

## **BOARD OF REVENUE FOR RAJASTHAN**

**ADDRESS OF V.SRINIVAS, IAS CHAIRMAN BOARD OF REVENUE FOR RAJASTHAN TO REVENUE OFFICERS, DISTRICT COLLECTOR'S CONFERENCE HALL, AJMER, DATED SEPTEMBER 8, 2017**

**District Collector Ajmer  
All Additional District Collectors, Ajmer  
All Sub-Divisional Officers, Ajmer  
All Tehsildars of District Ajmer**

It gives me immense pleasure to address you today. Revenue Department in Rajasthan is amongst the oldest and most efficient departments given huge responsibilities for dispensing justice to the common man. The institutions of governance of Tehsils and Collectorates have existed for over a century. It should be our endeavor to continue the institution building efforts that have been undertaken. Ajmer has always been at the forefront of administration in Rajasthan as the first fully literate district in the State. Some of Rajasthan cadre's brightest and most successful civil servants have served as Collectors and Sub Divisional Officers in Ajmer.

I wish to highlight the Government's priorities for strengthening revenue administration at field level and also identify the thrust areas for the remainder of the financial year.

### **Strengthening Revenue Administration**

Government has accorded high priority to creation of Sub Divisions in all Tehsil headquarters. There has also been upgradation of several additional/ sub-tehsils to full fledged tehsils. The State Budget 2017-18 has accorded significant resources for strengthening/ modernization of SDM offices, construction of tehsil offices and for procurement of vehicles. The civil works for construction of Tehsil Rupangarh, Kekri and SDM residences at Sarwar and Pisangan were sanctioned in the previous years need to be completed on priority. Vehicle procurement may be undertaken at the earliest as sanctions have been issued to District Collectors for this purpose.

### **Transparency in Revenue Administration**

A major responsibility entrusted to revenue officers is court work. Two steps in this regard are (a) All cause lists of the Courts of District Collector and Sub Divisional Officers may be placed on the RCMS portal. All Court Judgments of Revenue Courts from Tehsildar Courts to Collector Courts may also be placed on the RCMS portal.

Sittings of the Revenue Courts must be held in timely and consistent manner. SDM courts must function from 1030 am to 1.30 pm from Monday to Wednesday. In SDM courts where high pendency is being witnessed like Kishengarh, Nasirabard, Kekri –

one day may be specifically assigned to hearing old cases. SDM's must go to court after due reading of files and judgment writing of cases where arguments have been completed must be done in a time bound manner and not delayed interminably. In new Sub-Division courts where the members of the bar are not stationed, District administration may consider conducting camp courts in nearest stations where the bar is available.

### **Issues for Follow-up Action**

Following discussions with the District Collector Ajmer, I wish to flag some issues for follow-up action:

1. **Massive pendency is being observed in writing of Jamabandis.** Almost all the 399 Jamabandis which are to be written in the current year are yet to be completed. I have noticed that several districts have almost completed Jamabandi writing for the year. This is a priority area and the District Land Records section must ensure timely updation of the records of rights.
2. **A large number of summons notices (1129) are yet to be served by Tehsil Ajmer. It is the job of Tehsils to ensure summons notices are served and returned** to the Courts issuing them. I notice that some of the summons notices have been pending for considerable periods. Priority may be accorded to ensure timely service of summons, particularly in Reference cases u/s 82 of the Rajasthan Tenancy Act where State interests are involved.

**A large number of file records are to be submitted to Board of Revenue in Revision cases.** Delays in submitting records to the Board of Revenue in revision cases often tends to delay the entire proceedings for decades causing immense hardship to the litigants. Records in all cases where Revision cases have been filed may be submitted expeditiously to the Board of Revenue.

3. **Timely replies to Questions raised in the Legislative Assembly.** There are 21 questions of MLA's raised in the Legislative assembly where replies are yet to be submitted by the District Administration to the Board of Revenue. It is imperative as part of Executive's answerability to the Legislature that replies to starred and unstarred questions are submitted on a timely basis.
4. The Revenue campaign was successful in disposing off 2.89 lac applications. Despite a revenue campaign the district continues to show pendency in mutations which may be taken up expeditiously.

### **Improved Legal Understanding of Revenue Officers**

I wish to highlight some important interpretations of law which are useful for day to day disposal of court cases in revenue courts..

**Mutations:** Mutations must be opened in conformity with the provisions of law.

- Legal heirs should not be left out. Khasra numbers should be correctly mentioned. A daughter is entitled to a share in property of her father. When

natural daughter is alive, mutation cannot merely be entered in the name of sons and widow. It must be ensured that daughters from different marriages also inherit property in equal share.

- Mutations for partition of holdings in execution of partition deeds duly registered should be undertaken. Partition shall also be effected by a decree of court.
- Mutations on basis of unregistered will are avoidable. An unregistered will does not give any prima facie right.

**Land Allotment Rules:** Before allotment it must be verified that allottee was in continuous possession of land. Pasture land cannot be allotted. The powers for cancellation of land allotment u/r 14(4) of Land Allotment Rules are vested with District Collector. The District Collector is competent to cancel allotment if the same was obtained by fraud or misrepresentation. A Tehsildar is not competent to cancel allotment of land. Land allotment cannot be cancelled after obtaining Khatedari rights, and Khatedari rights are conferred after 3 years. It may also be borne in mind that Tank bed allotments are only on temporary basis. In case of Land Allotment for digging of wells, Collector shall issue a proclamation. A Tehsildar is not empowered for allotment of agricultural land for residential purposes.

If land allotments are made in violation of the above, and references are to be made, the District Collector shall make references where State interests are affected. There is no period of limitation for such references.

**Temporary Injunctions:** Sub Divisional officers may note that it is the duty of the State to protect the rights of Khatedari tenants. Temporary injunction orders against Khatedari tenants cannot be granted. Appointment of a receiver shall be only after hearing both parties.

**S. 183 (B) Rajasthan Tenancy Act** proceedings are summary proceedings to protect rights of scheduled caste/ scheduled tribe tenants with powers delegated to Tehsildars and they must be concluded in a timely manner.

It shall be ensured that due processes laid down by the Civil Procedure Code for service of summons and ex-parte proceedings are duly followed.

### **Tours of SDO's and Tehsildars**

The foundations of a strong revenue administration are based on timely tours and night halts. I would impress upon each one of you to undertake tours and night halts as mandated in the functions and responsibilities under the Land Records Rules. Tehsildars and SDO's are to undertake 4 days night halts and these may be conducted with commitment and discipline. The old adage of never fudging a TA bill and never fudging a log book must be adhered to.

I also take note of the issues flagged by District Collector Ajmer for my consideration and follow-up with regard to vacant posts, additional budgets for removal of encroachments.

Please accept my good wishes for success in all your challenging policy endeavors.

Jai Hind.

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