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¹Rajasthan Land Revenue (Allotment of Land to Co-Operative Societies) Rules, 1959

In exercise of the powers conferred by Sec. 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) and by Sec. 28 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954) and of all other powers for allotment of Government lands, the State Government is pleased to make the following rules namely—

Rule 1. Short title, extent and commencement.—(1) These rules may be called the Raj. Land Revenue (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.

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

(i) “Co-operative society” means an agriculture co-operative society formed and registered under the Rajasthan Co-operative Societies Act, 1953 (Rajasthan Act IV of 1953) and consisting of not less than ten and not more than thirty landless persons who are residents of the particular village in which the co-operative society is formed, or who undertake to reside in the village in which the land allotted to the society under these rules is situate.

²[(ii) “Landless Agriculturist” means a resident of Rajasthan who is either a *bonafide* agriculturist, or an agricultural labourer, cultivating or likely to cultivate the 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 tenure land any where in Rajasthan, or such land which he holds is less than one fifth of the minimum area prescribed in Sec. 53 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955):

Provided that the following categories of persons shall not be considered to be landless agriculturist, namely—

- (a) an employee of the Government, or of a commercial or industrial establishments or concern, his wife and children dependent on him but this does not include a casual or work charge labourer;
- (b) a person who held tenure land, including a person who has been allotted agricultural land, excess of the area specified above;
- (c) a person who has sold or otherwise transferred, the whole or part of the land held by or allotted to him.]

1. Noti. No. F. 2(17) B/59 dated 20-5-1959, Pub. in the Raj. Govt. Gaz., Part 4(ga), dated 16-7-1959.
2. Substituted vide Noti. No. F. 6(28) Rev./Gr. IV/81/103, dated 28-10-1983, Pub. in the Raj. Govt. Gaz., Exty., Part IV(B), dated 12-1-1984.

- (iii) Words and expressions defined in 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.

Rule 3. Allotment of Land to Co-operative 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 co-operative 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 exceeds 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 Co-operative Society as belongs to one family shall, together be deemed to be one member.

Rule 4. Allotment to be in consultation with Advisory Committee.—

(1) All allotments to co-operative 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 Legislature 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 Panchayat Samiti;
- (iii) the Sarpanch of the Village Panchayat in whose jurisdiction the land is situated]; and
- ²[(iv) the Vikas Adhikari of the Panchayat Samiti in whose jurisdiction of the land is situated].

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 atleast one week in advance. The applications of [landless agriculturist]³ shall be scrutinised in this

1. Substituted vide Noti. No. F. 6(48) Rev./B/60, dated 18-1-1961, Pub. in the Raj. Govt. Gaz., Part 4(ga), dated 5-4-1961.
2. Substituted vide Noti. No. F. 6(48) Rev./B/60, dated 7-4-1960.
3. Substituted vide Noti. No. F. 6(28) Rev./Gr. IV/81/103, dated 28-10-1983, Pub. in the Raj. Govt. Gaz., Part 1(B), dated 12-1-1984.

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.

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

Rule 5. Conditions of Allotment.—The allotment of land under these rules to a Co-operative 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 further period of twenty-five years, at the option of the Co-operative 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 co-operative society; and the provisions of the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954), and of the Rajasthan Colonisation (General Colony Conditions) Rules, 1955, shall apply.
- (3) The Co-operative Society shall have to cultivate atleast twenty-five percent of the allotted land within one year of the allotment, atleast 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 ²[Collector] 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 co-operative society fails or goes into liquidation:

Provided that the co-operative society may effect a simple mortgage of the whole or any portion of the allotted land with the Rajasthan Central Land Mortgage Bank [District Central Co-operative Bank] or a Co-operative Land Mortgage Bank for the purpose of obtaining a loan therefrom.

³[Provided further that no such order of resumption of land shall be passed unless the allottee co-operative society has been given an opportunity of being heard.]

- (5) The co-operative 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 Co-operative Society shall not construct any permanent structure or buildings on the allotted land other than a building which comes under the definition of an improvement as defined by cl. (19) of Sec. 5 of the Tenancy Act.
- (7) No individual Khatedari or Gair Khatedari right shall accrue in the allotted land to any member of the Co-operative Society.

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

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1. Inserted vide Noti. No. F. 6(48) Rev./B/60/Gr. 1/dated 18-4-1961, Pub. in the Raj Govt. Gaz., Part 4(ga), dated 25-6-1961.

2. Inserted vide GSR 107, dated 7-3-1998, Pub. in the Raj. Govt. Gaz., Exty., Part 4(ga)(l), dated 11-3-1998.

3. Substituted vide GSR 107, dated 7-3-1998, Pub. in the Raj. Govt. Gaz., Exty., Part 4(ga)(l), dated 11-3-1998.