

26

**Rajasthan Land Revenue (Allotment of
Land for Agricultural Purposes by
Sinking Tube-Wells) Rules, 1969**

CONTENTS

Rule No.	Particulars	Page No.
1.	Short title, extent and commencement	216
2.	Definitions	216
3.	Preparation of list of unoccupied Government Land available for allotment	216
4.	Maximum area to be allotted	216
5.	Issue of proclamation inviting applications for allotment	216
6.	Application for allotment	216
7.	Register of Applications	217
8.	Scrutiny of applications	217
9.	Order of priorities for allotment	217
10.	[Deleted]	217
11.	Conditions for allotment	217
12.	Sinking of the Tube-wells by Khatedars	218
	Form I	219

26

¹Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube-Wells) Rules, 1969

In exercise of the powers conferred by Section 101 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) read with clause (xviii) of sub-section (2) of Section 261 and clause (b) of sub-section (1) of Sec. 260 thereof and all other powers enabling it in this behalf, the State Government hereby makes the following rules, namely—

Rule 1. Short title, extent and commencement.—(1) These rules may be called the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube Wells) Rules, 1969.

(2) They shall extend to Districts of Barmer, Bikaner, and Jaisalmer.

(3) They shall come into force at once.

Rule 2. Definitions.—In these rules, unless there is anything to the contrary in the subject or context —

(a) 'Act' means the Rajasthan Land Revenue Act, 1956;

(b) 'Form' means a form appended to these rules;

(c) 'Government' means the Government of Rajasthan.

Rule 3. Preparation of list of unoccupied Government Land available for allotment.—The Collector shall prepare, in consultation with the Agriculture Department, a list of unoccupied Government land in the vicinity of a tube well site which shall be available for allotment under these rules.

Rule 4. Maximum area to be allotted.—(1) [Seventy five acres]² of land in the vicinity of a tube-well site shall be initially allotted to a private entrepreneur and after the command area of the tube well is determined by the Government to the capacity and other relevant factors, and in excess of ²[Seventy five acres] subject to the limit of the command area determined of a particular tube-well will be further allotted.

(2) All allotments under these rules shall be made by the Collector of the District.

Rule 5. Issue of proclamation inviting applications for allotment.—The Collector shall issue a proclamation inviting application for allotment of land for agricultural purposes by sinking tube-wells. Such proclamation shall give necessary details of the land available for allotment and shall be published in the Rajpatra and in such local or all Indian Newspapers as the Collector may decide.

Rule 6. Application for allotment.—(1) Any private entrepreneur desirous of obtaining an allotment under these rules may apply in writing to the Collector of the District in which the land is situate.

1. Noti No. F6(2) Rev./B/69 dated 17-6-69. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 26-6-1969.

2. Substituted vide Noti. No. F. 6(2) Rev./B/69, dated 13-4-1970. Pub. in Raj. Govt. Gaz., Part 4(ga)(I), dated 26-11-1970.

(2) The application shall be in Form I and shall be verified as a **plaint** under the Code of Civil Procedure.

(3) The application for allotment may be presented in person to the Collector or be sent by registered post.

Rule 7. Register of Applications.—The Collector shall record on each application the date and time of its receipt and shall enter all applications in a Register of applications.

Rule 8. Scrutiny of applications.—The Collector shall scrutinise the particulars given in each application.

Rule 9. Order of priorities for allotment.—(1) If there is only **one** applicant for a particular tube-well site, it shall be allotted to him.

(2) If there are more than one applicant for the same land, the allotment shall be made to the person whose application was entered first in the register maintained under Rule 7.

Rule 10. Deleted.—¹[X X X]

Rule 11. Conditions for allotment.—Allotment of land under these rules shall be subject to the following conditions, namely—

(1) The allotment shall be on a Gair Khatedari Tenancy with a right to ultimate conferment of Khatedari Tenancy after the expiry of a period of 10 years provided the allottee fulfils during this period of terms and conditions of allotment.

(2) A nominal rent of Re. 1/- per annum, for every ²[75] acres of Land shall be charged for a period of 10 years from the date of completion of a tube-well and thereafter full rent payable under the law shall be charged.

(3) The State Government shall by Notification exempt the lands allotted under these conditions (Rules) from the operation of Sec. 30-E of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955).

(4) The allottee will be free to get the tube-well sunk through the agency of the Rajasthan Ground Water Board or any other agency, but if the work is entrusted to a private agency, the assessment of total cost shall not exceed the rate prescribed by the Rajasthan Ground Water Board for construction of such tube-wells.

(5) The allottee shall have to sink the tube well at a site approved by the Director of Agriculture, Government of Rajasthan, and shall have to complete the sinking operations, within one year of the date of allotment, failing which the allotment shall be liable to cancellation and the land will revert to the State Government free from any liability.

(6) If the tube-well is successful for purposes of agriculture, the command area of the tube-well will be determined by the Government according to its discharge capacity and other relevant factors.

(7) The allottee shall provide free drinking water to human and cattle population of the area near the site of the tube-well and shall for this purpose construct a reservoir of prescribed specifications.

1. Deleted vide Noti. No. F. 6(93) Rev./Gr. IV/75, dt. 5.1.1976. Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 7-1-1976.

2. Subs. vide Noti. No. F. 6(2) Rev./B/69, dated 13-4-1970. Pub. in Raj. Govt. Gaz., Part 4(ga)(I), dated 26-11-1970.

- (8) It would be permissible for a private entrepreneur to sink up to five tube-well in a contiguous or adjacent area to make the project economical.
- (9) If water is not struck up to the maximum depth or if it so saline that it is not suitable for agricultural purposes the Government would pay 1/3 rd of the cost of the unsuccessful tube-well as subsidy and resume the land:
Provided that if the allottee wants to retain the land it shall not be entitled to any subsidy and full rent for the land shall be charged from the date of the tube-well having been declared unsuccessful by the Agriculture Department.
- (10) The allottee shall have to execute an agreement within a fortnight of the communication to him of the order of allotment and there after the possession of the land shall be given by the Collector.
- (11) The land shall be liable to be resumed by the State Government without payment of any compensation if the allottee commits breach of any of the conditions of allotment.

Rule 12. Sinking of the Tube-wells by Khatedars.—Notwithstanding anything contained in these rules the Government may, on the recommendation of the Collector, permit a Khatedar tenant to sink a Tube-well in his holding at a site approved by the Director of Agriculture on the same terms and conditions regarding payment of subsidy as are applicable to other allottees under the rules.]

Form I

(Rule 6(2))

Application for allotment of land under the Rajasthan Land Revenue (Allotment of land for Agricultural Purposes by Sinking Tube-wells) Rules, 1969

To

The Collector,
.....

Sir,

I S/o.....Resident of Village
..... Tehsil District occupation
State as under—

1. That I am a private entrepreneur desirous of obtaining an allotment under the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube Well) Rules, 1969.

2. That I want to take the land mentioned below for sinking tube well.

Particulars of Land applied for

S. No.	Name of village	Khasra No.	Area	Reference to the proclamation issued by Collector under Rule 5
1.	2.	3.	4.	5.

3. That I hereby undertake to abide by the conditions of allotment as contained in the Rajasthan Land Revenue (Allotment of Land for Agricultural Purposes by Sinking Tube Wells) Rules, 1969, and the provisions of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), and the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956).

Yours faithfully

Address.....

I verify that the statements made in the above application are true to the best of my knowledge and that I have stated the truth and have not suppressed any fact.

Witness

Signature of applicant

RECEIPT

Received the application of Shri..... for allotment of land under the Rajasthan Land Revenue (Allotment of land for Agricultural Purposes by Sinking Tube Wells) Rules, 1969, on at hours.

□□□