

30

**Rajasthan Land Revenue (Qualifications and Conditions of
Service of Chairman & Members of the Board) Rules, 1971**

CONTENTS

Rule No.	Particulars	Page No.
Chapter I		
1.	Short title and commencement	270
2.	Definitions	270
3.	Qualifications for appointment as Chairman	270
4.	Qualifications for appointment as member	270
5.	Appointment of Chairman and member from the Indian Administrative Service	271
5-A.	[Deleted]	271
5-B.	Appointment of members from super time scale of Rajasthan Administrative Service	271
6.	Appointment of member from the Rajasthan Higher Judicial Service and Advocates	271
7.	Conditions of Service of Chairman and members appointed from the Indian Administrative Service	272
7-A.	Conditions of Appointment of members from the Rajasthan Administrative Service	272
8.	Conditions of Service of member appointed from the Rajasthan Higher Judicial Service	272
9.	Conditions of service of member appointed from the Advocates	272
10.	Order of Precedence	272
11.	Temporary vacancy of Chairman	272
11-A.	Temporary vacancy of Members	272
[Chapter I-A (Rule 11-B to 11-H) Deleted]		
Chapter II		
[Conditions of service of members appointed from the Rajasthan Higher Judicial Service, Rajasthan Administrative Service and Advocates]		
12.	Oath	273
13.	Pay	273
14.	Term of office	273
15.	Leave	274
16.	Pension	274
17.	Travelling Allowance Rules, Medical Attendance Rules and other Conditions of Service	275
18.	Restrictions on practice after being a member	275
19.	Interpretation	275

30

¹Rajasthan Land Revenue (Qualifications and Conditions of Service of Chairman & Members of the Board) Rules, 1971

In exercise of the powers conferred by sub-section (4) of Section 4, read with clause (i) of sub-section (2) of Section 261, of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the State Government hereby makes the following rules prescribing the qualifications of persons for appointment as, and conditions of service of Chairman and Members of the Board of Revenue for Rajasthan, namely—

CHAPTER I

Rule 1. Short title and commencement.—(1) These rules may be called the Rajasthan Land Revenue (Qualifications and Conditions of Service of Chairman and Members of the Board) Rules, 1971.

(2) They shall come into force at once.

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

- (a) "Act" means the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956);
- (b) "Board" means the Board of Revenue for Rajasthan established under sub-section (1) of Section 4 of the Act;
- (c) "Chairman" means the Chairman of the Board;
- (d) "Government", "Governor" and "State" respectively means the Government, the Governor and the State of Rajasthan; and
- (e) "Member" means a member of the Board.

Rule 3. Qualifications for appointment as Chairman.—A person shall not be qualified for appointment as Chairman of the Board unless he is a member of the Indian Administrative Service borne on the Rajasthan cadre and has served in Rajasthan for at least twelve years.

Rule 4. Qualifications for appointment as member.—A person shall not be qualified for appointment as a member of the Board unless he is —

- (a) a member of the Indian Administrative Service borne on the Rajasthan Cadre and has served for at least twelve years in Rajasthan; ²[X X X] or ³(aa) [xxx]

1. Published vide GSR 21. Dated 5-5-1971, Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 6-5-1971.

2. Deleted vide GSR 265(3) Dated 26-12-1974, Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 2-1-1975.

3. Inserted vide GSR 40, dated 8-6-1994. Pub. in Raj. Gaz., Exty., Part 4(ga)(I), dated 14-6-1994, and Deleted vide F.6(48) Rev.-6/01 Part 22 dated 12-8-2003. Pub. in Raj. Gaz., IV(c) dated 30-9-2003 which was as follows—

(aa) a member of the Indian Administrative Service in the selection grade borne on the Rajasthan Cadre and has completed at least 2 years in selection grade at the time of consideration by the committee referred to in sub-rule (2) of Rule 6;

Provided that the Government shall have the right to relax the period of two years in selection grade in Indian Administrative Service if suitable candidates are not available, or;

- (b) a member of the Rajasthan Higher Judicial Service and is qualified for appointment as a Judge of a High Court; or
- ¹[(c) an advocate qualified for appointment as a Judge of the High Court and have completed 50 years of age on 1st January of the year in which appointment is made.]
- ²[(d) a member from super time scale of the Rajasthan Administrative Service and have completed 54 years of age and 20 years of service in Rajasthan Administrative Service.]

Rule 5. Appointment of Chairman and member from the Indian Administrative Service.—The Chairman and the members of the Board from the Indian Administrative Service ³[xxx] shall be appointed by the Government in accordance with the rules applicable to the members of the service from amongst Officers fulfilling the qualifications prescribed in Rule 3 and clause (a) of Rule 4.

³[Rule 5A. Deleted]

²[Rule 5-B. Appointment of members from super time scale of Rajasthan Administrative Service.—The Board shall have ³[four members] fulfilling the qualifications prescribed in clause (d) of Rule 4 who shall be appointed by the Government on the recommendations of a committee consisting of the following—

- | | |
|--|------------------|
| (a) Chief Secretary to the Government | Chairman |
| (b) Chairman, Board of Revenue | Member |
| (c) Secretary to the Government in Department of Personnel | Member |
| (d) Secretary to the Government in Revenue Department | Member—Secretary |

Rule 6. Appointment of member from the Rajasthan Higher Judicial Service and Advocates.—(1) The Board shall have ⁴[eleven] members fulfilling the qualifications prescribed in clause (b) or (c) of Rule 4, of whom at least ⁵[two] shall be from the Rajasthan Higher Judicial Service.

(2) The ⁴[eleven] members referred to in sub-rule (1) above shall be appointed by the Government on the recommendations of a Committee consisting of—

- (a) the Chief Justice of the High Court of Judicature of Rajasthan;
- (b) the Chairman of the Rajasthan Public Service Commission;
- (c) the Chief Secretary to the Government; and
- (d) the Chairman of the Board;
- ⁶[(e) Secretary to the Government in Revenue Department.]

1. Substituted vide Noti. No. F.6(48) Rev.6/2001/54 dated 22-9-2001. Pub. in Raj. Govt. Gaz., Exty., Pt. 4(ga) (i) dated 27-9-2001.

2. Inserted vide Noti. No. F.6(48) Rev.6/2001/54 dated 22-9-2001. Pub. in Raj. Govt. Gaz., Exty., Pt. 4(ga)(i) dated 27-9-2001.

3. Deleted & Substituted vide F.6(48) Rev.-6/01 Pt. 22 dated 12-9-2003. Pub. in Raj. Govt. Gaz., Part IV(c) dated 30-9-2003.

4. Substituted vide Noti. No. F. 6(48) Rev. VI/01/Part 5 dated 25-4-2011, Pub. in Raj. Govt. Gaz., Exty., Part IVC, dated 5-5-2011.

5. Substituted vide GSR 168 dated 2-1-1984, Pub. in Raj. Gaz. Part IVC(I) dated 19-1-1984.

6. Substituted vide No. F. 6(6) Rev./Gr. 4/74, dated 26-12-1974. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 2-1-1975.

(3) The Chief Justice shall be the Chairman of the Committee and shall preside over its meetings.

(4) The Secretary to the Government in the Revenue Department shall be the Secretary of the Committee.

(5) In making selection from amongst the Advocates fulfilling the qualifications prescribed in Clause (c) of Rule 4, the Committee shall have regard to the candidate's —

- (a) knowledge of revenue laws and revenue Administration of the State; and
- (b) experience in conducting revenue cases before judicial and revenue Courts of the State;
- (c) the method of selection of a member under this rule for making recommendation to the Government shall be determined by the Committee.

Rule 7. Conditions of Service of Chairman and members appointed from the Indian Administrative Service.—The terms and conditions of service of the Chairman and members of the Board appointed from the Indian Administrative Service shall be regulated by the rules applicable to the members of that service.

¹[**Rule 7-A.** Except as hereinafter provided in these rules, the terms and conditions of the members appointed from the Rajasthan Administrative Service shall be regulated by the rules applicable to the members of that service.]

Rule 8. Conditions of Service of member appointed from the Rajasthan Higher Judicial Service.—Except as hereinafter provided in the rules, the terms and conditions of service of members appointed from the Rajasthan Higher Judicial Service, shall be regulated by the rules applicable to the members of that service.

Rule 9. Conditions of service of member appointed from the Advocates.—The term and conditions of a member appointed from amongst the persons fulfilling the qualifications prescribed in clause (c) of Rule 4 shall be as specified in Chapter II of the rules.

Rule 10. Order of Precedence.—(1) The Chairman shall have rank and precedence over the other members of the Board.

(2) The other members of the Board shall have rank and precedence amongst themselves according to the date of their appointment as member of the Board or to post carrying equivalent pay scales.

Rule 11. Temporary vacancy of Chairman.—If the office of the Chairman becomes vacant or if the Chairman is by reason of absence or for any other reason unable to perform the duties of his office, those duties shall until some person appointed under Rule 3 to the vacant office has entered on the duties thereof or as the case may be, until the Chairman has resumed his duties, be performed by the senior most I.A.S. member.

²[**Rule 11-A. Temporary vacancy of Members.**—Notwithstanding anything contained in Rule 6, temporary vacancy of a member required to be filled under

1. Inserted vide Noti. No. F. 6(48) Rev. 6/2001/54 dated 22-9-2001. Pub. in Raj. Govt. Gaz., Exty., Pt. 4(ga) (I) dated 27-9-2001.
2. Inserted vide No. F. 6(121) Rev./Gr. 4/74, dated 30-10-1975. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 31-10-1975.

that rule may be filled by the Government by appointment of member of the Indian Administrative Service fulfilling the qualifications prescribed in clause (a) of Rule 4.]

¹[Chapter I-A (Rule 11-B to 11-H) Deleted]

CHAPTER II

²[Conditions of service of members appointed from the Rajasthan Higher Judicial Service, Rajasthan Administrative Service and Advocates]

Rule 12. Oath.—Every person appointed as member of the Board shall be required to take an oath or make a solemn affirmation that he will bear true facts and allegiance to the Constitution of India as by law established and that he will uphold the sovereignty and integrity of India and that he will duly and faithfully discharge, the duties of his office except in the case of an Officer appointed from the Indian Administrative Service or the Rajasthan Higher Judicial Service ³[(or the Rajasthan Administrative Service)] who has already taken such an oath or made such an affirmation.

Rule 13. Pay.—(1) The pay of a member of the Board, appointed under ²[(Rule 5-B and Rule 6)] shall be fixed at the minimum of the pay scale admissible to a member appointed from the Indian Administrative Service; if however, he was already drawing a pay equivalent to or higher than the minimum of that pay scale prior to his appointment as a member of the Board, than his pay shall be fixed at the next higher stage.

²[(2) The dearness allowance admissible to a member appointed from the Rajasthan Higher Judicial Service, Rajasthan Administrative Service and from Advocates shall be the same as is admissible to a member appointed from the Indian Administrative Service.

Rule 14. Term of office.—⁴[(1) ²[(a) The term of office of member of the Board appointed under Rule 6 from the advocates shall be for four years or 60 years of age whichever is earlier:

Provided that on satisfactory service this term of office may be extended for another two years or 60 years of age whichever is earlier, by the committee constituted under Rule 6(2) on the recommendation of the Chairman, Board of Revenue.]

(b) A member of the Board appointed under Rule 6 from the Rajasthan Higher Judicial Service shall hold office till he continues to be a member of that service.]

³[(c) A member of the Board appointed under Rule 5-B from the Rajasthan Administrative Service shall hold office till he continues to be a member of that

1. 'Chapter 1-A' Inserted vide No. F. 6(31)Rev./Gr. VI/92/9, dated 3-6-1994. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 14-6-1994. Deleted vide F. 6(48) Rev.-6/01 Pt/22 dated 12-9-2003. Pub. in Raj. Gaz., Part IV(c) dated 30-9-2003.
2. Substituted vide Noti. No. F. 6(48) Rev. 6/2001/54 dated 22-9-2001. Pub. in Raj. Govt. Gaz., Exty. Pt. 4(ga) (i) dated 27-9-2001
3. Inserted vide Noti. No. F. 6(48) Rev. 6/2001/54 dated 22-9-2001. Pub. in Raj. Govt. Gaz., Exty. Pt. 4(ga) (i) dated 27-9-2001
4. Substituted vide No. F. 6(3) Rev./Gr. VI/92/29, dated 28-12-1992. Pub. in Raj. Govt. Gaz., Part 4(ga)(I), dated 11-3-1993.

service, subject to further extension for two years by the Government on the recommendation of the committee constituted under Rule 5-B.]

(2) A member appointed from the Rajasthan Higher Judicial Service shall, however, continue to be a member of that service and retain suspended lien therein till the date of his superannuation in that service.

(3) A member appointed from the Advocates or a member appointed from the Rajasthan Higher Judicial Service ¹(or a member appointed from Rajasthan Administrative Service) after he has attained the age of superannuation in that service:

- (a) may, by writing under his hand address to the Governor, resign his office;
- (b) may be removed from his office by the Governor if he—
 - (i) is adjudged an insolvent;
 - (ii) engages during his term of office in any paid employment outside the duties of his office;
 - (iii) is in the opinion of the Government, unfit to continue in office by reason of infirmity of mind or body; or
 - (iv) is in the opinion of the Governor, guilty of misbehaviour.

Rule 15. Leave.—A member appointed from the advocates or a member appointed from the Rajasthan Higher Judicial Service after he has attained the age of superannuation in that service may be granted leave as follows—

- (a) Leave on leave salary equivalent to full pay upto one eleventh of the period spent on duty, subject to a maximum of four months at any one time;
- (b) Leave on medical certificate or leave salary equivalent to half pay, subject to a maximum of three months at any one time;
- (c) Extraordinary leave without pay and allowances, subject to a maximum of three months at any one time.

Rule 16. Pension.—(1) Subject to the provisions of these rules, pension shall be payable to a member appointed from the advocates if he has completed not less than three years of service qualifying for pension.

(2) No pension shall be payable to such member on his removal from office, but in case he has completed three years of service and resigns from his office/ and such/resignation is accepted by the Governor, the pension admissible under these rules, shall be payable to him:

Provided that in the case of member who is in receipt of a pension or benefit of contributory provident fund from any State Government or Government of India, the amount of such pension, including pension equivalent of death-cum-retirement gratuity and pension equivalent of the Government contribution to the provident fund, shall be deducted from the pension payable to him.

(3) Pension under these rules shall be payable to such member for life as follows—

¹ Substituted vide Noti. No. F. 6(48) Rev. 6/2001/54 dt 22-9-2001. Pub. in Raj. Govt. Gaz. Exty. Pt. 4(ga) (i) dated 27-9-2001.

- (a) if he has completed six years of service, ¹[Rs. 6000/-] per annum;
- (b) if he has completed three years, four years or five years of service 3/6th, 4/6th, 5/6th respectively of the full pension which would be payable to him in accordance with clause (a) above.

Explanation. —“Service qualifying for pension” includes —

- (i) actual service;
- (ii) each period of leave on leave salary equivalent to full pay;
- (iii) each period of leave on medical certificate on leave salary equivalent to half pay subject to the total of such periods of leave not exceeding 20 days per year of completed service.

Rule 17. Travelling Allowance Rules, Medical Attendance Rules and other Conditions of Service.—A member appointed from the advocates or a member appointed from the Rajasthan Higher Judicial Service after he has attained the age of superannuation shall be entitled to the benefits and shall be subject to the conditions of service prescribed by the following rules as amended from time to time—

- (1) Rajasthan Higher Judicial Service Rules;
- (2) Rajasthan Service Rules, 1951 (Vol. 1 Part A & Part B and Vol. II);
- (3) Rajasthan Travelling Allowance Rules;
- (4) Rules for grant of House Rent Allowance to Government Servants;
- (5) Rules for grant of the Compensatory (City) Allowance to Government Servants;
- (6) Rajasthan Civil Services (Medical Attendance) Rules, 1970;
- (7) Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958;
- (8) Rajasthan Civil Services (Determination and Recovery of Rent of Residential Accommodation) Rules, 1958;
- (9) Rajasthan Civil Services (Allotment of Residential Accommodation) Rules;
- (10) Rajasthan Civil Services (Safeguarding of National Security) Rules, 1954;
- (11) Any other rules prescribing general conditions of service made by the Government under Article 309 of the Constitution of India and for the time being in force.

Rule 18. Restrictions on practice after being a member.—No person who has held office as a member of the Board shall plead or act in the Board or any Revenue Court subordinate thereto.

Rule 19. Interpretation.—If any question arises regarding interpretation of the above rules, the decision of the Governor thereon shall be final.



¹ Substituted vide GSR 77, dated 22-11-1997. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(i), dated 22-11-1997.