institution is not completed by the concerned institute within 3 years from the date of allotment, the allotted land will revert back to the state government automatically and the construction thereon shall be forfeited by the State Government.

Provided that no premium shall be charged in case allotment of land is to be made for the purpose of educational, social or economic upliftment of women, to a non-Government institution.

[Provided further that land for community centre, dharamshalas, hostel or school building for scheduled caste, scheduled tribes, other backward

classes or minorities may be allotted free of cost upto the area of 5/16, .2 and 2 acres respectively.]

[Provided also that land shall be allotted free of cost to the person who is eligible for allotment of land under sub-clause (o), (p), (q), (r) and (s) of clause 2 on the condition that such person should be a resident of Rajasthan and bonafide resident of the district in which such kiosk/institute is to be set up and such venture being the first venture to be set up by such a person

Provided also that the free of cost allotment of land for school, college, [university] and Veterinary hospital, dispensary shall be made on the recommendation of department of primary/Secondary education higher education and animal husbandry respectively.]

[Provided also that in case of allotment of land for the purpose mentioned in sub 2 clause (t) or (u) of clause 2, No premium shall be charged.]

[Provided also that land shall be allotted free of cost for the purpose mentioned in sub-clause (v) of clause 2, but such land shall be allotted only when the work of erection of the statue/Memorial is sanctioned by the competent authority under the M.L.A. Local Area Fund Scheme or the Concerned Collector is satisfied that adequate funds are available for this purpose through contribution/donation by the local people.]

[(ii-a) {Divisions commissioner} on recommendation of concerned collector may allot upto an area not extending 1000 sq. yard on free of cost to Non-Government institutions for the following purposes –

- To establish de-addiction centre.
- To establish old age homes.
- To construct and maintain public water huts, urinals and lavatories
- To establish training centers to train the deaf, dumb and disable persons.
- To establish rest houses for pensioners
- To establish night shelter homes.
- To establish press clubs.
- To establish library & reading rooms
- [To establish orphanage]

(iii) The land shall be used strictly for the purpose for which it is allotted and the construction of the building for which the land is allotted shall commence within six months of handing over the possession. The allottee shall be within two years of handing over the possession, be liable to complete the construction of the building and also put it to use for the purpose for which the land was allotted:

[Provided that if the allottee, after handing over the possession fails to commence and complete the construction of building within the period specified above, the State Government may, on the application of the allottee, extend the period upto two years. In case of non-government institution such period of two years shall only be extended on payment of prevailing market price of land calculated on the basis of market rates determined by the District Level Committee, after deducting premium charged at the time of allotment.

Provided further if the allottee of land desires to use the land for any purpose, other than the purpose for which the land was allotted as specified in clause 2, the state Government on the application of the allottee, may grant permission for use of land of such other purpose. In case of non-governmental institution such permission shall only be granted on the payment of prevailing market price of the land calculated on the basis of market rates determined by the District Level Committee;]

(iv) The land shall vest in the State Government.

(v) The building constructed or the institution started on the allotted land shall be used for the benefit of the public sale. Sub-letting or transfer in any form of the allotted land building constructed thereupon shall not be made without the prior approval of the allotting authority. The allotting authority shall while allowing the transfer charge fresh premium from the transferee as prescribed in clause (ii) above:

[Provided that in case where the land is allotted free of cost to the Government Department or an Institution or Local Body or an Authority or a Board owned or controlled by the State Government desires to sub lease any part of the area so allotted to it and interest therein, they may sub lease any part of the land to the Central Government or Non-Governmental Institution, with the prior permission of the Allotting Authority, for the purpose of educational, research or technical training for the period upto 20 years on the following conditions, namely:-

- That in rural areas lease rent paid annually by sub-lessee shall be equivalent to one percent of the rates recommended or determined for assessment of market value under rule 58 of the Rajasthan Stamp Rules, 2004 or equal to rent paid by the Sub-Lessee to the lessee Department or an Institution or a Local Body or an Authority or a Board, as the case may be, whichever is higher. In urban areas lease rent paid annually shall be equivalent to two percent of the rates recommended or determined for assessment of market value under rule 58 of the Rajasthan Stamp Rules, 2004 or equal to rent paid

by the sub-lessee to the lessee Department or an Institution or a Local Body or an Authority or a Board, as the case may be, whichever is higher;

- That the sub-lease period may be extended for another 10 years;
- That the area to be given on sub-lease shall not exceed upto three fourth of the total leased area in any case;
- That the sub-lessee shall not be allowed to mortgage to any financial institution or any authority for obtaining loan or as security on the sub-leased area;
- That the land shall be used strictly for the purpose for which it is sub leased. It shall not be use for any commercial purpose;
- That the sub lessee shall not be allowed to avail such kind of arrangement i.e. sub-lease more than one place in Rajasthan;
- That permanent structure including tube wells, electricity installation, trees, plants and anything of immovable nature created on such land shall be the property of the state after the lapse of sub-lease period;
- That the sub-lessee deposits lease amount up to 31st march of the financial year for the next financial year in the revenue head; and
- That in the event of breach of any of the condition, the land shall revert to the State Government with the construction thereon free from all encumbrances without any claim for compensation.]

[(v-a) As soon as an order of allotment is passed, the allotting authority shall direct the patwari under intimation to the Tehsildar to hand over the physical possession of the allotted land to the allottee with immediate effect and there upon necessary entries in the revenue record shall be made.]

[(v-aa) where the land is allotted to non government institution, the lessee may, with prior permission of the collector, mortgage his interest in the whole or part of the leased land in favour of any bank or financial institution for securing financial assistance or loan for the development of the leased land for the purpose for which it was leased. The collector shall, before granting permission, ensure that the lessee has cleared all the outstanding dues of the lesser and the terms and the conditions shall remain unchanged.]

(vi) The allottee shall give a written undertaking to abide by each and every one of the foregoing conditions.

(vii) In the event of any breach of the above conditions, the land shall revert to the State Government along with the construction thereon without any claim for compensation

3-A. Allotment of certain land.- if the land specified in clause 1 has been utilised without allotment for the construction of schools, colleges, dispensaries, dharamshalas and other buildings of public utility by government department or government institution or a local body or an authority or a board, such land may be

allotted upto the maximum area as specified in clause 2 by the state government and if such land has been utilized by non-government institution such land may be allotted if,-

- It is not against any law prevailing at the time of such allotment; and
- If such non-government institution deposits following amount of as premium-
 - equal to the premium prescribed in sub clause (ii) of clause 3 where total area does not exceed one bigha,
 - twice of the premium as prescribed in sub clause (ii) of clause 3 where total area is more than one bigha but does not exceed two bigha.
 - three times of the premium as prescribed in sub clause (ii) of clause 3 where total area is more than two bigha but does not exceed five bigha.
 - four times of the premium as prescribed in sub-clause (ii) of clause 3 where total area is more than five bigha but does not exceed ten bigha
 - five times of the premium as prescribed in sub clause (ii) of clause 3 where the total area exceeds ten bigha.

4 Allotting Authority - Allotments under this order shall be made by –

- The sub divisional officer having jurisdiction for purposes mentioned in sub- clauses (a), (g), (h), (j), (l), and (m) of clause 2 up to the maximum prescribed area.
- The Collector having jurisdiction for the purposes mentioned sub-clause (b), [(bb)], (c), (e), [(i)], (k), [(l-a), (l-b)], (t) and [(u) and (v) of clause 2 upto the maximum prescribed area.
- The Commissioner having jurisdiction for the purposes mentioned in sub-clauses (d) [(dd)] and (f) of clauses 2 up to the maximum prescribed area.
- The State Government for the purposes mentioned [in sub clauses (n)] of clause 2.

Provided that no allotment other than to a Government Department or institution or a Local Body or an Authority or a Board shall be made without obtaining prior approval of the State Government.

Provided further that allotment of land in excess of prescribed maximum area for any purposes under clause 2 except Governments departments shall be made by the State Government.

Provided also that, where land is proposed to be allotted to any Government Department, the allotting authority may allot land in excess of the maximum area specified in clause 2. (Added by Notification dated 8-4-22)

4-A. Allotment of Land for setting up Technical Institutions in the lagging area. – Notwithstanding anything contained in clauses 2, 3 and 4 the land may be allotted to private investors for setting up Technical Institutions in the lagging areas on the following conditions, Namely –

- [The allotment shall be made on the lease hold basis for a period of 30 years and lease may be renew for another such period as the Government may decide from time to time. The land allotted prior to 31.01.2009 to Technical Institutions for a period of 25 years shall be deemed to have been allotted for a period of 30 years;]
- The allotment shall be made free of cost;
- [The allotment of land shall not exceed 5 bighas for setting up of Industrial Training Institutions and 10 acres for setting up of Engineering Colleges and [5 acres for setting up of] Polytechnic Colleges but for setting up of Engineering Colleges and boys Polytechnic Colleges the land shall only be allotted outside the Municipal limit of the city;]
- [The land shall be allotted under this clause for setting up only one Engineering College and Polytechnic College in each Lagging District and for setting up only one Industrial Training Institution in each Lagging block;]
- The allottee shall establish the Institutions, for which the land is allotted within 18 months of allotment of land failing which the land shall revert to the State Government;
- The allotment shall be made by the collector after recommendation of the Department of Technical Education Government of Rajasthan Jaipur;
- The land shall be used strictly for the purpose for which it is allotted:

[Provided that of the allottee of the land desires to use the land for any other purpose as specified in clause 2, the State Government, on application of allottee, if satisfied about the reasons for use of land of such other purpose, may grant permission. Such permission shall only be granted on payment of prevailing market price of the land calculated on the basis of market rates determined by the District Level Committee. The allottee shall be entitled to get the lease extended up to the remaining period to make it for 99 years in all; and]

- The land shall vest in the State Government;
- The sale, sub letting or transfer in any form of the allotted land and construction thereupon shall not be made without the prior approval of the allotting authority; and
- In the event of any breach of the above conditions the land shall revert to the State Government along with the construction thereon without any claim for compensation.

Explanations – For the purpose of this clause

- ['Technical Institutions' means Engineering Colleges, Polytechnic Colleges and Industrial Training Institutions.
- 'Lagging districts' means the districts which do not have any Engineering Colleges or Polytechnic College.]
- 'Lagging blocks' means blocks which do not have any Industrial Training Institution"

[4-B. Allotment of land for setting up Primary School/Secondary/Senior Secondary School in rural and backward areas –Notwithstanding anything contained in clauses 2, 3 and 4 the land may be allotted to private investors by the Collector on the recommendation of the committee constituted by the Department of School Education for setting up new Primary School/Secondary/Senior Secondary School in rural and backward area on the following Conditions, Namely –

- that the allotment shall be made on the lease hold basis for a period of 30 years or till the school is run whichever is earlier, the lease may be renewed for another such period as the Government may decide.
- that no premium shall be charged for the allotment made under this clause.
- that the allotment of shall not exceed one acre for establishment of Primary School and five acre for establishment of Secondary/Senior Secondary School.
- that the allottee shall construct the building and establish the Primary School within six month and Secondary/Senior Secondary School within one and quarter year from the date of allotment as per norms determined by the School Education Department failing which the land shall revert to the State Government. In exceptional circumstances the State Government shall have the powers to extend the time limit as prescribed above. On the recommendation of the School Educations Department.
- that the land shall be used strictly for the purpose for which it is allotted:

[Provided that if the allottee of the land desires to use the land for any other purpose as specified in clause 2, the State Government, on the application of the allottee, if satisfied about the reasons for use of land of such other purpose, may grant permission. Such permission shall only be granted on payment of prevailing market price of the land calculated on the basis of market rates determined by the District Level Committee. The allottee shall be entitled to get the lease extended upto the remaining period to make it for 99 years in all; and]

- that the land shall vest in the State Government ‘
- that the allottee shall have no right to sale sub let or transfer in any form under this rule
- that in the event of breach of any of the conditions the land shall revert to the State Government with the construction thereon free from all encumbrances without any claim for compensation.]

5. Remission of land revenue or rent – Remission of land revenue or rent under sub-section (3) of Section 90 of the Rajasthan Land Revenue Act, 1956 for the land allotted under this order shall be sanctioned by the Collector concerned, provided that the area does not exceed the scale laid down in para 2 above.

6. Supersession of Order No. F.6(89) Rev.B/58 dated 20th January, 1961-
The foregoing provisions shall also govern the allotment of land to Government departments for the construction of schools, colleges, dispensaries etc. and this department's Order No.F.6(89) Rev. B/58 dated the 20th Jan.,1961 is hereby cancelled.

7. Allotment by Government – Notwithstanding anything hereinbefore contained in this order, the State Government may allot land exceeding the maximum area specified in para 2 on such terms and conditions as in may deem fit.

Form (I)

This lease deed made on the day of Between the Government of Rajasthan hereinafter called, the lessor, which expression shall unless excluded by subject or context, include his successors in office and permitted assigns of the one part and shri S/o Resident of Tehsil District hereinafter called the lessee which expression shall, excluded by subject or context include his suc/cessors and assigns of the other part.

Whereas the lessee has applied to the lessor for allotment of unoccupied Government land, described in the Schedule here to the purpose or

And whereas the lessor has agreed to grant the lease of the said land to the lessee for a period (99 years) on the terms and conditions hereinafter appearing

Now this Deed witnesses as follows -

- That in pursuance of the aforesaid agreement the lessor hereby demises to the lessee the said land to hold the same upto the lessee from Day of for a period of (99years)
- That the parties here to mutually agree as follows. –
- That the allotment shall be free of cost;
- That the term of lease shall be made for a period of [99years] ;
- That the land shall be used strictly for the purpose for which it is allotted and the construction of the building for which the land is allotted shall be started within one year of allotment provided that land for the construction of a school or college may also be used land for an agricultural purpose connected with the school or college;
- That the land shall vest in the Government provided that if the land is allotted to a village panchayat for the construction of a Panchyat Ghar, it shall vest in the Panachyat ;
- The building constructed or the institution started on such land shall be used for the benefit of the public and there shall be on malafide transfer to any member or members of the family of the donee to whom allotment is made;
- That in the event of any breach of the aforesaid condition the land shall revert to the State Government along with the construction thereon without any claim for compensation.

In witnesses the parties hereto have signed this deed on the day and year first above written.

Lessee

Signed by

For and behalf of the Government

Witness 1

Witness 1

2.....

2.....