

THE RAJASTHAN (ALLOTMENT OF LAND TO CO-OPERATIVE SOCIETIES) RULES, 1959

[Notification No. F. 2(17) Rev. (B)/59, dt. 20.05.1959 published in Rajasthan Gazette Part IV-C dated 16.07.1959.]

1. **Short title, extent and commencement.**- (1) These rules may be called the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959.
(2) They shall extend to the whole of Rajasthan.
(3) They shall come into force at once.

2. **Interpretation.** – In these rules unless there is anything repugnant in the subject or context,-

(i) **“Co-operative society”** means an agriculture co-operative society formed and registered under the Rajasthan Co-operative Societies Act, 1953 (Rajasthan Act IV of 1953) and consisting of not less than ten and not more than thirty landless persons who are residents of the particular village in which the co-operative society is formed or who undertake to reside in the village in which the land allotted to the society under these rules is situated.

(ii) **“Landless person”** means a bona fide agriculturist by profession who cultivates or can reasonably be expected to cultivate land personally and who does not hold any land in his own name or in the name of any member of his joint family for cultivation.

(iii) **“Words and expression”** defined in the Rajasthan tenancy Act, 1955 (Rajasthan Act. No. 3 of 1955) or in the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) shall, wherever used in these rules, be construed to have the meanings assigned to them by the said Acts.

3. **Allotment of land to co-operative Societies.**- Land may, on application to the Tehsildar of the Tehsil, or in the case of land situated in a colony, to the Colonisation Officer concerned, be allotted to a co-operative society at the following scales, namely:-

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| (i) | If the number of members does not exceed ten. | One hundred and fifty acres of unirrigated land. |
| (ii) | If the number exceed ten but does not exceed fifteen. | Two hundred acres of unirrigated land. |
| (iii) | If the number exceed fifteen but does not exceed twenty. | Two hundred and fifty acres of unirrigated land. |
| (iv) | If the number exceeds twenty but does not exceed twenty five | Two hundred and seventy five acres of unirrigated land. |
| (v) | If the number exceeds twenty five but does not exceed thirty. | Three hundred acres of unirrigated land: |

Provided that where the land to be allotted is both irrigated and unirrigated, one acre of irrigated land shall be deemed to be equivalent to three acres of unirrigated land:

Provided further that for purposes of allotment under this rule such of the members of the co-operative Society as belongs to one family shall together be deemed to be one member.

4. Allotment to be in consultation with Advisory Committee.- All allotments to cooperative societies under these rules shall be made by the Tehsildar in consultation with an Advisory Committee consisting of –

- ¹[(i) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated;
- (ii) the Pradhan of the Panchayat Samiti in whose jurisdiction the land is situated or a nominee of such Samiti;
- (iii) the Sarpanch of the village Panchayat in whose jurisdiction the land situated; and]
- ²[(iv) the Vikas Adhikari of the Panchayat Samiti in whose jurisdiction the land is situated.]
- (v) one Bhoodan worker nominated by the Collector;
- (vi) the Block Development Officer in the case of villages situated in a Development Block.

The allotment shall be made in a Majma-e-Am (General meeting) at the Panchayat headquarters. The date of the visit of the Tehsildar and the members of the Advisory Committee shall be notified in the village at least one week in advance. The applications of landless tenants shall be scrutinised in this meeting, at which an officer of the Co-operative Department shall also be present. After such scrutiny, the Tehsildar shall then and there handover the list of persons eligible for allotment to the officer of the Co-operative Department who will register the society then and there.

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- 1. Substituted by Notfn. No. F. 6(48) Rev.B/60 dt. 07.04.1960.
 - 2. Substituted by Notfn. No. F. 6(48) Rev.B/60 dt. 18.01.1961.

¹[If there is a difference of opinion between the members of the Advisory Committee and the Tehsildar, the later shall refer the matter to the Collector for his decision.]

5. Conditions of allotment.- The allotment of land under these rules to a cooperative society shall be subject to the following conditions, namely,-

- (1) The allotment shall be on a lease for a period of twenty five years, renewable for a further period of twenty five years at the option of the cooperative Society.
- (2) The allotment shall be subject to payment of rent at the sanctioned rent rates applicable to the land and in the case of land situated in a colony, the premium and betterment levy, if any, shall have to be paid by the cooperative society; and the provisions of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954) and of the Rajasthan Colonisation (General Colony) Conditions, 1955 shall apply.
- (3) The cooperative society shall have to cultivate at least twenty five perecent of the allotted land within one year of the allotment, at least fifty percent within two years of the allotment and the entire culturable area in the third year and subsequent years.
- (4) Land shall be resumed by the State Government, without payment of compensation
 - (a) if it is not brought under cultivation strictly in accordance with sub rule (3), or
 - (b) if it is not properly utilised or (c) if it is sub-let or transferred in any other manner or (d) if the cooperative society fails or goes into liquidation:Provided that the cooperative society may effect a simple mortgage of the whole or any portion of the allotted land with the Rajasthan Central Land Mortgage Bank or ² [District Central Co-operative Bank,] a cooperative Land Mortgage Bank for the purpose of obtaining a loan therefrom.

1. Substituted by Notfn. No. F. 6(48) Rev.B/60 dt. 07.04.1960.

2. Inserted by Notfn. No. F. 6(48) Rev.B/60 dt. 18.04.1960.

- (5) The cooperative society shall have to pay to the State Government, the price of the wells and permanent structures, if any existing on the Land, as well as the price of, trees growing on the Land at the rates prescribed for purposes of sections 80 and 81 of the Rajasthan Tenancy Act, 1955, (Rajasthan Act No. 3 of 1955).
 - (6) The cooperative society shall not construct any permanent structures or buildings on the allotted land other than a building which comes under the definition of an improvement as defined by clause (19) of section 5 of the Tenancy Act.
 - (7) No individual khatedari or Ghair Khatedari rights shall accrue in the allotted land to any member of the cooperative society.
- 6. Allotment by Government.-** Allotments on lands situated within a distance of 100 yards of a Railway fencing, allotments of lands situated within a radius of 10 miles of Jaipur City, and allotment in excess of the maximum fixed by rule 3, shall require the sanction of the Government for which the Tehsildar shall submit his recommendation in consultation with the Advisory Committee.