

The Rajasthan Municipalities Development Fund Rules, 1984

***Published vide Notification No. Rules/F. 24(63) DLB/84/4342-4658, dated 8-10-1984,
published in Rajasthan Rajpatra, Part 4-C, dated 1-11-1984, Page No. 345 to 348***

RJ708

Preamble :

GSR 56. - Whereas the State Government has decided to transfer the unallotted revenue lands (Bila Nam Sawai Chak) situated within the notified limits of Municipalities or approved Master Plans to the municipalities having jurisdiction after recovering the capitalized value of such land; and

Whereas the State Government though have decided not to transfer lands which are situated within the limits of colonization Mandies as Notified under the Rajasthan Colonization Act, 1954 to the respective Municipalities but on the specific proposals sent by Collector concerned or Colonization Commissioner, Bikaner any of these lands may be transferred to the respective Municipalities after denotifying as colony lands by the State Government and whereas Development Fund is to be established and constituted in pursuance of Rule 25 of the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974, it has been decided to establish in each Municipality, a Municipal Development Fund to be utilized for the planned development of that municipal area and for provision of essential amenities;

And whereas, having regard to the purpose for which this Fund is to be established, it is necessary to set out a procedure for its operation, the following rules are hereby made in exercise of powers conferred under sub-section (1) and clause (r) of sub- section (2) of section 297 read with section 80 of the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959) and section 102A of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956):-

1. Short title and commencement. - (1) These rules may be called the Rajasthan Municipalities Development Fund Rules, 1984.

(2) They shall come into force at once.

2. Definitions. - In these rules unless the context otherwise requires :-

(a) "Executive Officer" means the Executive Officer of a Municipality and includes a Commissioner;

(b) "Fund" means the Municipal Development Fund, established and constituted under these rules;

(c) "Government" means the Government in L.S.G. Department of the State of Rajasthan;

(d) "Municipality" means the Municipality established or deemed to have been established under the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959) and includes Notified Area Committee.

3. Fund. - (1) The following amount shall constitute the Fund :-

(i) Total amount of receipts on account of sale of land by allotment or by public auction or by regularisation of old possessions/encroachments or otherwise transfer on lease hold basis or outright sale;

(ii) Total amount of receipts on account of sale of Sawai Chak (Bila Nam) lands converted into abadi after making payment of capitalized value of such land if disposed of by allotment or by public auction on lease hold basis or otherwise transfer;

(iii) Total amount of receipts on account of sale of Colony land, if transferred to the Municipality by the Government, if disposed of by allotment or by public auction on lease hold basis or outright sale or otherwise transfer;

(iv) Other charges as directed by the Government.

- (2) The Collector concerned of the District will ensure the opening of an account for each Municipality in his jurisdiction with a Bank doing treasury business in Rajasthan or with the Post Office Saving Bank designated as 'Municipal Development Fund' or in Government Treasury or sub-treasury as personal Deposit Account.
- (3) The Executive Officer shall deposit the amount of sale proceeds of the land as specified in clause (1) above in the fund either on the same day or by the next working day at the most. Executive Officer shall be responsible to ensure that all the amount of sale proceeds of the land to be deposited in this fund has fully been deposited within the stipulated time.
- (4) The account of the fund shall be operated under the order of Collector of the district concerned.
- (5) The amount shall be withdrawn from the fund only on the basis of sanction issued in this behalf by the Government and not otherwise in any case.

4. Administration of fund. - (i) The fund shall vest in the Government.

(ii) The administration of Fund shall vest in the Secretary to the Government, Local Self Government Department, Rajasthan, who shall have his seat at Jaipur.

(iii) The Fund shall be utilized as specified and for the purposes detailed below :-

- (a) When a Municipality desires amount from the Fund for development of any area in its jurisdiction, it shall frame a scheme and submit the same to the Government to provide the amount from the Fund for the purpose of the scheme.
- (b) After examining the scheme, if the same is found in order, the Government may sanction the amount of the scheme to be withdrawn from the fund in two equal instalments. The first instalment shall be provided to the Municipality, by the Collector, soon after the scheme is sanctioned and second instalment shall be released by the Collector concerned, after receipt of the Certificate from the Executive Officer to the effect that the amount of first instalment has actually been utilized on the Development of the area for which scheme is sanctioned.
- (c) No Municipality will be paid more than the amount deposited in the fund. The Executive Officer shall on the close of each month send a certificate to the Collector concerned showing the total amount received on account of sale proceeds of the land and the amount deposited by him in the fund.
- [(d) The funds shall normally be utilised for development works of the Municipalities. In exceptional cases and on specific recommendation of the Collector, the funds may be used for grant of loan to the Municipality for payment of outstanding wages of employees and other pressing liabilities. Such loan shall be repaid by the Municipality in suitable number of instalments prescribed by the Government.]

5. Proforma of the Fund. - The Collector concerned or the Officer authorised by him in this behalf shall keep a separate account of the Fund wherein only the receipt and payment of the Fund shall be entered in the proforma attached to the Rules. A copy of entries of this proforma shall be sent by Collector to the Secretary to the Government, Local Self Government Department, Rajasthan at the close of every month.

6. Audit of the fund. - The Executive Officer shall keep a separate account for the amount received from the Fund which shall be subject to audit by the Director, Local Fund Audit, Local Fund Audit Act, 1954 (Rajasthan Act 28 of 1954) and

Proforma

Statement for the sale proceeds deposited in the Municipal Development Fund for the Month of.....

S. No.	Name of the Municipality	Deposits of sale proceeds		
		Balance B/F Rs. P.	Received during the Month Rs. P.	Total Amount Rs. P.
1	2	3	4	5

Amount released			Balance in Hand
Name of the Scheme	Govt. Sanction	Amount released R. P.	Rs. P.
6	7	8	9

Constitution of Development Fund-Personal Deposit Accounts

[Notification No. Tax/Rules/(F)(25) DLB/64/8503, dated 1-4-1965, published in Rajasthan Gazette, Extra-ordinary, Part IV-C, dated 2-4-1965.]

In pursuance of sub-rule (d) of clause 1 read with sub-rule (i) of clause of this Department Notification No. F. 7 (187) LSG/59- II, dated 8-10-1959, the State Government hereby directs.-

1. That 50% of the total receipts on account of sale of Nazul lands in respect of Municipalities of Ajmer, Beawar, Jodhpur, Jaipur, Udaipur, Bikaner, Ganganagar, Sikar, Alwar and total amount of such receipts in case of other municipalities shall constitute the 'Development Fund' of each Municipality.

Note. - The remaining 50% of the receipts on account of sale of Nazul lands in respect of the Municipalities of Ajmer, Beawar, Jodhpur, Jaipur, Udaipur, Bikaner, Ganganagar, Sikar and Alwar shall be credited to the Consolidated Fund of the State under head "(Receipt Extraordinary Receipt from Sale of Land-3-Scale of Land in other areas)".

2. That the total amount so received shall be deposited in a bank doing treasury business in Rajasthan or with a Post Office Savings Bank as "Personal Deposit Account" to be designated as 'Development Fund' to be withdrawn only with the prior permission of the Collector in respect of District Head Quarters and Sub- Divisional Officers in case of other towns.
3. That the total amount so credited to the Development Fund shall be utilised solely for the improvement of the Municipal Area concerned.
- [4. That the Development Fund shall be operated jointly by the President/Chairman of the Council/Board and the Collector/Sub-Divisional Officers as the case may be.]
5. That the accounts relating to the Development Fund shall be subject to audit by the Examiner, Local Fund Audit Department, Rajasthan Jaipur in accordance with the provisions of the Rajasthan Local Fund Audit Act, 1954 and the Rules made thereunder.

Notification

[Letter No. F. 11(2) FWM/66, dated 25-8-1966 from the Assistant Secretary to Government to the Accountant General, Rajasthan, Jaipur and copies vide No. Tax/Rules/F (25) DLB/64/48819, dated 13-9-1966.]

Subject - Personal Deposit Accounts.

Sir.

I am directed to refer to the correspondence resting with your letter No. TM/K32) Part II/Vol.II/3774 dated 1-2-1966 and to convey approval of the Governor of Rajasthan to the opening of the Personal Deposit Accounts in the name of all the Municipal Boards at the respective Treasuries/Sub-Treasuries styled as "Development Fund Municipal Board (name of the Municipality)" in terms of para 2 of the Local Self Government Department [Notification No. Tax/Rules/F. (25) DLB/64/8503, dated 1-4-1965 (copy enclosed).] The said accounts will be operated upon jointly by the Chairman of the concerned Municipal Board and the Collector or the Sub-Divisional Officer as the case may be.

The transactions will appear under head 'T-Deposit and Advances-Part II-Deposits not bearing interest B-Departmental and Judicial Deposits-Civil Deposits-Personal Deposits'. The officer authorised to operate on the account will be responsible for keeping proper initial accounts.

Clarification regarding Money Value Forms

[Circular No. F. 4(20) LSG/57/33144, dated 23-10-1971.]

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[Notification No. Tax/Rules/F. 20/DLB/63/66553-66813, dated 8-1-1966, Published in Rajasthan Gazette, Part IV-C, dated 11-5-67.]

In pursuance of Rule 64 of the Rajasthan Municipalities Accounts Rules, 1963 read with Rule 71 of the Rajasthan Travelling Allowance Rules, the State Government hereby declares the following authorities as controlling officers for purposes of travelling allowance in case of municipal employees.

A. Municipal Council.

- (i) President of the Municipal Council for all members of the municipal service under him.
- (ii) Commissioner of Municipal Council for all municipal employees under him other than the members of municipal service.

B. Municipal Boards.

Chairman of the Board for all the municipal employees under him including members of the Rajasthan Municipal Service