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Rajasthan Land Revenue (Partition) Rules, 1957

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¹Rajasthan Land Revenue
(Partition) Rules, 1957

In exercise of the powers conferred by cl. (xxv) to (xxxvii) of sub-sec. (2) of Sec. 261, read with Secs. 197, 203 and 223 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government is hereby pleased to make the following rules, namely:—

Preliminary

Rule 1. (1) These rules may be called the Rajasthan Land Revenue (Partition) Rules, 1957.

(2) They shall extend to the pre-reorganisation State of Rajasthan excluding the sub-division of Sironj.

(3) They shall come into force on the date of their publication in the Rajasthan Gazette.

Rule 2. In these rules unless the subject or context otherwise requires, "the Act" means the Rajasthan Land Revenue Act, 1956 (Raj. Act No. 15 of 1956).

**Rules to give effect to the provisions of Sec. 197.
Determination of principles and conditions of valuation.**

Rule 3. In making a partition, the Collector shall, subject to the provisions of Secs. 209 and 210 of the Act, first allot to the applicant such lands (if any) as are held by him as his Sir, Khudkasht or Hawala within the meaning of cl. (23) of Sec. 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), or in severalty and then so much of the lands held in common (if any) as shall give him, as far as may be, a portion of the estate proportionate in value to his share therein, unless there is any recognised village custom to the contrary or the parties agree, otherwise.

Rule 4. (1) In making an estimate of the value, the Collector shall bear in mind that the object of valuation is not to arrive at the Sale value of the land, but to make a just estimate of the value of plots relatively to one another.

(2) If the village is a settled village the assessment statement of the village and of the estate to be partitioned shall be studied and the valuation shall as far as possible, be based in the general principles followed in calculating the assets at settlement. When the settlement is fairly recent and conditions have not changed, the settlement rent-rates may be adopted as the basis of valuation with modifications for such minor changes as may have occurred, such as in tenant is rights.

(3) If there have been important changes since settlement, such as introduction of canal irrigation, the settlement soil classification may be revised and new rates worked out.

The parties may, however, be asked to suggest their own soil classification and rates on the basis of the principle crops grown in each field.

1. Pub. in Raj. Govt. Gaz., Part 4(ga), dated 1-6-1957.

