

**GOVERNMENT OF RAJASTHAN
REVENUE(GROUP-6) DEPARTMENT**

Dated: 28.11.1970

**¹Rajasthan Land Revenue (Allotment of Land for Agricultural
Purposes) Rules,1970**

NOTIFICATION

In exercise of powers conferred by clause (xviii) of sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956(Rajasthan Act 15 of 1956) , read with section 101 of the said Act, the State Government do hereby make the following rules, namely-

1. Short title, extent and commencement. - (1) These rules may be called the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1970.

(2) They shall extend to the whole of the State of Rajasthan but the State Government may by notification in the Official Gazette exclude any area from the application of these rules.

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

2. Interpretation. - In these rules, unless the subject or context otherwise requires-

- (i) 'Act' means the Rajasthan Land Revenue Act, 1956(Act no 15 of 1956).
- (ii) '*Advisory Committee*' means a committee formed under rule 13 of these rules.
- (ii-A) '*Beneficiary of the integrated Rural Development Programme*' means a person who has been identified as being below the subsistence level and included in the Integrated Rural Development Programme and certified as such by the Collector or his authorized representative.
- (ii-B) '*Disabled ex-serviceman*' means a person who has suffered the loss of a limb or has been permanently disabled in any hostility or military operation or before or after such hostility or operation anywhere rendering him unfit for further service in the defence services or a person belonging to Border Security Force or Central Reserve Police Force who has suffered loss of limb or has been permanently disabled in an operation rendering him unfit for the service in such force
- (ii-C) '*Dependents of deceased defence personnel*' shall include widow, sons, unmarried daughters and parents of the member of the defence forces who

¹ Published on 28.11.1970.

dies in any hostility or military operation or before or after such hostility or military operation anywhere [and in a war declared by the President of India an operation in and of the civil authorities and skirmishes with terrorists or insurgents and shall also include such defendants of the deceased personnel of Border Security Forces or Central Reserve Police Force.

(ii-D) ²["*District Level Committee*" means the Committee constituted by the State Government for a district from time to time under clause (b) of sub-rule (1) of Rule 2 of the Rajasthan Stamps Rules, 2004.]

(iii) '*Form*' means a form appended to these rules.

(iii-A) '*Integrated Rural Development Programme*' means a Programme undertaken by the State Government to identify the poorest person subsisting below the poverty line as well as the subsistence level and residing in a rural area and to provide productive assets and benefits for their economic upliftment.

(iii-B) '*Landless Agriculturist*' means a resident of Rajasthan who is either a bonafide agriculturist or an agricultural labourer and is cultivating or is likely to cultivate land personally, and whose main source of livelihood is agriculture or any occupation which is subsidiary or subservient to agriculture, and such person does not hold any agriculture land anywhere in Rajasthan, or the area of such land which he holds including any land which has been previously allotted to him, is less than the area prescribed in rule 12:

Provided that the following categories of persons shall not be considered to be landless agriculturists, namely-

(a) an employee of the Government, or of a commercial or industrial establishment or concern, his wife and children dependent on him but a casual or work charged labourer shall not be treated as an employee for this purpose.

(b) a person who has sold or otherwise transferred, the whole or part of the land held by or allotted to him and has, thereby, come to hold less than the minimum area specified above.

(c) ³[a married person whose wife or husband, as the case may be, holds land, including any land which has been previously allotted to him or her, jointly or severally, is more than the areas prescribed in rule 12.]

(iv) '*Panchayat*' means a Panchayat established under the Rajasthan Panchayat Act, 1953(Rajasthan Act 21 of 1953).

(v) '*Panchayat Samiti*' means a Panchayat Samiti constituted or to be constituted under the Rajasthan Panchayat Samities and Zila Parishads Act, 1959(Rajasthan Act 37 of 1959).

(vi) '*Section*' means a section of the Act.

² Inserted by Notification no. 9(15)rev.6/2005/pt./33, dated 21-06-07.

³ Added by GSR.42(Rev.)6, dated 14-08-2000.

- (vii) 'Small Strip' means 1/5th of the minimum area prescribed in rule 24 E of the Rajasthan Tenancy (Government) Rules, 1955 framed under the Rajasthan Tenancy Act, 1955 or one acre unirrigated land or ½ acre irrigated land.
- (viii) 'Tenancy Act' means the Rajasthan Tenancy Act, 1955(Act 3 of 1955).

3. Scope of the Rules. - These rules shall govern the allotment of unoccupied Government lands for agricultural purposes in area other than those declared as a colony under clause (ii) of section 2 of the Rajasthan Colonisation Act, 1954 and other than lands falling in the areas mentioned in the proviso to section 15 and in section 15-A of the Rajasthan Tenancy Act, 1955 (Act 3 of 1955) or in any notification issued there under.

4. Land not available for allotment under these rules. - The following categories of lands shall not be available for allotment for agricultural purposes under these rules, namely-

- (i) Lands mentioned in the section 16 of the Rajasthan Tenancy Act, 1955;
- (ii) Lands demarcated as landing grounds for aircrafts;
- (iii) Lands reserved for village forests constituted under section 28 of the Rajasthan Forest Act, 1953(Rajasthan act 13 of 1953);
- (iv) Small Baras or lands reserved for thrashing grounds adjoining, or close to the Abadi of a village;
- (v) Lands within-
 - (a) a radius of three miles of municipal limits of cities having a population of five lacs or more;
 - (b) a radius of two miles of municipal limits of towns with a population of two lacs or more, but below five lacs;
 - (c) a radius of one mile of municipal limits of towns with a population of one lac or more, but below two lacs;
 - (d) municipal limits of any other towns;
 - (e) one hundred yards of a railway fencing; or
 - (f) ⁴[the limits specified in guidelines of the Indian Road Congress for National Highway or State Highway or any other road maintained by the central or State Government or any local authority, or limits specified in any Act or Rules made by central or State Government in this behalf or forty five meters from the centre of road, whichever is more;]
- (vi) Lands declared as saline areas under the Rajasthan Land Revenue (Saline Areas Allotment) Rules, 1962; or
- (vii) Lands reserved for allotment under any special Rules for the allotment of land.

⁴ Notification no. F.9(8)rev.6/2005/17/45, dated-04-06-18.

5. Preparation of list of unoccupied lands. - (1) The Tehsildar shall by the 30th day of September, each year, prepare and submit to the Sub-Divisional Officer concerned a Village-wise list of unoccupied Government lands, both irrigated and unirrigated, in form 1 which shall be available for inspection at the office of the Panchayat, Panchayat Samiti and Tehsil.

(2) A copy of this list shall be sent to the Divisional Forest Officer for his comments by the Sub-divisional Officer in districts in which any area has declared reserved forest under section 20 of the Rajasthan Forest Act, 1953 or a protected forest under section 29 of the said Act or in respect thereof a notification has been issued declaring that it has been decided to constitute any land in that district a reserved forest. The Divisional Forest Officer shall send his comments within a period of 15 days from the date of receipt of this list.

6. Exclusions and reservations. - (1) From the list of unoccupied lands prepared under rule 5, the Sub-Divisional Officer shall exclude lands of the categories mentioned in rule 4 and land forming part of reserved or protected forest or land in respect of which a notification under section 4 of the Rajasthan Forest Act, 1953 (Raj act 13 of 1953) has been issued and shall see whether any unoccupied land entered in the list is required for the extension of pasture lands reserved under section 92 of the Act or otherwise or for the extension of the Village Abadi or for any other public purpose and if so, he shall reserve in consultation with the Advisory Committee suitable areas out of the unoccupied lands for the purpose.

(2) (a) The Sub-Divisional Officer shall send a list of such reserved lands along with the opinion of the Advisory Committee to the Collector for setting apart such land indicating all the lands that may be allotted temporarily with the sanction of the State Government.

(aa) After making allotment of unoccupied land the Sub-Divisional Officer shall reserve land for way to enable the allottees to reach their fields and shall indicate the Khasra Numbers along with the trace of the proposed way and shall send the same along with the opinion of the Advisory Committee to the Collector for setting apart such land.

(b) Where the Collector does not approve the proposal of the Sub-Divisional Officer such lands which are not set apart, shall be available for allotment under these rules.

(c) The Sub Divisional Officer shall also see that adequate land is available for the educational institutions in the village and that sufficient land is left for play grounds for school children or for any other public purpose.

(3) The land belonging to a member of Scheduled Caste or Scheduled Tribe which vests in the State Government under section 175 of the Rajasthan Tenancy Act, 1955 shall be allotted only to a member of a Scheduled Caste or Scheduled Tribes respectively under the provisions of these rules.

7. Issue of proclamation inviting applications for allotments. - (a) After action has been taken as indicated in Rule 6 the Sub-Divisional Officer shall issue a

proclamation in Form II in the manner laid down in section 61 of the Act inviting applications from landless agriculturist for allotment of land for agricultural purposes.

(b) The period of 15 days shall be allowed in the proclamation for submitting application for allotment and this period shall be reckoned from the date of service of the proclamation:

Provided that the Sub-Divisional Officer may entertain an application for allotment for land at any time before the commencement of the meeting of the Advisory Committee convened for the purpose:

Provided further that the State Government may if it considers necessary in public interest, reduce the period to be allowed in the proclamation for submitting applications for allotment of land in any particular areas to seven days.

8. Form of application for allotment. - (1) Application for allotment shall be submitted in Form III.

⁵[(1-a) where an applicant is a married agriculturist, the application for allotment shall be submitted in the name of both husband and wife.]

(2) All applications for allotment shall be verified as a plaint under the Code of Civil Procedure, 1908(Central Act 5 of 1908).

(3) An application for allotment may be presented in person to the Sub-Divisional Officer or may be sent by registered post.

9. Register of applications. - The Sub-Divisional Officer shall record on each application the date and time of its receipt and shall get all applications received, entered in a register of application in Form IV.

10. Enquiry by Sub-Divisional Officer. - The Sub-Divisional Officer shall get the particulars given in each application verified with the entries existing in the annual register or other Tehsil record and may make such enquiries as he deems fit with regard to the applicant's eligibility and other concerned matters.

11. Eligibility and order of priority for allotment. - (1) The land shall be allowed only to a landless agriculturist:

⁶[Provided that where an allottees after conferment of khatedari right under these rules transfers such land, he shall not be treated as landless agriculturist for the purpose of allotment.]

(2) If there is only one applicant for a particular plot of land, it shall be allotted to him.

(3) If there are more than one applicant requiring the same plot of land, it shall be allotted to him/them according to the priorities fixed in section 101(4) of the Rajasthan Land Revenue Act, but inter-se priority between the applicants of the same category, as per section 101(4) of the said Act, shall be in the following order-

⁵ Inserted by GSR.42(rev.6), dated 14-08-2000.

⁶ Added by Notification no. F.6(19)Rev.6/92/31, GSR.75 dated 23.09.1999.

- (a) Legal heir of a member of the Armed Forces of the Union killed in action or a disabled soldier ⁷[or a disabled ex-serviceman or a dependent of deceased defence personnel] or Beneficiary of the Integrated Rural Development Programme;
- ⁸[(aa) a landless agriculturist who is released sagri as certified by the Sub-Divisional Officer;]
- (b) Member of the Scheduled Caste or Scheduled Tribe who is a landless agriculturist;
- ⁹ [(bb) Member of other backward class who is landless agriculturist;]
- (c) Un-employed Landless Agriculture Graduate;
- (d) Agricultural Labourer, who is a landless agriculturist;
- (e) Non-Commissioned Ex-servicemen who has been released from the Armed Forces after having served in any rank for at least five years;
- (f) Other landless agriculturist preference being given to those with lesser income;
- (g) A non-commissioned member of the armed force or the Boarder Security Force who has rendered not less than 5 years service:

Provided that the State Government may determine the category of persons to whom alone allotment shall be made in any area of the State to be specified.

12. Extent of Allotment. - Except as otherwise provided in these rules the extent of the land to be allotted shall not be more than ¹⁰[4 hectares], subject to the condition that, in no case, the total area to be allotted under these rules, together with the area already held by the allottee or his notional share if the land is held by other members of the joint family, shall exceed ¹¹[4 hectares]. No allotment in favour of a minor shall be made except in cases covered by rule 11(a). As far as possible the land to be allotted will not be less than ¹²[2 hectares] of unirrigated land:

¹³[Provided that in the areas of Barmer, Jodhpur, Churu, Pali, Jaisalmer, Nagaur, Bikaner and Jalore districts not covered by any Irrigation Project, the maximum area of agricultural land to be allotted under these rules shall not exceed 6 hectares.

Explanation - For the purpose of this rule one hectares of irrigated land will be treated as equal to two hectares of unirrigated land.]

⁷ Inserted by Notification no. 9(15)rev.6/2005/57, dated 22-11-06.

⁸ Inserted by Notification no. F.6(19)/Rev.6/92/6, dated 13.04.2000.

⁹ Inserted by Notification no. F.6(19)/Rev.6/92/6, dated 13.04.2000.

¹⁰ substituted by Notification no. 9(15)rev.6/2005/57, dated 22-11-06.

¹¹ substituted by Notification no. 9(15)rev.6/2005/57, dated 22-11-06.

¹² substituted by Notification no. 9(15)rev.6/2005/57, dated 22-11-06.

¹³ Inserted by Notification no. 9(15)rev.6/2005/57, dated 22-11-06.

13. Allotment to be in consultation with Advisory Committee. - (1) All allotment shall be made by the Sub-Divisional Officer in consultation with an Advisory Committee consisting of-

- (i) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated;
- (ii) the Pradhan of the Panchayat Samiti having jurisdiction;
- (iii) the Sarpanch of the Panchayat having jurisdiction;
- (iv) the Vikas Adhikari of the Panchayat Samiti having jurisdiction;
- (v) the Tehsildar of the Tehsil having jurisdiction;
- (vi) a person belonging to a Scheduled Caste or Scheduled Tribe to be nominated by the Panchayat Samiti from amongst its members; and
- (vii) a person to be nominated by the State Government in areas in which such nomination is considered necessary in public interest.

Provided that the Sub-Divisional Officer may on receipt of application from a released Sagri who is a landless agriculturist allot land to him without consultation with the Advisory Committee after making such enquiries as he deems fit:

Provided further that where a member of the advisory committee has an interest in an applicant as his relation or otherwise such member shall not participate in the meeting of the committee.

(2) The Sub-Divisional Officer shall give at least one week's notice of the date, time and place of the meeting to the members of the advisory Committee. The notice shall be accompanied by a copy of the list of unoccupied Government lands proposed to be allotted at the said meeting. This list shall contain the particulars required to be given in columns 1 to 6 of form 1.

(3) The notice of the meeting shall be served in the manner prescribed in the Rajasthan Revenue Courts Manual Part 1 for the service of process: Provided that if the service is not possible through a process server, it shall be sent by post 'Under Postal Certificate' or by 'Registered Post'.

(3-A) The quorum for constituting the meeting of Advisory Committee shall be three members of whom one shall be from clause (i), (ii) or (iii) of sub-rule (1):

Provided that if a meeting of the Advisory Committee is adjourned for the want of quorum, the quorum for the adjourned meeting shall be two members of whom one shall be from clause (i), (ii) or (iii) of sub-rule (1).

(4) The allotment shall be made in the village in which the land proposed to be allotted is situate. The Sub-Divisional Officer and the members of Advisory Committee shall visit each such village for allotment of land. The date, time and place of the meeting, for the purpose of allotment shall be intimated to the village panchayat concerned at least one week in advance. A copy of the list of unoccupied Government lands proposed to be allotted at the meeting shall also be sent, to the village panchayat concerned. It shall contain all the particulars required to be given in column 1 to 6 of form 1.

Provided that the State Government may, if it considers necessary in public interest so to do, direct that the meeting for the purpose of allotment may be held at the headquarters of the Panchayat in which the land proposed to be allotted is situate.

(5) Minutes of the meeting of the Advisory Committee shall be written and signed by the Sub-Divisional Officer and the members of Advisory Committee present, before they disperse after the meeting.

(6) The allotment shall be made on the advice of the Advisory Committee, in case of difference of opinion amongst the members of the Committee, the opinion of dissenting members shall be recorded. The Sub-Divisional Officer may, if he disagrees with the views of the Committee or in case there is any difference of opinion amongst the members of the Committee refers the matter to the Collector for final orders.

13-A- Deleted by Notificationa no. 9(15)rev.6/2005/57, dated 22-11-06.

14. Condition of Allotment. - (1) The allotment of land under these rules shall be on a Gair Khatedari tenancy with a right to ultimate conferment of Khatedari rights after the expiry of 3 years provided the allottee fulfills during this period the terms and conditions of allotment until Khatedari rights are conferred. The allottee shall have all the rights and be subjected to all liabilities of a Gair Khatedar tenant under the Tenancy Act:

Provided also that the allotment of land may be cancelled at any stage by the Collector before the expiry of a period of 3 years, if the land is required for public purpose:

Provided further the no such order to the prejudice of such person shall be passed without giving him an opportunity of being heard.

¹⁴[(1-a) In case where allotment of land is made to a married agriculturist, the allotment of land shall be made in the joint name of husband and wife and the allottees, in such case shall be deemed to be joint allottees.]

(2) Rent at the sanctioned rent rate applicable to the land, or if the land applied for and allotted is unassessed, at the lowest class of Barani land in the village for irrigated land and at the Chahi or Nehri rates, as the case may be. for Chahi or Nehri irrigated lands of the village shall be payable from the first year of allotment.

(3) The allottee shall have to bring the land under cultivation and shall utilize it properly.

Provided that this period may be extended by the Tehsildar by one year if, due to unforeseen causes over which the allottee had no control, he was unable to cultivate the land within the stipulated period.

(4) The Collector shall have the power to cancel any allotment made by a Sub-Divisional Office or a Tehsildar or a Tehsildar under the rules repealed by rule 21 of the rules either suo-moto or on the application of any person in case the allotment has been

¹⁴ Added by GSR.42(Rev.)6, dated 14-08-2000.

secured through fraud or misrepresentation or has been made against rules or in case the allottee has committed breach of any of the conditions of allotment:

Provided that no such order to the prejudice of any person shall be passed without giving such person an opportunity of being heard.

(5) The allottee shall pay to the State Government the price of the wells and permanent structures if any, existing on the land, as also the price of trees standing on the land at rates prescribed by rules made under section 80 and 81 of the Tenancy Act.

(6) Before acquisition of Khatedari rights the allottee shall not construct any permanent structures or buildings other than a tank, well or dwelling a house within the meaning of an "improvement" as defined by clause (19) of section 5 of the Tenancy Act.

(7) In case of land situated within a radius of 10 miles of Jaipur City the allottee shall also pay the price of trees at the rate of Fifteen rupees and 25 paise per bigha:

Provided that no such price shall be charged if the number of trees standing in a bigha of land is less than five.

(8) The land shall be liable to be resumed by the State Government without, payment of compensation if-

- (a) it is not brought under cultivation strictly in accordance with the condition of allotment and it is not properly utilized;
- (b) it is sub let or transferred in contravention of the provision of the Tenancy Act applicable to Gair Khatedar tenants;
- (c) it is found that the allottee was not a landless agriculturist;
- (d) the allottee makes default in the timely payment of the price referred to in clause 5 of the rule and/or the annual rent; or
- (e) the allottee makes constructions on the land in contravention of the allotment rules.

(9) In case the land allotted is grass land or subject to erosion, the allottee shall have to undertake the work of soil conservation as and when directed by an officer of the Agriculture Department authorised in this behalf.

15. Order of Allotment. - (1) As soon as an order of allotment is passed, the Sub-Divisional Officer shall-

- (a) give necessary information to the Patwari then and there if the Patwari is present on the spot; and
- (b) direct the Patwari to make over possession of the allotted land to the allottee forthwith;
- (c) where the allottee is not actually given possession of the allotted land within one month from the date of the order of allotment he shall apply to the Collector who shall enforce the order unless it is stayed by a competent authority.

(2) An order to allotment shall be in Form V and a copy of the same together with a trace of the land, shall be given to the allottee.

(3) Physical possession of the allotted land shall be delivered to the allottee within fifteen days from the date of allotment and, thereupon, a sanad shall be issued in Form VI to the allottee ¹⁵[on payment of a fee of rupees one hundred for irrigated land and rupees fifty for unirrigated land] to be credited to Head "IX-Land Revenue (i) Miscellaneous-'VII- Miscellaneous.

16. Allotment of land for Panchayats and Panchayat Samities. - Notwithstanding anything contained in these rules, land shall be allotted on application to Panchayats and Panchayat Samitis on the following conditions:

(a) *Panchayat Samitis*- Allotment upto fifty acres shall be made by the Government in the Revenue Department on the recommendation of the Collector.

(b) *Panchayat*- Allotment upto ten acres shall be made by the Sub- Divisional Officer in consultation with the Advisory Committee.

All lands allotted under this rule shall be used for agricultural purposes, rent at the sanctioned rent rate shall be paid and the income therefrom shall be utilised for the improvement and development of the area.

17. Allotment by Government. - Notwithstanding anything contained in these rules the Government in the Revenue Department shall have the power to allot land to any person subject to the provision of section 101 of the Act and the conditions of allotment contained in rule 14.

18. Conferment of Khatedari Rights. - (1) The Tehsildar shall suo-moto confer Khatedari rights upon allottees after three years of allotment, provided that the allottee fulfills all the terms and conditions of allotment during this period:

¹⁶[Provided that the person, to whom land was allotted as temporary cultivation lease holder or permanent allottee in colony area and such area was later on excluded from colony area, has continuous possession over the said land prior to 01.01.2001, such person shall be entitled to receive khatedari rights under these rules upto the ceiling limit applicable under the Rajasthan Imposition of Ceiling on Agricultural Holding Act, 1973.]

(2) deleted by notification 06.11.1998

(3) ¹⁷[All persons who were allotted land on lease basis under and in accordance with notification No. F. 6(84) Revenue/VI/53, Dated 2-11-1953 and have been in continuous possession of such land shall be eligible for conferment of Khatedari rights as if such lease holder were allotted land under the provision of these rules.]

¹⁸[(4) All persons, who were allotted land prior to dated 29.09.99, had not cultivated 50% of the land in the first year of allotment and the remaining area in the second year and their allotment has not been cancelled, shall be eligible for conferment

¹⁵ Substituted by Notificationa no. 9(15)rev.6/2005/pt./08, dated 24.02.16.

¹⁶ Inserted by Notification no. F.9(77)Rev.6/2008/15, dated 31-05-08.

¹⁷ Inserted by Notification no. 6(18)Rev.6/42/24, dated -06-09-95.

¹⁸ Added by F.6(44)/Rev.6/2001/73/GSR.101, dated 28.12.01.

of khatedari rights if they are cultivating said allotted land for the last three years and fulfils the other terms and conditions of allotment.]

¹⁹[Provided that if such land was not within the urbanisable limit or peripheral belt of the urban area as mentioned in Sec. ²⁰[90-A] of the Act at the time of allotment and subsequently included in urbanisable limit or peripheral belt of urban area of Jaipur Development Authority, ²¹ [Jodhpur Development Authority, Ajmer Development Authority], Urban Improvement Trust or Municipal Corporation or Municipal Council, Khatedari right shall be conferred only with the prior approval of the ²²[Collector] and on payment of 20% of market value of land as determined for the area by the District Level Committee and in case of land subsequently included in the urbanisable limit or peripheral belt of Municipal Board, khatedari right shall be conferred only with the prior approval of ²³[Collector] and on payment of 10% of market value of land determined for the area by the District Level Committee.]

^{19a}**18-A. Grant of Khatedari Rights in Certain Cases.-** Subject to the provision of the Act, the Tehsildar may on his own motion or on application of any person confer:

- (a) khatedari rights to such person if his name is entered as gair-khatedar in the Jamabandi (Khewat Khatauni) without any allotment order made under any rules made under the Act; or
- (b) khatedari rights to such person if his name is entered as gair- khatedar in the Jamabandi (Khewat Khatauni) as per allotment order under these rules but due to any reason khatedari rights has not been granted, to the extent of ceiling area applicable under the Rajasthan Imposition of Ceiling on Agriculture Holdings Act, 1973 (Act No. 11 of 1973), if –
 - (i) The name of applicant is entered as gair – khatedar in the Jamabandi (Khewat Khatauni) since 1.1.1981 and continuously recorded such;
 - (ii) The applicant has been in continuous possession of such land;
 - (iii) Land is falling in rural areas;
 - (iv) Such land does not fall within the categories specified in rule 4 of these rules;
 - (v) No judicial proceedings are pending with respect to such land; and
 - (vi) Applicant has deposited 10% of the market value of such land calculated at the rate determined by District Level Committee constituted under the Rajasthan Stamp Rules ,2004 for agricultural lands”.

¹⁹ Inserted by Notification no. 9(15)rev.6/2005/pt./33, dated 21-06-07.

^{19a} inserted by Notification no. 9(8) Rev-6/2017pt./135, dated 01-12-2021

²⁰ Substituted by Notification no. F.6(32)/Rev.14/2, dated 24.02.15.

²¹ Inserted by Notification no. F.6(32)/Rev.14/2, dated 24.02.15.

²² Substituted by Notification no. 9(15)rev.6/2005/pt./13, dated 13-05-15.

²³ Substituted by Notification no. 9(15)rev.6/2005/pt./13, dated 13-05-15.

19. Allotment of small strips or patches of unoccupied land adjoining fields of tenants. - Notwithstanding anything contained in the foregoing rules, a small strip, or patch of land not exceeding one-third of the standard area, adjoining the field of a Khatedar tenant may, on an application by, such tenant be allotted to him by the Sub-Divisional Officer in consultation with the Advisory Committee, on Khatedari basis and a copy of the order of allotment in Form V-A may be given to the allottee on recovery of a fee of Rs. 5/-and mutation shall be sanctioned on realization or prescribed mutation fee:

Provided that-

(i) the land covered by such a small strip or patch is not recorded as pasture land, or cremation ground, or burial ground, or play ground, or land acquired for public purpose;

(ii) the small strip or patch adjoining the fields of more than one Khatedar tenants and more, one of such tenants having applied for allotment of such small strip or patch, the land shall be put to auction and the bidding in such auction shall be confined to the Khatedar tenants of adjoining fields to whose fields it would form a proper accretion rendering such field more compact or regular in shape and such small strip or patch shall subject to the provisions of the next succeeding clause, be given to the highest bidder;

(iii) the total area of land already held by such tenant together with the area of the small strip or patch applied for shall not exceed the ceiling area applicable to such Khatedar tenant; and

(iv) the tenant agrees to pay for such small strip of patch, rent-at the sanctioned rent rate applicable or if the land is unassessed, rent at the lowest barani rate of adjoining land and premium at 20 times the rent-rates applicable to the lowest barani land in the neighborhood or if the land has been put to auction, the amount of premium determined at the auction whichever is higher.

20. Allotment of land to trespassers. – ²⁴ [(1) Notwithstanding anything contained in these rules, subject to the specific or general direction of the State Government, the Sub-Divisional Officer may on the advice of the Advisory Committee, instead of ejecting a trespasser from any land occupied by him without any lawful authority, allow him to retain such land if he is a landless agriculturist and the total area of land held by such person including the land so allotted does not exceed ²⁵ [4 hectares] and that the land so allotted does not fall within the categories specified in rule 4 of these rules.

Provided that in eight desert District i.e. Barmer, Jodhpur, Churu, Pali, Jaisalmer, Nagaur, Bikaner and Jalore, where the area of trespassed land exceeds ²⁶ [4 hectares] instead of ejecting a trespasser from such excess land, he may be allowed to retain such excess land upto maximum area of ²⁷ [2.5 hectares] subject to the following conditions:

²⁴ Substituted by Notification no. F.6(6)Rev.6/99/47., dated 15.09.01.

²⁵ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

²⁶ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

²⁷ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

- (i) the total area of land held by such person including the land allotted does not exceed ²⁸[6 hectares.]
- (ii) for the area exceeding ²⁹[4 hectares], 50% of prevailing market price of neighbouring agriculture land shall be charged from the trespasser belonging to General Category and 25% of the prevailing market price of neighbouring agriculture land shall be charged from the trespasser belonging to Scheduled Caste/Scheduled Tribe/Backward Classes/Below Poverty Line Category.]

³⁰[(1A) Notwithstanding anything contained in these rules, the cultivators who were conferred khatedari rights during the process of "Bhoo Abhilekh Sansodhan" in Ajmer district in the period of 1970 to 1972 and subsequently whose Khatedari were cancelled and land was recorded as Siwai Chak in revenue record, the Sub-divisional officer on the advice of the advisory committee may regularise such land in favour of such cultivators upto [4 hectares]. But in case where the land exceed [4 hectares], the excess land may be regularised in favour of their adult on 01.1.2000 and such land shall be entered in their Joint tenancy. Provided that total area of land already held by such tenant and land so regularised shall not exceed ceiling area applicable to them under the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973.]

³¹[(1AA) Notwithstanding anything contained in these rules the person who was in possession of land as temporary cultivation lease holder in colony area and in whose favour permanent allotment of part of such land was made before such area was excluded from colony area and he is still in continuous possession of such part of remaining land, such remaining part of land may be regularized in his favour up to the ceiling limit applicable under the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973.]

(2) Upon such allotment, the allottee shall be bound by the conditions of allotment laid down in these rules and Khatedari right shall accrue to him as if his case was of allotment under these rules.

Explanation-I- deleted by notification dated 22.11.06

II- One ³²[hectare] of irrigated land for the purpose of this rule shall be taken equal to 2 ³³[hectares] of unirrigated land:

Provided that the Collector shall have the power to cancel any regularisation made by the S.D.O. or Tehsildar either suo-moto or on the application of any person in case where regularisation has been secured through fraud or mis-representation or has been made against rules.

³⁴[(3) Notwithstanding anything contained in these rules, the co-operative society to whom land was allotted and the said society provided that land to its member for

²⁸ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

²⁹ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

³⁰ Inserted by Notification no. F.6(39)/Rev.6/2001/60, dated 28.09.01.

³¹ Inserted by Notification no. F.9(77)Rev.6/2008/15, dated 31-05-08.

³² Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

³³ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

³⁴ Inserted by Notificationa no. 9(15)rev.6/2005/pt./33, dated 21-06-07.

cultivation and the said land has been resumed under the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959. If the said member or his successor is landless and continuously in possession and cultivating the said land personally, the allotting authority may on advice of the Advisory Committee instead of ejecting him, allot the whole or part of such land subject to limit provided in Rule 12 on payment of five percent of the market value of the land determined by District Level Committee. In case of persons belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes and B.P.L. families no price shall be charged:

Provided that if such land was not within the urbanisable limit or peripheral belt of the urban area as mentioned in Sec. ³⁵[90-A] of the Act at the time of allotment and subsequently included in urbanisable limit or peripheral belt of urban area of Jaipur Development Authority, ³⁶[Jodhpur Development Authority, Ajmer Development Authority,] Urban Improvement Trust or Municipal Corporation or Municipal Council, Khatedari right shall be conferred only with the prior approval of the ³⁷[Collector] and on payment of 20% of market value of land as determined for the area by the District Level Committee and in case of land subsequently included in the urbanisable limit or peripheral belt of Municipal Board, Khatedari right shall be conferred only with the prior approval ³⁸[Collector] and on payment of 10% of market value of land determined for the area by the District Level Committee.]

³⁹ **[20A. Extent of allotment to disable ex-servicemen or dependent of deceased defence personnel.** - A disabled ex-servicemen or dependent of a deceased defense personnel may be allotted land upto 3 hectare of irrigated land or 6 hectare of un-irrigated land.]

20B. Allotment of land to Persons/families displaced from Mahajan Field Firing Range, Bikaner. - Notwithstanding anything contained in these rules officer authorized by the State Government in this behalf may allot Government agriculture land to persons/families displaced from Mahajan Field Firing Range, Bikaner on the following condition, namely-

(i) that the total land to be allotted including land allotted under any other rules to a displaced family shall be equivalent to the land from which such family has been displaced subject to the ceiling limit as prescribed in the ceiling laws for the time being in force.

(ii) that if any displaced family has been allotted land prior to this notification anywhere else they shall not be eligible for allotment under this notification without cancellation of the earlier allotment.

³⁵ Substituted by Notification no. F.6(32)/Rev.14/2, dated 24.02.15.

³⁶ Inserted by Notification no. F.6(32)/Rev.14/2, dated 24.02.15.

³⁷ Substituted by Notificationa no. 9(15)rev.6/2005/pt./13, dated 13-05-15.

³⁸ Substituted by Notificationa no. 9(15)rev.6/2005/pt./13, dated 13-05-15.

³⁹ Added by Notification no. F.9(15)Rev.6/2005/pt/44, dated.06-09-07.

⁴⁰ **[20-C Reversion of land surrendered for any public purpose.-** Notwithstanding anything contained in these rules, any person who has surrendered his tenancy rights, in favour of the State Government without any consideration or compensation for any public purpose and such land has not been utilized by the State Government for the said purpose within a reasonable time, may at any time apply to the Collector for reverting the land for the original use. The Collector, after considering the application, is satisfied that such land has not been utilized for the said purpose, may pass an order for reversion in favour of applicant and on such reversion the status of the land shall be the same as it was before he had surrendered his tenancy rights.]

⁴¹[**21.** An order of allotment shall be in Form V-B and a copy of the same together with a trace of the land, shall be given to the trespasser and a fee of Rs. five shall be recovered from such trespasser and credited to head "IX Land Revenue (3) Miscellaneous VII Miscellaneous.]

22. Repeal and Saving. - The Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1957, as amended from time to time, are hereby repealed:

Provided that the repeal shall not affect any order made, action taken, effects consequences of anything done or suffered there under or any right, title, privilege, obligations or liability acquired, accrued or incurred there under or enquiry, verification or proceedings in respect thereof made.

Form I

(See Rule 5)

List of unoccupied Government lands corrected upto 30th September, 19.....

Tehsil.....District.....

⁴⁰ Inserted by Notification no. 9(15)rev.6/2005/pt/30, dated 18-10-12.

⁴¹ Added by Notification no. F.9(15)Rev.6/2005/pt/44, dated.06-09-07

S.No.	Name of village (in alphabetical order)	Particulars of Unoccupied Government lands		
		Khasra/Area No.	Soil classification	Rent Sanctioned at rent rates
1	2	3		

Form II

(See Rule 7)

Whereashectares of unoccupied Government lands both irrigated and unirrigated situated in village of this Tehsil is available for allotment of land for agriculture under the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1970, this proclamation is hereby issued under rule 7 of the said Rules and all concerned are hereby informed that any person who wishes to apply for

Year in which last cultivated together with name of cultivator or and rate of rent	If irrigated, Khasra No. in which source of irrigation situated	Particulars of sources of irrigation, viz. Well, tanks, Nada etc. with condition thereof and extent of irrigation facility available	Particulars of order of allotment	Remarks
4	5	6	7	8

allotment of any of the lands available for allotment should apply to the undersigned on the prescribed form within 30 days from the date of passing of this proclamation on the Notice Board of the office of the undersigned and also at some place of public resort on

or adjacent to the land to which it refers. The list of the unoccupied Government lands available for allotment may be seen at the office of the Panchayat, Panchayat Samiti and Tehsil during office hours on any working day after the date of this proclamation.

Issued under my hand and the seal of this day of.....

Sub-Divisional Officer

Form III

(See Rule 8)

Application for allotment of unoccupied Government lands for Agricultural purposes U/s 101 of the Rajasthan Land Revenue Act, 1956.

To,

The Sub-Divisional Officer,

Sir,

I/we..... S/oresident of.....
Tehsil.....District..... Occupation.....

Or (In case of married applicant)

We, Shri S/o..... Age..... Occupation..... (husband)
and the Smt..... W/o..... Age..... Occupation..... (wife)
R/o.....Tehsil.....District.....
state as under-

(i) That I/We am/are a landless agriculturist as defined in the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1970.

(ii) That I/we do not possess any agricultural land for cultivation either in my/our own name or in the name of any member of my/our joint family.

OR

That I/we possess the following agricultural lands at present-

Name of village in which situated	Khasra No.	Area	Soil classification	Rent payable
1	2	3	4	5

(iii) That I/we required land for personal cultivation and have priority as per Section 101(4) (I/II/III) of Rajasthan Land Revenue Act, 1956 in capacity of under rule 11;

I/we, therefore, request for kindly to allot me/us the under mentioned lands for cultivation or any other unoccupied Government land, if the under mentioned land is not available.

Description of land	Khasra No.	Area	Soil classification	Means of irrigation if any, with details	Rent
1	2	3	4	5	6

(iv) That I/we undertake to abide by the provisions and conditions of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), the Rajasthan Land Revenue Act 1956 (Rajasthan Act No. 15 of 1956) and the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1970.

Place.....

Date.....

Yours faithfully,
L.T.I./Signature of the Applicant

I/we hereby verify that the paragraphs No..... to..... of the above application are true to my /our knowledge and paragraphs No.....to..... are true to my/our belief and that I/we have stated the truth and have not suppressed any fact.

Witness.....

L.T.I./Signature of the Applicant
Date.....

Form IV

(See Rule 9)

Register of application for allotment of unoccupied Government lands,

Tehsil.....

District.....

S.No.	Name of Application with parentage residence, occupation and age	Date and time of receipt of application	Particulars of Land applied for		
			Khasra No.	Area	Soil Classification
1	2	3	4		

--	--	--	--	--	--

Sources of irrigation	Revenue of rent	Date of issue of proclamation	Reference to entry in the list of unoccupied lands	Final order	Remarks
5	6	7	8	9	10

Form V

(See Rule 15)

Order of Allotment of Unoccupied Government Land

1. Name of allottee

Mr./Mrs./Miss.....

S/o/D/o.....

Age..... R/o.....

Tehsil.....

District.....

1.A Shri S/o..... Age..... (husband) and the Smt.....
W/o.....Age.....(wife) R/o.....
TehsilDistrict.....

2. Date and time of receipt of application as recorded in Column 3 of the Register of Applications for Allotment of Unoccupied land in Form IV.

3. Date and place of order of allotment.

4. Particulars of Land Allotted-

(i) Name of village.

(ii) Reference to entry in the List Unoccupied Government Lands corrected upto 30th September, 20.... mentioned in Form I.

(iii) Khasra number of land allotted.

(iv) Area in hectares of Rent allotted.

(v) Soil classification.

(vi) Means of irrigation, if any, with details.

5. Price of the wells, existing permanent structures and trees growing on the land, if any, referred to in rule 14(5), with date when payment is to be made by the allottee.

6. Annual rent payable.

7. Conditions of allotment. - (1) The allotment is on a Gair Khatedari tenancy with a right of ultimate conferment of Khatedari rights after the expiry of a period of 3 years provided the allottee fulfills during this period the terms and conditions of allotment. Until Khatedari rights are conferred, the allottee shall have all the rights and be subjected to all the liabilities of a Gair Khatedar tenant under the Rajasthan Tenancy Act, 1955.

(2) The allotment is subject to the payment of annual rent at the sanctioned rent-rates applicable to the land as per rule 14(2). The annual rent shall be paid on or before.....every year.

(3) The allottee shall have to bring the land under cultivation and shall utilize it properly.

(4) The allottee shall not construct any permanent structures or buildings other than a tank, well or a dwelling house which comes within the definition of an "improvement" as defined by clause (19) of section 5 of the Tenancy Act, before acquisition of Khatedari rights.

(5) The land shall be resumed by the State Government without payment of compensation if-

(a) it is not brought under cultivation strictly in accordance with the conditions of allotment and it is not properly utilised,

(b) it is sublet or transferred in contravention of the provision of the Tenancy Act, applicable to Gair Khatedar tenants,

(c) it is found that the allottee was not a landless person as defined in Tenancy Act,

(d) the allottee makes default in the timely payment of the price referred to in clause 5 of rule 14 and or the annual rent.

(e) the allottee makes constructions on the land in contravention of the allotment rules.

Seal of S.D.O.

Signature of Sub-Divisional
Officer

Date.....

Form V-A

(See Rule 19)

Order of allotment of unoccupied Government Land(Small adjoining strips of patches).

1.Name of allottee S/O.....Aged..... years
R/o.....Tehsil.....Occupation.....

1.A Name of joint allottee

Shri S/o..... Age..... (husband) and the Smt.....
W/o.....Age..... (wife) R/o.....
TehsilDistrict.....

2. Date and time of receipt of application.

3. Date and place of order of allotment.

4. Particulars of Land Allotted-

(i) Name of village.

(ii) Reference to entry in the List of Unoccupied Government Lands corrected upto 30th September, 19 mentioned in Form I

(iii) Khasra number of plot allotted.

(iv) Area in ⁴²[hectares].

(v) Soil classification.

5. Price of the wells and permanent structures existing and trees growing on the land, referred to in rule 14(5) with date when payment is to be made by the allottee.

6. Particulars of land already held by the tenant.

7. Annual rent payable.

8. Details of auction if any, under proviso (ii).

9. Conditions of allotment.

(The allotment is governed by the provisions of the allotment rules, Special attention is drawn towards rule 19).

Seal of S.D.O

Signature of Sub-Divisional Officer

⁴² Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.

Date.....

[Form V-B]

(See Rule 20)

1.Name of allottee S/O.....Aged..... years
R/o.....Tehsil.....Occupation.....

1.A Name of joint allottee

Shri S/o..... Age..... (husband) and the Smt.....
W/o.....Age..... (wife) R/o.....
TehsilDistrict.....

2. Date and place of order of allotment.

3. Particulars of land already occupied by allottee as trespasser-

(i) Name of village.

(ii) Area of land encroached upon-

Khasra No.....Area..... Soil Classification.....

If it is chargah Land.

(iii) Period from which the land has been under the unauthorised cultivation of the allottee.

(iv) Total Land in possession of the allottee including the land specified in column (II).

(v) Price of the walls, existing permanent structures and trees growing on the land, if any, referred to in rule 14(5), with date when payment is to be made by the allottee.

4. Conditions of allotment - (1) The allotment is on a Gair Khatedari tenancy a right of ultimate conferment of Khatedari rights after the expiry of a period of 3 years provided the allottee fulfills during this period the terms and conditions of allotment. Until Khatedari rights are conferred the allottee shall have all the rights and be subject to all the liabilities of a Gair Khatedar tenant under the Rajasthan Tenancy Act, 1955.

(2) The allotment is subject to the payment of annual rent at the sanctioned rent-rates applicable to the land as per rule 14(2). The annual rent shall be paid on or before every year.

(3). The allottee shall not construct any permanent structure or buildings other than a tank, well or a dwelling house which comes within the definition of an "improvement" as

defined by clause (19) of Section 5 of the Tenancy Act, 1955 before acquisition of Khatedari rights.

(4). The land shall be liable to be resumed by the State Government without payment of compensation if-

(a) it is subject or transferred in contravention of the provisions of the Tenancy Act, applicable to Gair Khatedar tenants,

(b) it is found that the allottee was not entitled for regularisation in accordance with the specific or general directions of the State Government issued in this behalf,

(c) the allottee make default in the timely payment of the price referred to in clause 5 of rule 15 and/or the annual rent or

(d) the allottee makes constructions on the land in contravention of the allotment rules.

Form VI

Form of Sanad

[See Rule 15(3)]

Whereas the land, particulars whereof the given below, has been allotted to Shri.....S/o.....Age..... Resident of..... in case of married allottee, to Shri..... S/o..... Age.....and Smt..... w/o..... Age.....R/o..... under the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes) Rules, 1970 on the terms and conditions mentioned in the allotment order and in the said rules-Now, therefore, this Sanad is issued to the said Shri /Shri and Smt,.....in accordance with the provisions of rule 15(3) of the said rules.

Particulars of Land

- 1 Name of Tehsil & District
- 2 Name of Village
- 3 Khasra Number
- 4 Area ⁴³[in hectares].
- 5 Soil Class
- 6 Sanctioned rent/rate
- 7 Assessed total rent

Seal of S.D.O.

Signature of Sub-Divisional Officer

⁴³ Substituted by Notification no. F.9(15)Rev.6/05/57, dated 22-11-06.