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Rajasthan Land Revenue (Allotment
of Tube-Well Land) Rules, 1968

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¹Rajasthan Land Revenue (Allotment of Tube-Well Land) Rules, 1968

In exercise of the powers conferred by clause (XVIII) of sub-section (2) of Section 261 read with clause (b) of sub-section (1) of Section 260 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956), the State Government hereby makes the following rules, namely—

Rule 1. Short title extent and commencement.—(1) These rules may be called the Rajasthan ²[Land Revenue] (Allotment of Tube-well Land) Rules, 1968.

(2) They shall extend to the districts of Jaisalmer, Barmer ³[and Bikaner].

(3) They shall come into force at once.

Rule 2. Interpretation.—In these rules, unless there is anything repugnant in the subject or context—

- (i) "Collector" means the Collector of the District in which the tube-well land situate,
- (ii) "tube-well land" means any Government land which is declared by the Collector under Rule 3 of these rules to be Tube-well land,
- (iii) Words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955) or in the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956).

Rule 3. Declaration of Tube Well Land.—The Collector may, from time to time, declare by notification in the Official Gazette, any land, specifying its location, Khasra Number, area and other particulars, to be a tube well land and upon such a declaration, it shall be reserved and be available for allotment by auction under these rules.

Rule 4. Allotment.—All allotments under these rules shall be of tenancy rights and the allotment shall be made by public auction.

Rule 5. Issue of Notice of Allotment of auction.—(1) Whenever, it is proposed to allot any tube-well and the tube-well land, the Collector shall issue a notice of the auction.

(2) The notice shall specify the date and time of auction and shall contain the necessary particulars of the tube well and tube well land to be auctioned and also the terms and conditions of auction. Full details of the tube well and the tube well land can also be obtained by any person from the office of the Collector.

(3) Copies of the notice shall be affixed on the notice boards of the offices of Collector, Tehsildar and Gram Panchayat concerned and also affixed at or near the tube-well land at a convenient place or at some other conspicuous public place in the locality. The notice shall further be published in such news papers as the Collector may decide.

1. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga), dated 27-5-1968
2. Inserted vide Noti. No. F. 6(9) Rev./B/67, dated 2-6-1970, Pub. in Raj. Govt. Gaz., Part 4(ga), dated 16-7-1970.
3. Added vide Noti. No. F. 6(52) Rev./69, dated 21-6-1970, Pub. in Raj. Govt. Gaz., Part 4(ga), dated 6-8-1970.

Rule 6. Officer conducting the auction.—Public auction for allotment of the tube-well and the tube-well land under these rules shall be held by the Collector or by a Gazetted Officer appointed by him, for the purpose.

Rule 7. Reserve price.—The Government shall fix the reserve price of the tube-well and the tube-well land. Such reserve price shall be fixed keeping in view the approximate cost of the land under the command of such tube-well, the cost of construction of the tube-well, its appurtenances and buildings but not the amount of interest on investment made by the Government.

Rule 8. Conditions of auction.—The following shall be the conditions of auction under these rules—

- (1) Tube-well land and the tube-well shall be put up for auction in one lot or in several lots and the Collector shall be competent to withdraw any lot or lots from auction without assigning any reason,
- (2) The auction price shall be the reserve Price fixed by the Government under Rule 7 of the price offered at the auction, whichever is higher,
- (3) No person shall be allowed to bid unless he—
 - (a) deposits an earnest money amounting to 5% of the total reserve price of each tube-well and the tube well land in cash. The earnest money shall be refunded on the spot to the un-successful bidders at the conclusion of the auction,
 - (b) signs an undertaking that the tube-well land and the tube-well shall be used for the purposes of agriculture only,
- (4) No person shall at any auction, retract from his bid and if any dispute arises, the tube-well land and the tube-well shall be put up to auction again at the last undisputed bid,
- (5) The highest acceptable offer shall be communicated to the Collector and the sale shall not be complete unless the offer is accepted by the Collector and the same is not rejected by the State Government under sub-rule (6),
- (6) The State Government reserves the right to reject any offer within a period of one month from the date of acceptance of such offer by the Collector or to withdraw any tube-well land or tube well from auction at any time before the acceptance of the offer without assigning any reason,
- (7) A sum equivalent to 25% of the auction price shall be deposited in cash by the bidder immediately at the conclusion of the bid, the other 25% of the purchase price shall be paid at the time of delivery of possession of the tube-well land and the tube-well and the balance shall be paid or deposited in cash or be paid by demand draft on a Scheduled Bank having its branch in Rajasthan within one year from the date of the communication to him of the allotment by the Collector. If the payment is not made in this manner, interest @ 9% per annum will be chargeable on such amount as remains unpaid and in addition, the State Government shall have the power to forfeit the amount received upto that time and to resume the tube-well and the tube-well land without payment of any compensation,

- (8) Should any highest acceptable bidder fail to deposit 25% of the purchase price immediately at the conclusion of the bid, the amount of earnest money deposited by him under sub-rule (3)(a) shall be forfeited to the State Government and the tube-well land will be re-auctioned and any deficiency of price which result on such re-auction shall be recoverable from the defaulting bidder.

Rule 9. Obligation to cultivate.—(1) The allottees shall be under an obligation to bring two-third of the land under cultivation within 2 years of the allotment and the remaining one-third of the land may be utilised by him for any other purpose connected with agriculture.

(2) If it is discovered at any time that the allottee has failed to cultivate the tube-well and as provided for in sub-rule (1) or that he has used the tube-well or tube-well land for any non-agricultural purposes, the tube-well land and the tube-well allotted shall be resumed by the Collector without payment of any compensation.

Rule 10. Conferment of Khatedari Rights.—The bidder whose offer has been accepted and who has been allotted tube-well and tube-well land under these rules will hold the same as Gair Khatedar tenant subject to the ultimate conferment of Khatedari rights on the expiry of 2 years provided that the full price stands paid by him and he has complied with all the conditions and obligations imposed on him by these rules.

Rule 11. Payment of Rent.—The allottee shall be liable to the payment of such rent as may be fixed, in respect of the tube-well land allotted to him, under any law on the subject for the time being in force.

Rule 12. Repeal.—The Rajasthan Land Revenue (Allotment of Tube-well Land) Rules, 1966 are hereby repealed.

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