

GOVERNMENT OF RAJASTHAN  
REVENUE (Gr-6) DEPARTMENT

NO F.3(2) Rev.6/03/pt./ 7

Jaipur, Dated: 2.3.2012

**NOTIFICATION**

In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Act no. 3 of 1955), the State Government hereby makes the following rules further to amend the Rajasthan Tenancy (Government) Rules, 1955 and in pursuance of the proviso to sub-section (1) of section 259 of the said Act, hereby orders that previous publication of these rules is dispensed with as the State Government considers that they should be brought into force at once, namely:-

**1. Short title and commencement.-** (1) These rules may be called the Rajasthan Tenancy (Government) (Amendment) Rules, 2012.

(2) They shall come into force at once.

**2. Addition of Chapter XII.-** After the existing Chapter XI of the Rajasthan Tenancy (Government) Rules, 1955, hereinafter referred to as the said rules, the following new Chapter XII shall be added, namely:-

**"CHAPTER XII**

**Rules to give effect to the provisions of section 251-A of the Act**

**68. Application under section 251-A.-** An application for grant of permission under sub-section (1) of 251-A of the Act shall be in Form I.

**69. Enquiry and disposal of application.-** On receipt of an application in Form I, the Sub-Divisional Officer shall either inspect the site himself or get it inspected by an officer not below the rank of the Inspector Land Records and invite objections from the affected persons. The Sub-Divisional Officer after affording an opportunity of being heard to the parties and making such further enquiry, as he thinks necessary, if satisfied that-

(i) the necessity is absolute necessity and it is not for mere convenient enjoyment of holding; and

(ii) particularly in case of a new way through another khatedar's holding, that absence of alternative means of access is proved,

may allow the application. The application shall be decided by the Sub-Divisional Officer within 90 days from the date of application.

70. **Determination of compensation.**- (1) The amount of compensation payable under sub-section (1) of section 251-A of the Act, shall be determined in the following manner:-

- (i) if the parties mutually agree on the amount of compensation, the Sub-Divisional Officer shall determine the amount of compensation as per the mutual agreement.
- (ii) if the parties do not agree mutually on the amount of compensation, the Sub-Divisional Officer shall determine the amount of compensation for the land equivalent to -
  - (a) two times of the rates recommended by the District Level Committee constituted under clause (b) of sub-rule (1) of rule 2 of the Rajasthan Stamps Rules, 2004 or the rates determined by the State Government under sub-rule (2) of rule 58 of the Rajasthan Stamps Rules, 2004, in the matter of a new way or enlargement or widening of an existing way; and
  - (b) 10% of the rates recommended by the District Level Committee constituted under clause (b) of sub-rule (1) of rule 2 of the Rajasthan Stamps Rules, 2004 or the rates determined by the State Government under sub-rule (2) of rule 58 of the Rajasthan Stamps Rules, 2004, in the matter of laying underground pipeline.

(2) In addition to the value of land determined under clause (a) or (b) of sub-rule (1), if any loss or damages caused due to removal of standing trees, crops or structure, the amount of actual loss or damages shall also be determined."

3. **Addition of FORM I.**- After the existing Form H appended to the said rules, the following new Form I shall be added, namely:-

**"FORM I**  
(See rules 68)

Application  
for permission under sub-section (1) of section 251-A of  
the Rajasthan Tenancy Act, 1955.

To,

The Sub-Divisional Officer  
Sub-division .....  
District .....

Sir,

- (1) I/we am/are khatedar tenant(s) holding land in your sub-division and I/we intend to lay an underground pipeline/new way/ enlargement or widening of an existing

(ii) an employee having been regularly selected as per provisions of these rules in the Government service may be allowed emoluments in his/her own pay scale in the existing pay scale of the post during service as probationer trainee or fixed remuneration of the new post, whichever is advantageous to him/her."

**4. Insertion of new rule 5A.-** After the existing rule 5 and before rule 6 of the said rules, the following new rule 5A shall be inserted, namely:-

**"5A. Period of probation and confirmation.-** (1) All persons appointed to the service by direct recruitment against a substantive vacancy shall be placed as a probationer-trainee for a period of two years.

(2) During the period of probation, specified above, each probationer trainee may be required to pass Patwar Examination and to undergo such training as may be specified by the Government, from time to time.

(3) A probationer trainee shall be confirmed in his/her appointment at the end of probation period, if,-

- (a) he has successfully undergone training as may be specified by the Government, from time to time;
- (b) he has passed the Patwar Examination; and
- (c) the Appointing Authority is satisfied that the integrity is unquestionable and that he is otherwise fit for confirmation."

**5. Amendment of rule 273.-** In rule 273 of the said rules,-

(i) for the existing marginal heading "Selection of candidates for admission to the school", the marginal heading "Selection for the post of Patwari" shall be substituted.

(ii) in sub-rule (1), for the existing expression "admission to the school", the expression "the post of Patwari" shall be substituted.

(iii) in clause (iv) of sub-rule (4) for the existing expression "notified by the Government for the purpose", the expression "as specified in sub-rule (10)" shall be substituted.

(iv) the existing sub-rule (10) shall be substituted by the following, namely:-

"(10) The candidates who are selected and given admission to the training school shall be required to produce a certificate of fitness signed by the Chief Medical and Health Officer or Medical Jurist of district in which the candidate normally resides, at the time of admission in the training school."