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Rajasthan Board of Revenue (Appointment of Oath Commissioners) Rules, 1970

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¹Rajasthan Board of Revenue (Appointment of Oath Commissioners) Rules, 1970

In exercise of the powers conferred by sub-section (1) of Section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the Board of Revenue for Rajasthan, with the previous sanction of the State Government, hereby makes the rules for the appointment of Oath Commissioners for Revenue Courts in Rajasthan, viz. Rajasthan Board of Revenue (Appointment of Oath Commissioners) Rules, 1970.

CHAPTER I Preliminary

Rule 1. Short title and Commencement.—(1) These rules may be called the Rajasthan Board of Revenue (Appointment of Oath Commissioners) Rules, 1970.

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

Rule 2. Definitions.—(1) In these rules, unless the subject or context otherwise requires—

- "Act" means the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956);
- "Affidavit" includes petition or any other document required to be sworn and "sworn" shall include affirmed;
- "Appointing Authority" means the Chairman, Board of Revenue for Rajasthan or any other authority which is invested with powers of appointing Oath Commissioners under these rules;
- "Board" means the Board of Revenue for Rajasthan;
- "Chairman" means the Chairman of the Board;
- "Oath Commissioner" means a legal practitioner appointed to be Oath Commissioner under these rules;
- "Presiding Officer" means an Officer who presides over a Revenue Court;
- "Registrar" means the Registrar of the Board.

(2) Words and expressions used herein but not defined in these rules and defined in the Act and the Rajasthan Revenue Courts Manual shall have the meanings assigned to them therein.

CHAPTER II Affidavits and Oath Commissioners

Rule 3. Appointment of Oath Commissioners by Chairman.—The Chairman, Board of Revenue for Rajasthan, may from time to time appoint such

1. Pub. vide GSR 250, dated 3-2-1971, Pub. in Raj. Govt. Gaz., Exty., Part 4(ga)(I), dated 11-3-1971.

legal practitioners as he may consider fit to be Oath Commissioners to administer oaths to the deponents of affidavits to be presented before the Board, specifying the period or periods for which they have been so appointed.

Rule 4. Appointment of Oath Commissioners by Collector.—A Collector of the District may from time to time appoint such legal practitioners as he may consider fit to be Oath Commissioners to administer oaths to the deponents of affidavits to be presented before him and all subordinate Revenue Courts lying within his jurisdiction.

Rule 5. Fees.—The fee chargeable by an Oath Commissioner appointed under these rules shall be 'rupees two' for each affidavit.

Rule 6. Persons empowered to verify affidavits.—The Registrar may verify an affidavit to be presented before the Board and the Presiding Officer of other Revenue Court may verify an affidavit to be presented in his Court.

Rule 7. Registers.—(1) Every Oath Commissioner shall maintain a register which shall contain the following particulars with respect to each affidavit sworn before him, namely —

- (a) Serial number;
- (b) Date and time of making the affidavit;
- (c) Particulars of the case to which the affidavit relates;
- (d) Full particulars of the person identifying the deponent;
- (e) Particulars of the person making the affidavit;
- (f) Fee paid;
- (g) Signature of the person making the affidavit, the person identifying the deponent and that before whom the affidavit is sworn;
- (h) Remarks; if any.

(2) The appointing authority may, from time to time, fix the number of registers to be maintained, the particulars to be entered therein and may add to or alter the particulars required to be entered therein.

Rule 8. Affidavit to bear serial number etc.—Each affidavit shall bear the serial number and the year of the register in which it is entered and the serial number of the entry.

Rule 9. Inspection of registers.—(1) The Registrar or any other Officer appointed by the Chairman in this behalf may inspect the registers maintained by an Oath Commissioner appointed for the Board.

(2) The Collector or any Officer authorised by him in this behalf or the Presiding Officer of the Revenue Court concerned, may inspect registers of Oath Commissioners carrying on business within his jurisdiction.

Rule 10. Duties of Oath Commissioners.—An Oath Commissioner shall not allow an affidavit to be sworn before him unless it complies with the provisions of these rules and those contained in the Rajasthan Revenue Courts Manual.

Rule 11. Removal of Oath Commissioner.—The appointing Authority may, in his discretion, remove an Oath Commissioner appointed by the from his office.

Rule 12. Affidavit filed or presented in Court.—The provisions of rules contained in Chapter IV of Vol. I and Chapter II of Vol. II of the Revenue Courts

Manual shall, so far as may be, apply to an affidavit filed or presented in a Revenue Court.

Rule 13. Fee to be included in the decree.—The fee chargeable by an Oath Commissioner appointed under these rules for each affidavit shall be included as costs in the decree.

Rule 14. Repeal and savings.—On and from the coming into force in these rules, for appointment of Oath Commissioners previously made and promulgated by the Board shall stand repealed, provided that such repeal shall not affect anything done or any action taken under the said rules.

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1. Substituted by Noti. dated 25-11-1983. Pub. in Raj. Govt. Gaz., Part 4(ga)(I), dated 15-12-1983.