

**THE RAJASTHAN COLONISATION (GANG CANAL LANDS PERMANENT ALLOTMENT AND SALE)
RULES, 1956.**

[Notification No. F.6(34) Rev.II/56, dt. 03.01.1957, published in Rajasthan Gazette Ordinary, Part-IV-C, dated, 21.02.1957]

In exercise of the power conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Act No. XXVII of 1954), the State Government is hereby pleased to make the following rules, namely the Rajasthan Colonisation (Gang Canal Lands Permanent Allotment) Rules, 1956 :-

1. Short title, commencement and extent of applicability.- (1) These Rules may be called the Rajasthan Colonisation (Gang Canal Lands Permanent Allotment ¹[and sale] Rules, 1956.

(2) They shall come into force at once.

(3) These Rules shall apply ²[to commanded and un-commanded lands in the Gang Canal Area].

2. Interpretation.- ³[(1)] In these Rules the word “**Zamindar**” shall have the same meaning as given in the Rajasthan Tenancy Act, 1955 (Act 3 of 1955).

⁴[(2) “**lands less person**” means a person who has been a resident of Rajasthan since before the 1st day of April, 1955 and is by profession a bona fide agriculturist or bona fide agricultural labourer and whose primary source of income is agriculture:

Provided that such person neither holds any tenure land anywhere in excess of 15 bighas nor is a sub-tenant of any such land (in excess of 15 bighas) from which he is not liable to ejectment under the provisions of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955) or under any other law for the time being in force in the area in which the land is situated, nor is entitled for permanent allotment of 15 bighas or more land anywhere under any other rule, condition or law.]

⁵[Provided further that a released ‘Sagri’ as certified by the Sub-Divisional Officer will be treated as landless person of that village.

Explanation- For the purpose of this proviso ‘Sagri’ means the, bonded labourer as defined in the Bonded Labour System (Abolition) Act, 1976 (Central Act 19 of 1976).]

⁶[Provided further that following categories of persons shall not be deemed to be landless persons, namely:-

(a) an employee other than a casual or work charged employee of the Government or of a commercial or industrial establishment or concern, his wife and children dependent on him;

1. Inserted by Notfn. No. F.6(37) Rev./B/62, dt. 16.03.1963.
2. Substituted by Notfn. No. F.6(34) Rev./Col./54/Irg., dt. 12.11.1957.
3. Rule 2 renumbered as sub-rule(1) thereof and sub-rule (2) added by Notfn. No. F.6(40) Rev./B/Col./61, dt. 19.02.1974.
4. Rule 2 renumbered as sub-rule(1) thereof and sub-rule (2) added by Notfn. No. F.6(40) Rev./B/Col./61, dt. 19.02.1974.
5. Added by Notfn. No. F.3(19) Rev./Col./76, dt. 27.08.1976.
6. Added by Notfn. No. F.4(10) Rev./Col./75, dt. 27.12.1982.

(b) a person who has sold, or otherwise transferred, the whole or part of the land held by or allotted to him other than land transferred to or acquired by the Government or statutory bodies, and thereby reduces the size of his holding to become a landless person.]

¹[(3) "**Beneficiary of the integrated Rural Development Programme**" means a person who has been identified as being below the subsistence level and included in the Integrated Rural Development Programme and certified as such by the Collector or his authorised representative.

(4) "**Integrated Rural Development Programme**" means a programme undertaken by the State Government to identify the poorest persons subsisting below the poverty line, as well as the subsistence level, and residing in rural area, and to provide productive assets and benefits for their economic upliftment.]

²[(5) "**Index Price**" means the market value of the land determined from time to time by the District Level Committee constituted under the provisions of the Rajasthan Stamps Rules, 1955 with respect to land of similar soil class of the area in which the land to be sold is situated.]

3. Person eligible for allotment of land.- (1) The persons eligible for allotment of lands, on a permanent basis, shall be following in the order of priority in which they are mentioned hereunder, namely :-

³[(i) Tenants who have been cultivating land temporary on the basis of three years girdawri since before 1947 and who cultivate or can reasonably be expected to cultivate personally.

(ii) Zamindars who held, on or before the 1st day of July, 1947, less than 25 bighas of perennial land or less than 50 bighas of non-perennial irrigated land.]

(iii) Tenants who were allotted land for the first time in 1952 for temporary cultivation on the basis of 3 years girdawri, such allotment having been continued in subsequent years and who cultivate or can be reasonably expected to cultivate their land personally.

⁴[(**Explanation**.- It is not necessary that a tenant should have been continuously cultivating the same piece of land on temporary cultivation lease; if he has been holding land on temporary cultivation lease anywhere in the Gang Canal area and has been cultivating it personally, he shall be eligible for permanent allotment of land under this clause.]

(iv) Tenants who have been cultivating land since before 1947 either under a lease or on batil;
(v) Tenant who have been cultivating barani land in the same chak or tehsil since before 1947;

1. Added by Notfn. No. F.4(25) Rev./Col./ 77, dt. 10.11.1982.
2. Added by Notfn. No. F.4(10)/Col./ 95, dt. 05.05.1999.
3. Substituted by Notfn. No. F.6(34) Rev./B/54/Irg., dt. 22.05.1958.
4. Substituted by Notfn. No. F.6(40) Rev./B/61, dt. 17.05.1962.

¹[(vi) Tenants who have been cultivating barani land from 1952 onwards.]

(vii) ²[XXXX]

³[(vii-A) Temporary cultivators who were allotted land ⁴[on or before 1.1.1995 whether his temporary cultivation lease renewed or not or has been cancelled and such cultivators having possession on such land till the date of allotment] and who cultivate, or can reasonably be expected to cultivate the land personally, subject to the condition that land is available.]

⁵[(viii) (a) Landless person of Scheduled Caste and Scheduled Tribes residing in the same chak;

(b) Other landless persons of the same chak:

Provided that among landless persons described in the above sub-clauses a T.C. lease-holder shall be given priority:

Provided further that if landless persons of the relevant priority are not available in the same chak, landless persons of the adjoining chak or village will be allotted lands according to the prescribed authority.

⁶[(ix) The tenants, including displaced persons, who were allotted half square of land in 1952 in pursuance of Notification No. F. 3(375) Rev. 11/51, dated the 25th August, 1951, may be given half square of land more in order to make up one full square if they have applied for further allotment; provided that such allotment of an additional half square shall be made after all pending applications are disposed of and subject to the condition that after the allotment of the additional half square the total area of land with the allottee shall not exceed 15.6 acres and that the price to be charged from him shall be equal to the prevailing market price:

Provided that in the case of persons whose applications for permanent allotment of land has been rejected on account of there being a gap of one year in temporary cultivation since 1947, a break of two years in continuous possession and cultivation from 1947 to 1962 may be condoned by the Collector so as to make them eligible for allotment of land; and in the case of persons whose applications has been rejected on account of there being a gap of one year in temporary cultivation after 1952, one year's break in continuous possession and cultivation from 1952 to 1962 may be similarly condoned.]

1. Substituted by Notfn. No. F.6(40)Rev./B/61, dt. 17.05.1962.
2. Deleted by Notfn. No. F.6(40)Rev./B/61, dt. 19.02.1974.
3. Inserted by Notfn. No. F.6(34)Rev./B/54/Irg., dt. 22.05.1958 and substituted by Notfn. No. F.4(11) Col./97, dt. 13.09.2001.
4. Substituted by Notfn. No. F.4(11)Col./97, dt. 23.01.2003 and again by Notfn. No. F.4(11) Col./97, dt. 24.09.2004.
5. Substituted by Notfn. No. F.6(40) Rev./B/Col./61, dt. 19.02.1974.
6. Substituted by Notfn. No. F.6(34) Rev./B/54/Irg. , dt. 22.05.1958.

¹[Provided that a landless person who does not hold any tenure land anywhere in Rajasthan or such land as he holds is less than 2^{1/2} acres of irrigated land or 5 acres of un-irrigated land shall be given preference within the category specified in sub-rule (1) which appertains to him.]

²[³[(2) Notwithstanding anything contained in Rule 4, small patch, small patches of land upto five bighas of irrigated land and ten bighas of non irrigated land, may be allotted to a person holding land in same square or person holding adjoining land, if the person is prepared to pay of the index price or reserve price whichever is higher, in two instalments, the first instalment being payable within fortnight of order of allotment, in the current financial year of the allotment. The due date in respect of second instalment shall be the date of the year of corresponding to the date on which the date of allotment was done in the next financial year. Interest shall be charged thereon at the rate of 12% per annum from the date of default of payment of an instalment on the due date:]

Provided that the total land already in his possession plus the small patch shall not make his total holding in excess of ceiling limit:

Provided further that if there are more than one person holding land in the same square or a person holding adjoining land who want to purchase the small patch, it shall be put to auction and given to the, highest bidder amongst the persons holding the land in the same square or a person holding adjoining land.]

⁴[(3) Notwithstanding anything contained in sub-rule (1) of rule 3, the Collector of the District shall allot land on priority to a landless person of the village, Tehsil, or the District respectively, identified as a Beneficiary of the Integrated Rural Development Programme.]

1. Added by Notfn. No. F.4(10)Rev./Col./75, dt. 27.12.1982.
2. Substituted along with provisos by Notfn. No. F.4(10) Col./95 dt. 05.05.1999.
3. Substituted by Notfn. No. F.4(3) Col./99, dt. 26.09.2004.
4. Inserted by Notfn. No. F.4(13) Rev./Col./76, dt. 19.09.78 and substituted by Notfn. No. F.4(25) Rev./Col./77, dt. 10.11.1982.

¹[3-A. (1) Notwithstanding anything contrary contained in these rules “medium patch” of Government land measuring more than 5 bighas of irrigated land and 10 bighas of unirrigated land but not more than 10 bighas of irrigated land and 20 bighas of unirrigated land may be allotted to a tenure tenant whose tenure land adjoins such medium subject to the ceiling area at the rate of index price:

Provided if more than one tenant of the adjoining land apply for allotment of the same medium patch, the allotment shall be made by sealed bid to highest bidder subject to the ceiling limit.

(2) The price of such medium patch shall be payable by the allottee in two instalments, the first instalment being payable within a fortnight of the order of allotment in the current financial year of the allotment. The due date in respect of second instalment shall be the date of the year corresponding to the date on which the date of allotment was done, in the next financial year. Interest at the rate of 12% per annum shall be charged from the defaulter of payment of an instalment on the due date.]

4. Extent of allotment.- (1) To every person eligible for allotment under rule 3 the maximum land that may be so allotted shall subject to availability, not exceeding 25 bighas of perennial land or 50 bighas of non-perennial irrigated land:

Provided that-

- (a) a zamindar holding land as such in excess of the scale specified in this rule shall continue to hold the same and shall receive no further allotment;
- (b) any tenant holding land for temporary cultivation or holding or cultivating barani land shall surrender the same to the Government upon allotment of other land on permanent basis to the full extent permissible by this rule;

²[(c) In considering the extent of land to be allotted under these Rules the total area of land already held by the applicant, whether in this State or in any other State in India shall be taken into account.]

1. Inserted by Notfn. No. F.4(3) Col./99, dt. 26.09.2004.
2. Inserted by Notfn. No. F.6(40) Rev./B/61, dt. 11.05.1962.

¹[(d) यदि किसी अस्थायी अभिधारी का भूमि पर निरन्तर खेती संबंधी कब्जा है तो उसे 25 बीघा सिंचित भूमि या इसके बराबर से अनधिक भूमि आरक्षित मूल्य पर आवंटित की जायेगी और यदि उसके ²[वयस्क पुत्र/पुत्री या पुत्र/पुत्री हैं] तो उसे/उन्हें अधिक भूमि में से 25 बीघा सिंचित या इसके बराबर से अनधिक भूमि आरक्षित मूल्य पर आवंटित की जायेगी और ऐसे आवंटन के पश्चात शेष रही भूमि अस्थायी अभिधारी या उसके ³[वयस्क पुत्र/पुत्रों या अविवाहित पुत्री/पुत्रियों], यदि वे ऐसे आवंटन के लिए आवेदन करें, को प्रचलित बाजार मूल्य पर आवंटित की जा सकेंगी:

परन्तु भूमि का आवंटन राजस्थान कृषि जोतों पर अधिकतम सीमा अधिरोपण अधिनियम 1973 में अधिकथित अधिकतम क्षेत्र के अध्यधीन होगा।]

स्पष्टीकरण – (1)अभिव्यक्ति ⁴["वयस्क पुत्र/पुत्री" या "पुत्र/पुत्री"] से ऐसा ⁵[पुत्र/पुत्री] अभिप्रेत है जो ⁶[1.1.2001 को या इससे पूर्व] भारतीय वयस्कता अधिनियम, 1875 के अनुसार प्राप्तवय हो।

(2)इस नियम के प्रयोजन के लिए एक बीघा सिंचित भूमि का अर्थ दो बीघा असिंचित भूमि के बराबर लगाया जायेगा।]

Explanation- A joint and undivided family shall, for the purpose of existing holdings and of allotment of lands under these Rules, be deemed to be one person and dealt with accordingly.

⁷[Where land has not been shown in the land records as divided prior to the year 1952 the family shall not be treated as divided, nor shall any allotment be made on the ground that the share of one person comes to less than one square.]

(2) Where both perennial land and non-perennial or Barani land is held by or allotted to the same person, one bigha of perennial land shall, for the purpose of determining the area so held or allotted, be deemed to be equivalent to two bighas of non-perennial land or three bighas of Barani land.

5. Application for allotment of land.–⁸[(1) Every person eligible for allotment of land on a permanent basis under these rules, shall submit his application ⁹[within one month of the date, of publication of notice by the Collector in a local newspaper for the purpose. The notice shall also be affixed on the Notice Boards of the Village Panchayat Samiti, Patwarghar, Zila Parishad, Tehsil and D.D.O.'s Office.]

1. Inserted in Hindi by Notfn. No. F.4(7) Rev./Col./80, dt. 26.10.1990.
2. Substituted by Notfn. No. F.4(11) Col./97, dt. 13.09.2001.
3. Substituted by Notfn. No. F.4(11) Col./97, dt. 13.09.2001.
4. Substituted by Notfn. No. F.4(11) Col./97, dt. 13.09.2001.
5. Substituted by Notfn. No. F.4(11) Col./97, dt. 13.09.2001.
6. Substituted by Notfn. No. F.4(11) Col./97/2, dt. 18.05.2007.
7. Substituted by Notfn. No. F.6(37) Rev./B/62, dt. 16.03.1963.
8. Substituted by Notfn. No. F.8(396) Rev./B/58/Irg., dt. 05.11.1958.
9. Substituted by Notfn. No. F.6(40)/Rev./B/Col./61, dt. 19.02.1974.

¹[(1-a) Where an applicant is a married agriculturist, the application for allotment shall be submitted in the name of both husband and wife.]

(2) Every application under sub-rule (1) shall be accompanied by an affidavit from the applicant stating the facts which make him eligible for allotment and a complete description and specification of the land sought to be allotted.

(3) An application under these rules shall be presented to the Tehsildar within whose Tehsil the land, which is the subject matter of the application is situated.

(4) The Tehsildar shall, after making necessary enquiry as to the eligibility of the applicant, submit all applications, with his report on each, to the Collector for final orders.

6. Allotment.- (1) On an application for fresh allotment, the Collector shall consider such application on its own merits and shall, if satisfied that the applicant is eligible for allotment of land in accordance with these rules, allot the land applied for, or any other suitable land if available, on payment of price fixed under rule 7 and grant the applicant Khatedari rights therein.

²[(1-a) In case where allotment of land is made to a married Agriculturist, the allotment shall be in the joint name of husband and wife and the allottees, in such case, shall be deemed to be joint allottees.]

(2) In making allotment of fresh land the Collector shall strictly follow the order of priority laid down in rule 3 and, subject to that order allotment of land to a particular chak or village shall be made first to the tenant's residing in that particular chak or village and failing them, to the tenants residing in the adjoining chak or village.

Explanation- Criteria for determining the residence of a landless tenant in a particular chak or village will generally be the entry, made in Malshumari papers and Girdawari; and if the entries go against the applicant, the burden of proving the residence shall lie on the applicant.

(3) Where there are more than one applicant of the same class for any land, it shall be allotted by drawing lots between all such applicants.

(4) The sale of land to the owners of small patches of land referred in sub-rule (2) of rule 3 shall be subject to the payment of price cash drawn in one instalment within six weeks of the date of allotment.

1. Inserted by Notfn. No. F.4(3) Col./99, dt. 11.09.2002.
2. Inserted by Notfn. No. F.4(3) Col./99, dt. 11.09.2002.

¹[(5) The Land belonging to a member of a Scheduled Caste or a Scheduled Tribe which vests in the State Government under sections 175 and 176 of the Rajasthan Tenancy Act, 1955 and under sections 13 and 14 of the Rajasthan Colonisation Act, 1954, shall be allotted only to a member of a Scheduled Caste or a Scheduled Tribe respectively, in accordance with the provisions of these rules.]

²[6-A (1) Notwithstanding anything contained in rules 3,4,5 and 6 and without prejudice to any proceedings pending there under, land up to 25 Bighas of irrigated land or 50 Bighas of un-irrigated land may also be allotted to temporary cultivation lease holders to whom land had been allotted under Temporary Cultivation Leases Conditions, 1955 and who are in continuous cultivatory possession thereof beginning from 1953 to 1960.

(2) In making such allotments the Collector shall call for the relevant information from the Tehsildars and where any other land, is found to have been held already by a temporary cultivation lease, holder anywhere else, allotment shall be made only to the extent so as to make his total holding equal to 25 Bighas of irrigated and 50 Bighas of unirrigated land.

Explanation – For the purpose of this rule 1 Bigha of irrigated land shall be considered as equivalent to 2 Bighas of unirrigated land.]

7. Fixation and recovery of price.– (1) The Government shall fix the scales at which the price for land allotted under these rules may be charged, and such scales may be different for different kinds of land.

1. Added by Notfn. No. F.4(13) Rev./Col./83/IV, dt. 25.11.1983.
2. Inserted by Notfn. No. F.22(30) Rev./Col./65, dt. 05.06.1970.

(2) Such price will be payable in ¹[15] equal yearly instalments, the first of such instalments being payable at Tehsil headquarters within a month of the Collector's order for allotment ²[if the land is single cropped, and thirty half yearly instalments if the land is double cropped, and the first such instalment shall be payable before possession of the allotted land is handed over to the allottee]:

³[Provided that in the event of total price or all the remaining instalments being paid upto March 31,1972, a rebate equal to 25% shall be allowed on the amount of price or instalments which have not become due upto this date of payment.]

⁴[Provided further that the Collector may, on application, extend the period mentioned in this sub-rule by not more than six months, or till the date of harvesting of the crop, whichever is earlier, in which event the provisions of clauses (i),(iii) and (iv) of sub-rule (4) shall apply];

⁵[(2-A) Notwithstanding anything contained in sub-rule (1) an allottee of the land situated within a radius of 12 KM from the periphery of a city having population of one lac persons or more, or within a radius of 8 KM from the periphery of town having population of fifty thousand or more but less than one lac persons or within a radius of 3 KM from the periphery of a town having population of twenty five thousand or more but less than fifty thousand persons shall deposit 25% of the total price of the land at the time of allotment and 15% of the total price after one year of the allotment. The remaining 60% shall be deposited in three equal yearly instalments, the first of which shall be deposited on the expiry of two years commencing from the date of allotment.

Provided that an allottee belong to a Scheduled Castes and Scheduled Tribes shall deposit the price of such land in ten equal yearly instalments. The first instalment shall be deposited after the expiry of two years commencing from the date of the allotment.]

(3) In case of default in the payment of the total price of the first instalment thereof within the period prescribed by sub-rule (2) the order for allotment shall be liable to cancellation.

(4) In case of payment by instalments,-

(i) if any instalment is not paid up on the due date thereof interest shall be charged thereon at the rate of ⁶[nine per cent] per annum;

1. Substituted by Notfn. No. F.22(30) Rev./Col./65, dt. 05.06.1970.
2. Added by Notfn. No. F.22(30) Rev./Col./65, dt. 28.11.1970.
3. Added by Notfn. No. F.22(30) Rev./Col./65, dt. 28.11.1970.
4. Inserted by Notfn. No. F.6(40) Rev./B/61, dt. 26.11.1962.
5. Inserted by Notfn. No. F.4(13) Rev./Col./76, dt. 19.09.1978 and substituted by Notfn. No. F.19(7) Rev./Col./78, dt. 04.06.1981.
6. Substituted by Notfn. No. F.22(30) Rev./Col./65, dt. 28.11.1970.

- (ii) if any two consecutive instalments are not paid on the due dates thereof, the order for allotment shall be liable to cancellation;
- (iii) so long as the total price is not paid up, malikana at the rate of one rupee and eight annas per bigha shall continue to be charged, and
- (iv) until the total price is paid up, the land which has been allotted shall not be alienated.

¹[Provided that where the allottee fails to deposit the Instalments of price of land, no action for cancellation of allotment of land shall be taken by the allotting authority if the allottee deposits the remaining unpaid price of land without any interest as lump sum upto 31.12.2013:

Provided further that where the allotment of land has been cancelled for non-payment of installments of price of land and land has not been allotted to any other person, the allotment shall be restored if the allottee deposits the remaining unpaid price of land without any interest as lump sum upto 31.12.2013.]

²**[7-A Difference in Prices.-** ³[(1) If any land allotted as uncommand land subsequently becomes command land, then for such land the allottee shall pay to the State Government, the prevailing reserve price on the date the land becomes command land, less the price which he has already paid in terms of uncommand land.]

(2) The price referred to in sub-rule (1),shall be payable by the allottee in five annual instalments, the first instalment being payable within a fortnight of the order. The due date in respect of second and subsequent Instalments shall be the date of the years corresponding to the date on which the order was made. Interest at the rate of 9% per annum shall be charged in default of payment of any instalment on due date.

(3) If any land allotted as command land is subsequently declared uncommand land by competent authority before its price has been fully paid up, the amount paid towards its price as command land will be adjusted towards the price or instalments payable for it as un-commanded land and any amount already paid in excess thereof shall be refunded to the allottee.]

- 1. Substituted by Notfn. No. F.14(8) Col./2009, dt. 29.05.2013.
- 2. Inserted by Notfn. No. F.4(12) Rev./Col./73, dt. 24.01.1977.
- 3. Substituted by Notfn. No. F.4(11) Col./99, dt. 11.02.2003.

¹[7-B. In cases in which the cost of development of the allotted land has been borne by the State Government, the cost shall be payable by the allottee at the rates prescribed by the State Government from time to time, alongwith the instalments of the price of the land.]

8. Reservation of land for Harijans.- (1) In each Tehsil to which these rules extend, same land on proportionate population basis will be reserved for Harijans out of the total land therein available for allotment.

²[(2) Every Harijan who is eligible for allotment under these rules shall be allotted land in accordance therewith. Any Harijan who has been continually residing in the village since before 1952 may be allotted land at the rate of 12 $\frac{1}{2}$ bighas if he has a pair of bullocks or camel on the date of allotment or he has been cultivating land as a partner or labour. Such allotments shall be subject to the provisions of rule 4 and 7.]

³[8-A. Out of the total Government land available for allotment within a radius of 12 KM from the periphery of a city having population of one lakh persons or more or within a radius of 8 KM from the periphery of a town having population of fifty thousand or more but less than one lakh persons, or within a radius of 3 KM from the periphery of a town having population of twenty five thousand or more but less than fifty thousand persons 25% land shall be reserved for allotment to the persons belonging to a Scheduled Caste or Scheduled Tribe and the remaining land shall be allotted to other landless persons eligible for allotment .]

9. Special cases.- Notwithstanding anything contained in these rules the Government may make allotment to any person as a special case :

⁴[Provided that Government may delegate the powers of allotment in any case or a class of cases under this rule to the Colonisation Commissioner or the Collector or to any other prescribed authority, subject to such terms and conditions as may be prescribed in this behalf.]

1. Added by Notfn. F. 19(7) Rev./Col./78, dt. 04.06.1981
2. Substituted by Notfn. F. 6(34) Rev./II/54/Irg., dt. 14.10.1959
3. Inserted by Notfn. F. 4(13) Rev./Col./76, dt. 19.09.1978 and substituted by Notfn. F. 19(7) Rev./Col./78, dt. 04.06.1981
4. Added by Notfn. F. 18(3) Rev./Col./77, dt. 07.02.1981

¹[9-A. Disposal of Government land by auction.- (i) The State Government may reserve any area or class or category of Government land for sale by public auction.

(ii) For sale by public auction under sub-rule(i), the provisions of Part-B of the Rajasthan Colonisation (Bakra Project Government Land Allotment and Sale) Rules 1955, shall mutatis mutandis, apply.]

²[9-B. Regularization of certain cases of trespassers.- (1) Notwithstanding anything contained in these rules and subject to the specific or general directions of the Government allotting authority may, on the advice of the Advisory Committee, instead of ejecting a transgressor from the land occupied by him, allow him to retain possession of the whole, or part of such land subject to the extent of the ceiling area applicable to the allottee under the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973(Rajasthan Act 11 of 1973):

³[Provided that such trespasser has been in possession over the trespassed land for minimum five years during preceding seven years from 01.01.2000 and still in continuous possession from 01.01.2000:]

Provided that such trespasser has been in continuous possession of the trespassed land for five years or more prior to 01.01.1995.

(2) Upon regularization in the manner indicated in sub-rule (1), the trespasser shall be deemed to have been allotted the land so regularized under these rules and shall be governed by the terms and conditions prescribed in these rules.

(3) Such trespasser upon regularization shall be bound to pay the price at District Level Committee (DLC) rate.

(4) The price so fixed under sub-rule (3) shall be paid by the trespasser in four yearly instalments.

After scrutinizing the papers submitted by the trespasser, if it is found that the case is fit for regularization, a notice is to be given to the said trespasser indicating the amount assessed and the said trespasser will deposit the first instalment within 15 days serving the notice and as soon as the first instalment paid, the orders for regularization will be issued by the competent authority. The subsequent instalment shall be payable on or before 15th July of every year.

(5) The price of land so fixed shall be deemed to have become due from the date of order of regularization and an interest at the rate of 18% per annum shall be payable on the amount of the instalment which has fallen due for payment.

1. Added by Notfn. No. F.4(8) Rev./Col./75, dt. 25.11.1975.
2. Inserted by Notfn. No. F.4(3) Col./99, dt. 26.09.2004.
3. Substituted by Notfn. No. F.4(3) Col./99, dt. 11.01.2008.

(6) All instalments together with interest if any, shall be paid at the nearest Treasury or Sub-Treasury.

(7) The following rates of rebate shall be allowed to the allottee:-

For payment of the whole price in one lumpsum at the time of allotment	Persons belonging to the SC/ST Beneficiary of the/ IRDP/Displaced Agriculturists/Displaced landless Agriculturists/Released Sagri	Others
	15%	10%]

¹[(8) Notwithstanding anything contained in these rules, the Agriculture Co-operative Society to whom land was allotted and the said society provided part of that land to its member for cultivation and the said land has been resumed under the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959 or voluntarily surrendered by such member or his successor who got gaikhatedari or khatedari rights in violation of sub-rule (7) of Rule 5 of the said Rules of 1959, if such member, was member of such co-operative society on or before the date of commencement of these amendment rules and same is verified by the concerned registering authority and such members or his successor is bona fide agriculturist and continuously cultivating the said land personally, the allotting authority may on advice of Advisory Committee instead of ejecting him, allot the whole or part of that land subject to ceiling limit on payment of twenty five percent of the reserve price in case of member of Scheduled Castes, Scheduled Tribes, Other Backward Classes and Below Poverty Line families, and on payment of fifty percent of the reserve price in case of others, by reducing the amount already deposited, if any.]

²**[10. Appeal and Revision.-** (1) Any person aggrieved by an order made by the Collector under Rule 6 may, within 30 days of the date of such order, appeal to the Revenue Appellate Authority.

(2) Any person aggrieved by an order of the Revenue Appellate Authority may within 60 days of the date of such order, file revision to the Board of Revenue for Rajasthan.

1. Substituted by Notfn. No. F.4(2) Col./2007, dt. 04.08.2008.
2. Substituted by Notfn. No. F.4(12) Rev./Col./75, dt. 28.01.1981.

¹[11. Any person against whom an order cancelling his allotment of land has been passed or whose application for allotment of lands has been rejected by the Allotting Authority, and such order or decision of the Allotting Authority has been upheld in the first appeal, shall, if he prefers a second appeal or a revision, deposit 25% of the reserve price of such land as security in the Government Treasury and furnish copy of the treasury challan with the memo of Appeal, Revision or Review. In case of his failure to make such deposit the second appeal or the revision or review shall not be entertained.]

1. Inserted by Notfn. No. F.4(24) Rev./Col./82, dt. 24.01.1984 and Substituted by Notfn. No. F.4(24) Rev./Col./82, dt. 18.01.1985.