

Rajasthan Land Revenue (Allotment, Conversion and Regularisation of Agricultural Land for Residential or Commercial Purposes in Urban Areas) Rules, 1978

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1 Rajasthan Land Revenue (Allotment, Conversion and Regularisation of Agricultural Land for Residential or Commercial Purposes in Urban Areas) Rules, 1978

[Rules repealed by Noti. No. F6(87) Rev./Gr.IV/61/55 GSR 94 dated 26-11-1981]

In exercise of the powers conferred by clause (xi-A) of sub-section (2) of Section 261, read with Sections 90-A, 102 and clause (a) of sub-section (1) of Section 260 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) and all other powers enabling it in this behalf, the State Government hereby makes the following rules for allotment, conversion and regularisation of Agricultural Land for Residential or Commercial Purposes in Urban Areas, namely—

Rule 1. Short title, extent and commencement.—(1) These rules may be called the Rajasthan Land Revenue (Allotment, Conversion and Regularisation of Agricultural Land for Residential or Commercial Purposes in Urban Areas) Rules, 1978.

(2) They shall subject to the proviso (a) to sub-section (1) of Section 66 of the Rajasthan Tenancy Act, 1955, extend to all places throughout the State which fall within any municipal area and their periphery villages.

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

Rule 2. Definitions.—(1) In these rules, unless the context otherwise requires—

- (a) 'Act' means the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956);
- (b) "Commercial Purpose" means use of any premises for any trade or business and shall, include the use thereof partly for residential and partly for commercial purpose and shall also include use of any such premises for shops restaurants, banks and godowns but shall not include use thereof for offices of the Government, Corporations and shall also not include use thereof for cinemas, hotels and petrol pumps as defined in the Rajasthan Land Revenue (Allotment, Conversion and Regularisation of Agricultural Land for Cinemas, Hotels and for Establishment of Petrol Pumps) Rules, 1978.
- (c) 'Form' means a form appended to these rules;
- (d) 'Government' and 'State' respectively means the Government and the State of Rajasthan;
- (e) 'Low income person' shall mean persons having a total income of Rs. 200/- per month or less;

1. Noti. No. F. 6163) Rev./Gr. IV/75 G.S.R. 48, dated 21-10-1978. Pub. in Raj. Govt. Gaz. Exty., Part 4(ga)(II) dated 21-10-1978.

- (f) 'Municipal Area' means any local area for which a Municipal Council or a Municipal Board is constituted under the Rajasthan Municipalities Act., 1959 (Rajasthan Act 38 of 1959) or in respect of which a civil survey or preparation of Master Plan is ordered or an Urban Improvement Trust is constituted under the Rajasthan Urban Improvement Trust Act, 1959 (Rajasthan Act 35 of 1959) and shall include a cantonment or a notified area; and
- (g) 'Periphery village' means village situated within a distance of half a mile of the boundary of a municipal area.

(2) Words and expressions, not defined in these rules, but defined in the Act shall, wherever used in these rules, be construed to have the meanings assigned to them in the Act.

Rule 3. Non-agricultural purposes for which land may be permitted to be used.—(1) Subject to other provisions of these rules, agricultural land may be permitted to be used for:

- (a) construction of a residential house, or
- (b) for any commercial purpose.

(2) No land shall be converted for any non-agricultural purpose referred to in sub-rule (1) unless necessary permission from the Collector has been obtained and lease deed under Rule 15 has been executed.

(3) If any agricultural land (including Government unoccupied agricultural land) has already been used for residential or commercial purposes before the commencement of the rules without permission of the State Government in accordance with provisions of sub-section (3) of Section 90-A of the Act, such use may on an application be regularised by the Collector by charging the price of land and premium provided in Rule 10:

Provided that the Collector may also suo-motu or on the report of the Sub-Divisional Officer/Tehsildar concerned take action in this regard as provided in the Act or rules.

Rule 4. Restrictions for permission of the use of agricultural land for non-agricultural purposes.—Permission for the use of the land for residential and commercial purpose shall be accorded subject to the following conditions—

No such permission shall be accorded—

- (a) If the land in question is situated outside the area earmarked for residential or commercial purposes according to the Master Plan of the Municipal Town.
- (b) If the land in question is situated within a radius of 5 kilometers of Bhakra and Rajasthan Canal Mandi unless prior consent of the Mandi Development Committee has been obtained.
- (c) If the applicant has got any other house or house site with him within the limits of Municipal Towns for this purpose, the applicant shall submit an affidavit to this effect alongwith his application.
- (d) For an area of the land which exceeds the limits of area to be allotted to an individual including the member of a co-operative society as prescribed by the Urban Improvement Trust.

