

THE RAJASTHAN CASH JAGIRS ABOLITION ACT, 1958

(Act No. 29 of 1958)

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THE RAJASTHAN CASH JAGIRS ABOLITION ACT, /958

(Act No. 29 of 1958)

[Received the assent of the President on the 13th day of July, 1958.]

An Act to provide for the abolition of certain classes of cash jagirs in the State of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Ninth Year of the Republic of India as follows:-

1. Short title and extent. (1) This Act may be called the , Rajasthan Cash Jagirs Abolition Act, 1958. (2) It extends to the whole of the State of Rajasthan.

2. Definitions.-In this Act, unless the subject or context otherwise requires,-

(a) "Cash jagir to which this Act applies" means any grant of money by way of jagir or otherwise, made or recognised to have been made by the Government in any part of the State or by the Ruler of a i covenanting State without any consideration or in lieu of jagir resumed or abolished otherwise than under the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act VI of 1952) or under the Ajmer Abolition of Intermediaries and Land Reforms Act,

1955 (Ajmer Act III of 1955) or under the Madhya Bharat Zamindari Abolition Act, Samvat 2008 (Madhya Bharat Act 13 of 1951) or under the Madhya Bharat Abolition of Jagirs Act, Samvat 2008 (Madhya Bharat Act 28 of 1951) or under the Bombay Merged Territories and Areas (Jagirs Abolition) Act, 1953 (Bombay Act) (XXIX of 1954), and includes such grants made and enjoyed under any of the denominations or appellations specified in the First Schedule; and

COMMENTARY

Scope.-The definition of 'cash jagir' is very comprehensive and seems to include cash allowances of the type granted under Tonk State Khandan Rules, 1944. *Abdulkarim Khan u. State of Rajasthan*, **1961 RLW 386=ILR (1961) 11 RAJ 596**.

(b) "State" or "State of Rajasthan" means the new State of Rajasthan as formed by section 10 of the States Re-organisation Act, 1956 (Central Act 37 of 1956).

3. Abolition of cash jagirs.-(1) Notwithstanding any-thing to the contrary contained in any law, sanad, order, custom or usage in force in any part of the State, all payments of money on account of cash jagirs, to which this Act applies, that were being made or enforced at the commencement of this Act, shall be discontinued on and from the 1st day of April, 1958 and all such cash jagirs shall stand abolished as from that day.

(2) Notwithstanding such discontinuance and abolition the State Government shall continue to make payments by way of compensation in accordance with the scale laid down, in the Second Schedule, and the provisions of the Rajasthan Pensions Act, 1958, shall apply to such payments.

4. Release from liability for service.-Where any cash jagir to which this Act applies is or has been subject to the rendering of any service, the liability of the holder for rendering such service shall cease and determine as from the 1st day of April, 1958.

5. Power to make rules.-The State Government may, from time to time, make rules for carrying out the purposes of this Act.

6. Savings.-Nothing in this Act or in the rules made thereunder shall affect-

(1) grants of money made or recognised to have been made by the Government in any part of the State or by the Ruler of a covenanting State for charitable or religious purposes or partly for charitable and partly for religious purposes, or

(2) such other grants of money as the State Government may, from time to time, by notification in the official Gazette, declare to be exempt from the provisions of this Act,

and the provisions of the Rajasthan Pensions Act, 1958, shall apply to such exempted grants of money.

COMMENTARY

Art. 14 and Sec. 6

(1) Validity of Sec. is Severable from Act and helpful in getting exemption of petitioner. Question left open. *Rani Inder Kumar u. State of Rajasthan*, **1973 WLN 52**.

7. Power to remove difficulties.-If any difficulty arises in giving effect to the provisions of this Act or the rules made thereunder, the State Government may, as occasion may require, make such orders or give such directions as may appear to it to be necessary for the purposes of removing the difficulty.

THE FIRST SCHEDULE

[See section 2 (a)]

Denominations of grants of money

1. Jagir Naqdi.
2. Aloofa.
3. Khangi.
4. Khan-paan.
5. Rozeena.
6. Tankha.
7. Khidmat.
8. Chakrana.
9. Rusum to chowdhris and kanungo.
10. Any other class of grant of money.

THE SECOND SCHEDULE

See sub-section (2) of section 3]

Scale of compensatory payment

A person in respect of a cash jagir to which this Act applies will be paid monthly by way of compensation a sum of money equal to • the monthly rate of the cash jagir being paid to him. whether monthly or otherwise, immediately before the 1st day of April, 1958 hereinafter referred to as the said day.—

- (a) if such monthly rate does not exceed fifty rupees, for a period of fifteen years as from the said day;
- (b). if such monthly rate exceeds fifty rupees but does not exceed two hundred and fifty rupees, for a period of twelve years as from the said day; and
- (c). if such monthly rate exceeds two hundred and fifty rupees for a period of ten years as from the said day.

NOTIFICATIONS under-

Rajasthan Cash Jagir Abolition Act, 1958.

1. [No. 9156/F.2 (35) Rey. /A/60, dated July 17, 1961.]

In exercise of the powers conferred by sub-section (2) of section 6 of the Rajasthan Cash Jagir Abolition Act, 1958, (Act No. 29 of 1958), the State Government hereby Declares that the grant of money enjoyed under the denomination of 'Khangri' made or recognised to have been made by the Government in any part of the State or by the Rule of the Covenanted State to the widows in the Jagirdars' families for their life time, on the resumption or abolition of Jagir Lands. shall be exempted from the provisions of the Rajasthan Cash Jagirs Abolition Act, 1958.

(Published in Raj. Raj-patra 1 (b) dated August 10. 1961 at Page 172]

2. (No. F. 1 (31) Rev/D/Jagir/71 PLII, Dated May 22. /1976.)

S.O. 97.- In exercise of the powers conferred by clause (2) of the section 6 read with section 7 of the Rajasthan Cash Jagirs Abolition Act, 1958 (Act 29 of 1958). the State Government hereby declares the maintenance allowance payable to Rani Inder Kumari, widow of Late Maharaja Chthiara Singh of Bikaner- to be exempt from the provisions of the said Act with effect from the 1st day of April. 1970.

(Published in Raj. Gaz. Part 1V-C dt. 3-6-1976 Page 85.)

ORDERS

3. *(Notification No. F. 1 (31) Rev/D/Jagir/71 Pt. II. Dated May 22, 1976.)*

S.O. 95. -In exercise of the powers conferred by clause (2) of the section 6 read with section 7 of the Rajasthan Cash Jagirs Abolition Act, 1958 (Act 29 of 1958), the State Government hereby declares the maintenance allowance payable to Rani Chand Kanwar W/o Late Maharaja Prithvi Singh of Bikaner to be exempted from the provision of the said Act with effect from the 1st day of April 1970.

4. *Notification No. F. 1 (31) Rev/D/Jagir/71 Pt. II. Dated May 22, 1976.)*

S.O. 96.-In exercise of the powers conferred by clause (2) of the section 6 read with section 7 of the Rajasthan Cash Jagirs Abolition Act, 1958 (Act 29 of 1958). the State Government declares the maintenance allowance payable to Smt. Laxman Kumari D/o Late Maharaja Jagmal Singh resident of Bikaner to be exempted from the provisions of the said Act with effect from the 1st day of April, 1970.