

THE RAJASTHAN (ALLOTMENT OF LAND TO CO-OPERATIVE SOCIETIES) RULES, 1959

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THE RAJASTHAN (ALLOTMENT OF LAND TO CO-OPERATIVE SOCIETIES) RULES, 1959

(Section 28 of the Rajasthan Colonisation Act, 1954 read with section 261 of the Rajasthan Land Revenue Act, 1956)

[*Noti. No. F. 2 (17) Rev (B)/59 dated 20-5-1959 published in the Rajasthan Gazette Pt. IV-C, dated 16.7.1959.*]

And as amended subsequently by the following notifications:—

1. Noti. No. F. 6(48) Rev. B/60, dated 07.04.1960—Raj. Gaz., Part IV-C
2. Noti. No. F. 6(48) Rev. B/60, dated 18.04.1960—Raj. Gaz., Part IV-C, dated 25.05.1961
3. Noti. No. F. 6(48) Rev. B/60, dated 18.01.1961—Raj. Gaz., Part IV-C, dated 06.04.1961

Note.—In the footnotes appearing hereinafter, reference to amending Notifications is made by Serial No. as given to them above.

In exercise of the powers conferred by Section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956), and by section 28 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954) and of all other powers enabling it in that behalf and in modification of the existing rules for allotment of Government lands, the State Government is pleased to make the following rules, namely:—

1. Short title, extent and commencement.—(1) These rules may be called the Rajasthan (Allotment of land to Co-operative Societies) Rules, 1959.

(2) They shall extend to the whole of Rajasthan.

(3) They shall come into force at once.

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

(i) “*cooperative society*” means an agriculture cooperative society formed

and registered under the Rajasthan Cooperative Societies Act, 1953 (Rajasthan Act, IV of 1953) and consisting of not less than ten and nor more than thirty landless persons who are residents of the particular village in which the cooperative society is formed, or who undertake to reside in the village in which the land allotted to the society under these rules is situated.

- (ii) "landless person" means a bonafide agriculturist by profession who cultivates or can reasonably be expected to cultivate land personally and who does not hold any land in his own name or in the name of any member of his joint family for cultivation.
- (iii) words and expression defined in the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) or in the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) shall, wherever used in these rules, be construed to have the meanings assigned to them by the said Acts.

3. Allotment of land to cooperative Societies.—Land may, on application to the Tehsildar of the Tehsil, or in the case of land situated in a colony, to the Colonisation Officer concerned, be allotted to a cooperative society at the following scales, namely:—

- (i) if the number of members does not exceed ten One hundred and fifty acres of unirrigated land.
- (ii) if the number exceed ten but does not exceed fifteen Two hundred acres of unirrigated land.
- (iii) if the number exceeds fifteen but does not exceed twenty. two hundred and fifty acres of unirrigated land.
- (iv) if the number exceeds twenty but does not exceed twenty five. two hundred and seventy five acres of unirrigated land.
- (v) if the number exceeds twenty five but does not exceed thirty. three hundred acres of unirrigated land:

Provided that where the land to be allotted is both irrigated and unirrigated, one acre of irrigated land shall be deemed to be equivalent to three acres of unirrigated land:

Provided further that for purposes of allotment under this rule such of the members of the cooperative Society as belongs to one family shall, together be deemed to be one member.

4. Allotment to be in consultation with Advisory Committee.—All allotments to cooperative societies under these rules shall be made by the Tehsildar in consultation with an Advisory Committee consisting of—

- ¹[(i) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated;
- (ii) the Pradhan of the Panchayat Samiti in whose jurisdiction the land is situated or a nominee of such Samiti;

¹ Subs. and inserted by No. 1

- (iii) the Sarpanch of the village Panchayat in whose jurisdiction the land situated; and
- ¹[(iv) the Vikas Adhikari of the Panchayat Samiti in whose jurisdiction the land is situated.]
- (v) one Bhoodan worker nominated by the Collector;
- (vi) the Block Development Officer in the case of villages situated in a Development Block.

The allotment shall be made in a Majma-e-Am (General meeting) at the Panchayat headquarters. The date of the visit of the Tehsildar and the members of the Advisory Committee shall be notified in the village at least one week in advance. The applications of landless tenants shall be scrutinised in this meeting, at which an officer of the Co-operative Department shall also be present. After such scrutiny, the Tehsildar shall then and there handover the list of persons eligible for allotment to the officer of the Co-operative Department who will register the society then and there.

²[If there is a difference of opinion between the members of the Advisory Committee and the Tehsildar, the later shall refer the matter to the Collector for his decision.]

5. Conditions of allotment.—The allotment of land under these rules to a cooperative society shall be subject to the following conditions, namely,—

- (1) The allotment shall be on a lease for a period of twenty five years, renewable for a further period of twenty five years at the option of the cooperative Society,
- (2) The allotment shall be subject to payment of rent at the sanctioned rent rates applicable to the land and in the case of land situated in a colony, the premium and betterment levy, if any, shall have to be paid by the cooperative society; and the provisions of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954) and of the Rajasthan Colonisation (General Colony) Conditions, 1955 shall apply.
- (3) The cooperative society shall have to cultivate at least twenty five percent of the allotted land within one year of the allotment, at least fifty percent within two years of the allotment and the entire culturable area in the third year and subsequent years.
- (4) Land shall be resumed by the State Government, without payment of compensation (a) if it is not brought under cultivation strictly in accordance with sub-rule (3) or (b) if it is not properly utilised or (c) if it is sub-let or transferred in any other manner or (d) if the cooperative society fails or goes into liquidation:

Provided that the cooperative society may effect a simple mortgage of the whole or any portion of the allotted land with the Rajasthan Central Land Mortgage Bank or [District Central Co-

1. Subs. by No. 3 [6-4-1961]

2. Subs. and inserted by No. 1.

operative Bank,] a cooperative Land Mortgage Bank for the purpose of obtaining a loan therefrom.

- (5) The cooperative society shall have to pay to the State Government, the price of the wells and permanent structures, if any existing on the Land, as well as the price of trees growing on the Land at the rates prescribed for purposes of Secs. 80 and 81 of the Rajasthan Tenancy Act, 1955, (Rajasthan Act No. 3 of 1955),
- (6) The cooperative society shall not construct any permanent structures or buildings on the allotted land other than a building which comes under the definition of an improvement as defined by clause (19) of section 5 of the Tenancy Act.
- (7) No individual khatedari or Ghair khatedari rights shall accrue in the allotted land to any member of the cooperative society.

6. Allotment by Government.—Allotments on lands situated within a distance of 100 yards of a Railway fencing, allotments of lands situated within a radius of 10 miles of Jaipur City, and allotment in excess of the maximum fixed by Rule 3, shall require the sanction of the Government for which the Tehsildar shall submit his recommendation in consultation with the Advisory Committee.
