PART I

Preliminary

1. Short title and commencement. — (1) These rules may be called the Rajasthan Land Revenue (Sale & Allotment of Land in Mandies) Rules, 1957.

(2) These rules shall come into force immediately.

2. Definitions. — In these rules—

(a) "Director" means the Director, Colonnation and includes the Collector as defined in Cl. (l) of Sec. 2 of the Rajasthan Colonisation Act, 1949, and any person appointed to perform the duties of Director by the Government;

(b) "Obnoxious Industry" shall be deemed to include any building, mine, quarry, or mineral deposit, or carrying on any occupation or business from which offensive or unwholesome smells would be likely to arise;

(c) "Road" means any road, pathway, or other way whatsoever by which vehicles are accustomed to pass or by which any goods are conveyed by land;

(d) "Sale" shall be deemed to mean transfer of lease-hold rights for a period of 99 years only and the words "sell and sold" shall mean accordingly.

3. Rule 1. — (a) Every mandie shall be deemed to be a legal estate in land and shall be subject to alienation, transfer, mortgage, and all other dispositions of property in the same manner as if it were freehold property;

(b) A mandie shall be subject to the same duties, charges, and taxes as are imposed upon freehold land in the State;

(c) The State Government may, by notification in the Official Gazette, declare any area to be a capital city or town and any part of a mandie to be a city or town area for the purposes of the Urban Plans Act, 1949;

(d) No person shall be allowed to construct, maintain, or use any building, structure, or other erection on any land belonging to the State or any other person, except in accordance with the rules and regulations made by the State Government in this behalf.

4. Sale by public auction. — (1) Every sale by public auction of any mandie or any part thereof shall be conducted in accordance with these rules.

(2) The sale shall be held at a place to be determined by the Director, and shall be advertised in such manner as he may deem fit.

(3) The bidders shall deposit with the Director an amount not less than one-fifth of the estimated price of the mandie, which shall be forfeited if the bidder does not purchase the mandie at the sale.

(4) The sale shall be conducted in accordance with the regulations prescribed by the Director.

5. Sale by auction. — (a) Every sale by auction of any mandie or any part thereof shall be conducted in accordance with these rules.

(b) The sale shall be held at a place to be determined by the Director, and shall be advertised in such manner as he may deem fit.

(c) The bidders shall deposit with the Director an amount not less than one-fifth of the estimated price of the mandie, which shall be forfeited if the bidder does not purchase the mandie at the sale.

(d) The sale shall be conducted in accordance with the regulations prescribed by the Director.
[Rule 3. (1) Demarcation of plots.—The Committee shall demarcate areas separately for residential, commercial and industrial purpose in mandies, and shall divide the said areas into such plots and sell (the lease hold rights), such of them as it considers proper by public auction or allotment with a further liability to pay annual assessment or rent.

(2) Premium.—The premium (Nazrana) shall be determined by public auction, but the amount of the reserved price or the minimum shall be worked after adding the following, namely—

(i) cost of lease hold rights in undeveloped land;
(ii) cost of development;
(iii) 20 per cent of the item No. (2) to cover the administrative charges.

(3) Urban assessment.—(a) The urban assessment or rent shall be fixed on the basis of the reserve price or fixed price, as the case may be, at 2-1/2 percent in case of residential plots and 5 percent, in case of lands given in lease for commercial and industrial purposes.

(b) The urban assessment once fixed shall be liable to revision after every 15 years but the increase shall not exceed 25 percent, of the urban assessment at the time of such revision.

(c) That full assessment shall be chargeable on the plot after third year, before which the construction of the house (if any), shall be completed, for the first three years, half the urban assessment only shall be charged.]

PART II

Sale by Public Auction

Rule 4. Sale by auction.—The [lease hold rights in plots] shall be sold by public auction in the manner provided in these rules.

Rule 5. Auction notice.—(a) The Secretary of the Committee shall issue an auction notice for the intended sale in the Form given in Annexure I.

(b) The auction notice shall be published for general information in the official gazette or by beat of drum in the concerned area or in any other manner considered suitable by the Committee. A copy of the notice shall also be pasted on the notice Board of the Office of the Director and on that of the Collector.

Rule 6. Description of the plots.—Bid for the plots will be invited by reference to the numbers shown in the plan at the offices of the Director and Secretary Committee. Any minor mistake or error in the auction notice as respect the reference or description, shall not annul the sale, nor shall any compensation be given in respect thereof.

Rule 7. Sale price.—(a) Every plot of land shall have a reserve price determined by the State Government and no bid lower than the reserve price shall be accepted. Bids shall be received subject to the reserve price and to the right of the State Government through any of its agents to bid up to or beyond such reserve price and to withdraw any plot from auction without assigning any reason thereof.

(b) Subject as aforesaid, the highest bid received by the auctioning Officer shall be communicated to the committee, who may either accept or refuse it provided that in case of refusing the highest bid, reasons therefore shall have to be recorded.

Rule 8. Who can bid.—No bid will be accepted in the name of a firm or in the name other than that of single living person, unless the names of all the persons making the offer are given without any specification of shares and the person making the bid produces a power of attorney, showing that he is authorised to bid on their behalf. If the bid is to be made in the name of a society or company or any association, the bidder must produce the necessary documents to show that the association or the company or the society has been duly registered and that he has the authority to enter into an agreement of the sale on its behalf.

Rule 9. Adjournment of sale.—The Officer conducting the sale may adjourn the sale on any day to future date.

Rule 10. Retracting a bid.—No person shall at any auction retract his bid and if any dispute arises respecting a bid the property shall again be put up for bids at the last undisputed bid.

Rule 11. Revision of reserve price.—(a) When there is no bid over the reserve price, or if the officer conducting the sale considers that the reserve price needs a revision, he shall adjourn the sale and report the matter to the State Government through the Committee with his recommendation.

(b) The State Government may, upon receipt of a report as aforesaid, revise any reserve price or decide that any plots shall be disposed of by allotment on the basis of fixed price or in any other manner it consider fit.

Rule 12. Earnest money.—(a) An earnest money amounting to 5 percent of the reserve price of each plot of land, shall be deposited in cash by the intending bidders with the Officer conducting the sale. The earnest money shall be refunded on the spot to the unsuccessful bidders at the close of auction and in case of the person whose bid was the highest, shall be adjusted towards the price.

1[(b) xxx]

[Rule 13. A sum equal to twenty five per cent, of the purchase price shall have to be deposited in cash on the date the bid is closed; fifteen percent, of the purchase price shall be paid within one month of such date and remaining sixty percent, in two equal yearly instalments, that is to say, thirty percent at the close of the second year. The amount payable in instalments shall bear interest at six percent per annum and the interest shall be payable along with the instalments of the purchase price.]

Provided that the allotment of any plot of land shall be made in the manner laid down in the rules and the allotment notice shall be published in the manner prescribed in the manner laid down in the rules.

Rule 13. (a) Allotment notice.—In the case of the plots reserved for allotment under the Rule, the person to whom the allotment is to be made shall be notified in writing and the allotment notice shall be published in the manner prescribed in the rules.

(b) Application.—Any application for allotment of plot of land shall be accompanied by the following documents:

(i) a statement of the person's name, address, and occupation;

(ii) a statement of the person's income, and

(iii) such other documents as may be prescribed by the rules.

Rule 13-A. Allotment at concessional fixed price.—(1) Save as provided in sub-rule (2), no person shall be allotted land at a price below the concessional fixed price.

(2) In case of members of the Scheduled Castes and Scheduled Tribes, the certificate of eligibility issued by the relevant authorities shall be produced in addition to the documents specified in sub-rule (2) of Rule 13-A.

Rule 13-B. Extent of Allotment.—No person shall be allotted a plot of land which exceeds in area what is specified in the rules.

Rule 13-C. Price.—The price at which the plot of land is to be allotted shall be fixed by the competent authority and shall not exceed the maximum price fixed by the rules.

PART III

Rule 14. Determination of value.—The value of the plot of land shall be determined by the competent authority and shall not exceed the maximum price fixed by the rules.

Rule 15. Payment of deposit.—No person shall be allotted a plot of land until and unless a deposit is paid in accordance with the rules.

Rule 16. Delivery of possession.—The possession of the plot of land shall be delivered to the allottee in accordance with the rules.

Rule 17. Purpose for which sold.—The sale of the plot of land shall be for the purpose specified in the rules.

Rule 18. Levelling.—The plot of land shall be levied in accordance with the rules.

Rule 19. Payment of taxes and cesses.—The allottee shall pay all taxes and cesses levied on the plot of land in accordance with the rules.

Rule 20. Restriction on transfer.—No plot of land shall be transferred under the rules.

Rule 21. Right of interest.—The interest of the allottee shall be protected in accordance with the rules.

Rule 22. Substitution of allottee.—The allottee may transfer the allotment to another person in accordance with the rules.

Rule 23. Effect of failure to pay.—In case of failure to pay the price or any part thereof, the allotment may be cancelled in accordance with the rules.

Rule 24. Power of cancellation.—The power to cancel the allotment is vested in the competent authority.

Rule 25. Power of recovery.—The power to recover the price and any other sums paid in accordance with the rules is vested in the competent authority.

Rule 26. Power of refund.—The power to refund the price and any other sums paid in accordance with the rules is vested in the competent authority.

Rule 27. Power of requisition.—The power to requisition the plot of land for public purposes is vested in the competent authority.

Rule 28. Power of sale.—The power to sell the plot of land in case of default in payment of the price is vested in the competent authority.

Rule 29. Power of appointment.—The power to appoint an officer to conduct the sale of the plot of land is vested in the competent authority.

Rule 30. Power of execution.—The power to execute the sale of the plot of land is vested in the competent authority.
(i) until the full price thereof has been paid,
(ii) until it has been built upon in accordance with these rules, and
(iii) [in the case of plots allotted to persons having low income] until the expiry of the period of 5 years from the date of the completion of the building or other construction thereon.

(2) If any purchaser transfers a plot in contravention of sub-rule (i) the State Government shall be entitled to re-enter thereupon within a period of three years from the date on which the fact of such transfer comes to its knowledge and upon refund of sale price thereof, to take possession of the plot and any structures standing thereon without being liable in any way and to any extent for compensation on account of such structures.

Rule 21. Fragmentation.—No fragmentation of any plot otherwise than by transfer shall be made except with the previous permission in writing of the Director.

Rule 22. Plan of construction.—The purchaser shall not erect any construction on the land sold under these rules otherwise than in accordance with the general or special plan approved by the Committee and the general regulations made by it in this behalf provided that in case of any area situated within the jurisdiction of a town municipality the plan shall also be approved by the Municipal Board.

Rule 23. Period of construction.—The vendee shall complete the building within three years from the date of execution of the deed of conveyance in accordance with the conditions, if any, prescribed by the State Government or the Committee in this behalf. This time limit may be extended for a period not exceeding 12 months by the Director, if he is satisfied that the failure to complete the building within the said period was due to reasons beyond the control of the vendee. Beyond that, sanction of the State Government shall be required on an application for extension of time. If the vendee either does not secure permission from the State Government or the Government does not agree to give extension, it will be open to the Government to take possession of the plot without payment of compensation.

Rule 24. Prohibition of obnoxious industry.—No obnoxious industry shall be carried on, in or on any plot or any building erected on a plot except with the previous permission in writing of the Director.

Rule 25. Forfeiture.—In case of failure by a purchaser to observe or comply with any of the foregoing rules, his deposit or the whole or a part of the price may be forfeited to the State Government, who may, have the property resold by public auction. Any deficiency of price which may result on such re-sale shall be made good and paid by the defaulting purchaser.

[Rule 25-A. Government's power to enforce compliance and conditions.—The Government shall have full rights, power and authority at all times to do all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms and conditions and to recover from the vendee as first charge upon the said land and the buildings thereon, the cost of doing all or any such acts or things and all costs incurred in connection with or in any way relating thereto.

Rule 26. Saving.—Nothing contained in these rules shall, at any time, in any manner, limit the powers of the Government to dispose of any land in any manner it deems fit.

Rule 27. Printed copies of rules and agreement.—Printed copies of these rules, and the form of deed of conveyance will be available for sale in the office of the Director or the Secretary Committee on payment of such price as may be fixed by the Committee.

ANNEXURE I
(See Rule 1(3))
List of Mandies

<table>
<thead>
<tr>
<th>Class</th>
<th>Mandies</th>
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</thead>
<tbody>
<tr>
<td>Class I</td>
<td>Hanumangarh Junction</td>
</tr>
<tr>
<td>Class II</td>
<td>1. Bhadra</td>
</tr>
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<td></td>
<td>2. Nohar</td>
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<tr>
<td></td>
<td>4. Sangaria</td>
</tr>
<tr>
<td>Class III</td>
<td>1. Hanumangarh Fort</td>
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<tr>
<td></td>
<td>3. Ujalwas</td>
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<td>4. Tibbi</td>
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<td>5. Manksar</td>
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<td>6. Dholpal</td>
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<td></td>
<td>7. Banwali</td>
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</tbody>
</table>

ANNEXURE II
(See Rule 5)
Form of notice of sale by public auction of building sites at Mandi ......... in the Bhakra Canal area of Ganganagar

Notice

[Notice is hereby given to the general public that lease-hold rights in ......... land, which land is the property of the State Government], shall be sold by public auction at ......... on the conditions contained in the Raj. Land Revenue (Sale of Land in Mandies) Rules, 1957.

The auction will be held by an Officer appointed by the Director Colisation and commence at ......... a.m. on the .........

Annexure VI

Law of Land Revenue in Rajasthan

Plains—Plants showing full dates of the property to be sold will be open
for inspection on any working day from 10 A.M. to 4 P.M. at the office of the
Revenue Officer, Colaba, and the proceedings can also be obtained and the plans
etc., can be obtained on each payment as is fixed by the same Director.

Director

Colaba

ANNEXURE III

Particulars of plots sold

(See Rule 12(5))

Memorandum of other plots

(See Rule 14(5))

Province of Rajasthan

1. Son of... Caste... District... Tehsil... Village... Panchayat...

2. Rupes... Land Revenue (Sale of Land and Aliens) Rules, 1957, at the price of... Rupes... and have paid the Director the sum of... Rupes... in accordance with the sale of the said rules of the Committee and hereby accept the said... Rupes... in consideration of the said land and the other said plots.

3. In witness whereof, I have appended my hand this... day of... 19...

(Signature of Purchaser)

Purchased money Rs.... Deposited Rs.... Balance Rs....

ANNEXURE IV

[See Rule 14]

Deed of Sale of Lease Hold Rights of Land in Mandi

Plot No. by the Governor of Rajasthan (hereinafter called the

Government in the purchase).

The premises sold, hereinafter described, are owned by the Government

full proprietary rights and has been sold to the purchaser at a public auction

allotment under the Rajasthan Land Revenue (Sale and Allotment of Land in

Mandi) Rules, 1957 subject to the conditions contained herein and in this grant

and premium of the purchaser now hereinafter sold and paid to the government.

In consideration of the said vendor, the said rights and interests in the said land,

the price of Rs. 25,000/-. the said vendor has paid the said sum of Rs. 25,000/-. paid by the purchaser at the auction held on 1st day of January, 1957.

No further deposit has been paid by the purchaser and the said land is hereby

leased to the purchaser for the purpose of the said lease at the rate of Rs. 25,000/-. and the said vendor hereby agree that the said land shall be held subject to the conditions contained herein.
6. That the purchaser shall not use the said land or the construction thereon for any purpose other than for which the said land is hereby granted that is for any purpose other than of.Of, or permit the same to be used;
7. That the purchaser may mortgage the plot of land for obtaining loan from Life Insurance Corporation of India or any Scheduled Bank for construction of any building thereon;
8. That the Government may, by its Officers and servants at all reasonable times and in a reasonable manner after notice in writing enter into and upon any part of the said land or building erected thereon for the purpose of ascertaining that the purchaser has duly performed and observed the covenants under these presents;
9. That the Government shall have full rights, powers and authority at all times to do all acts and things which may be necessary and or expedient for the purpose of enforcing compliance with all or any of the terms and conditions and to recover from the purchaser as first charge upon the said land and the building thereon the cost of doing all or any such acts and things and all cost incurred in connection therewith or in any way relating thereto;
10. That it shall be lawful for the Government to impose on the purchaser after due notice and after hearing him if he so desires to be heard, a penalty which may extend up to Rs. 500/- for any breach of non-observance by the purchaser of the rules or of the covenants herein contained and on his part to be performed and fulfilled and, in case any such breach or non-observance continues after the date on which such penalty is imposed, an additional penalty for any such continuous breach or non-observance, and the amount of such penalty or additional penalty shall be recoverable as an arrear of land revenue;
11. That in the event of continued breach of non-observance the purchaser of any of the rules or of the covenants herein contained and on his part to be performed and fulfilled, it shall be lawful for the Government, notwithstanding the waiver of any previous cases for such re-entry, to enter into upon the said land and the buildings thereon or on any part thereof to repossess and retain the same and to enjoy or dispose of it in such manner as the Government may think fit and the purchaser shall not be entitled to a refund of the purchase money or price or any part thereof or to any compensation whatsoever on account of such re-entry, repossession and retention of such enjoyment or disposal;
12. That in the event of any dispute or difference at any time arising between the Government and the purchaser as to the true intent and meaning of these presents and of each and every provision thereof, the property and rights hereby reserved, or any of them or in any manner incidental or relating thereto, the said dispute or difference shall be referred to the Secretary of the Government in Revenue Department, whose decision thereon shall be final and binding on the parties hereto;
13. That if and so long as the purchaser shall fully perform and comply with each and all of the terms and conditions herein made and provided, but not otherwise, the Government will secure to the purchaser full and peaceful enjoyment of the rights and privileges herein and hereby conveyed and assured.

In Witness Whereof the parties hereto have hereunto respectively subscribed the names in the manner at the places and on the dates hereinafter in each case specified.
Law of Land Revenue in Rajasthan [Annexure VI

20]

Sir,

I .................. S/o .................. Caste .................. resident of ..................
Tehsil .................. District .................. occupation .................. hereby apply for
allotment of one plot No .................. situated in Mandi Town out of the plot
reserved for allotment to persons of low income and I give below the required
information—

(1) that I am a person having low income within the meaning of Rule
2(d) of the Rajasthan Land Revenue (Sale and Allotment of Land
in Mandies) Rules, 1957 my present income being Rs.
 .................. ;

(2) that I do not hold a plot of land for residential purpose elsewhere,
nor did I hold any such plot on the commencement of the aforesaid
Rules and have not transferred it after such commencement;

(3) that my present place of residence is .................. where I live and
earn my livelihood;

(4) that I have not got a residential plot or house kuchcha or pucca,
anywhere else;

(5) that I live separately from my father or brother or that I live jointly
with my father or brother;

(6) that I have no share in any joint or ancestral house, or that I have
a share in the joint ancestral house but I am entitled to a plot for
the following special reasons.

2. I, therefore, request that the plot applied for may kindly be allotted to
me, and I hereby undertake to abide by the provisions of the Rajasthan Land
Revenue Act, 1956 (Rajasthan Act 15 of 1956) and of the Rajasthan Land
Revenue (Sale and Allotment of Land in Mandies) Rules, 1957.

3. The affidavit required by Rule 13-B of the rules is attached duly
attested.

Yours faithfully,
Signature

*Strike out whichever is inapplicable*