

**RAJASTHAN COLONISATION (MAHI PROJECT GOVERNMENT LANDS ALLOTMENT AND SALE)  
RULES, 1984**

[Notfn. No. F.4(1) Rev./Col./77, dt. 07.05.1984, Published in Raj. Gaz. Pt. IV-C(I), dt. 20.09.1984]

**In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the Government of Rajasthan hereby makes the following rules for Allotment and Sale of Government Lands in Mahi Project Area, namely :-**

**PRELIMINARY**

1. **Short title, extent and commencement.**- (1) These rules may be called the Rajasthan Colonisation (Mahi Project Government Lands Allotment and Sale) Rules, 1984.
  - (2) They shall extend to the whole of the Mahi Project Colony area.
  - (3) They shall come into force on the date of their publication in the Rajasthan Rajpatra.
2. **Interpretation.**- In these rules unless there is anything repugnant in the subject or context:-
  - (i) **“Act”** means the Rajasthan Colonisation Act, 1954(Rajasthan Act 27 of 1954);
  - (ii) **“Allotting Authority”** means the Collector as defined in clause (i) of Sec. 2 of the Act;
  - (iii) **“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;
  - (iv) **“Command Land”** means land shown as such by the Irrigation Department of the State Government in their command statement with reference to the Mahi Irrigation Project;
  - (v) **“Displaced Agriculturist”** means a person who has been displaced from his agricultural holding due to the construction of the Mahi Project;
  - (vi) **“Family”** means a family consisting of husband, wife and their minor children but excluding minor married daughters;
  - (vii) **“Government Land”** means all lands belonging to or vesting in the State Government except those in which Khatadari Rights have been acquired by or conferred upon any person under the provisions of any law for the time being in force;
  - (viii) **“Integrated Rural Development Programme”** means programme undertaken by the State Government to identify the poorest person subsisting below the poverty line, as well as the subsistence level and residing in a rural area, and to provide productive assests and benefits for their economic upliftment;

- (ix) **“Landless Agriculturist”** means a person who is a resident of Rajasthan and has been by profession, a bonafide agriculturist or a bonafide agricultural labourer, having agriculture as the primary source of his income and who either does not hold any land anywhere in India or holds land less than 25 bighas but does not include a temporary cultivation lease holder:

Provided that a released Sagri as certified by the Sub-Divisional Officer will be treated as landless tenant 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):

Provided further that the following categories of persons shall not be deemed to be landless agriculturist, 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;
- (b) a person who has sold or otherwise transferred, the whole or part of the land held 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 agriculturist :
- (x) **“Resident of Rajasthan”** means a person who has been continuously residing in Rajasthan since before 15<sup>th</sup> October, 1955 and who is certified as such by an officer not below the rank of Tehsildar, having jurisdiction in the area on the basis of evidence to be recorded by him;
- (xi) **“Tenure Land”, “Tenure Khata” and “Tenure Tenant”** shall respectively mean land held under proprietary Mauroosie, and Khatedari rights, Khata comprising such land and a person holding such land under all or any of the aforesaid tenures;
- (xii) **“Temporary Tenant”** means a person holding Government land under lease sanctioned in his favour by a competent authority after the commencement of the Rajasthan Tenancy Act, 1955 or who otherwise holds land either under a temporary lease or as a Ghair Khatedar tenant; and
- (xiii) **“Small patch”** means a piece of land measuring upto two acres of irrigated land or four acres of un-irrigated land.
3. **Termination of old lease.-** With effect from the date of commencement of these rules all temporary leases of Government lands in the area to which these rules extent, granted before such commencement shall be deemed to have been terminated and all Government land covered by such leases shall revert to the State Government.
4. **Eligibility and Extent of Allotment.-** (1) The following person shall be eligible for allotment of Government land for agriculture purposes under these rules, namely :-
- (a) Displaced agriculturist.
- (b) Temporary tenant.

- (c) Released Sagri/Beneficiary of the Integrated Rural Development Programme.
- (d) Landless Agriculturist.

(2) Each person may be allotted Government land upto 6 acres:

Provided that if such person holds any land any where in India, he will be allotted only, so much Government land as together with his existing holding does not exceed 6 acres.

**5. Reservation of Government Land.-** (1) The State Government may reserve Government land for allotment for all or for any of the categories of the persons specified in rule 5. The State Government may further reserve land for allotment to any of the following :-

- (i) Central or State Government mechanised Farm or Farms to be established by the Agriculture Department of the State.
- (ii) Cattle breeding Farms or Fisheries Farms to established by the Animal Husbandry Department.
- (iii) Any other Government Department or undertaking :

Provided that for the Government 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 a 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 25 thousand or more but less than 50 thousand persons, the State Government may direct the Collector to reserve 25% of the total land for allotment to the Scheduled Caste and Scheduled tribes.

(2) The State Government may reserve any area, class or category of Government land for sale by public auction.

(3) The State Government may reserve Government land in specific areas for any public purpose.

(4) The State Government may reserve Government land for Ex-servicemen or dependent of defence personnel killed in action.

**6. Priority for allotment.-** Priorities for allotment of Government land under these rules shall be in the following order :-

- (a) Displaced landless agriculturist.
- (b) Displaced agriculturist.
- (c) Temporary tenant.
- (d) Released Sagri/Beneficiary of the Integrated Rural Development Programme.
- (e) Landless Agriculturist of the same village.
- (f) Landless Agriculturist of the adjoining village.
- (g) Landless Agriculturist of the same Tehsil.
- (h) Landless Agriculturist of any other Tehsil of the same District.
- (i) Landless Agriculturist of neighbouring Districts.
- (j) Any other agriculturist of the State:

Provided that in cases of (e) to (i) preference shall be given to Scheduled Caste/Scheduled

Tribe:

Provided further that a landless Agriculturist who does not hold any tenure land anywhere in Rajasthan or holds such land which is less 2<sup>1/2</sup> acres of irrigated land or 5 acres of unirrigated land shall be given preference within the category specified above, which appertains to him.

**7. Programme for allotment and preparation of list.-** (1) Allotment of the Government land shall be made only out of command/uncommand land.

(2) The allotting authority shall from time to time fix such time and date as it deems proper for inviting applications for allotment of Government land for any specific purpose or class of persons keeping in view the priorities as laid down in Rule 6 and such dates may be different for different areas, purpose or class of persons.

(3) The Allotting Authority shall prepare village-wise list in Form-I of all Government land available for allotment. In case any such land is reserved by the State Government for any specific purpose or Class of persons, the list for the same shall be prepared separately.

**8. Issue and Publication of notice.-** (1) After fixing, the time and date for inviting applications for allotment and preparing list in accordance with rule 7, the Allotting Authority shall issue a public notice in Form-II under its signature inviting applications for allotment within the time fixed therein, which shall not be less than 30 days of the date of such notice :

<sup>1</sup>[Provided that the State Government may by notification reduce the notice period of 30 days to 7 days].

(2) The copies of such notice shall be affixed at the following places for wide publicity, namely :-

(a) Notice Board of the allotting authority concerned.

(b) Notice Board of the Colonisation Tehsil/Revenue Tehsil in which the land is situated.

(c) Conspicuous place in the village in which the land is situated.

**9. Application for allotment.-** (1) Within the time fixed in public notice issued under rule 8 or within such time as may be fixed or extended by the allotting authority from time to time any person eligible for allotment of Government land may present an application in Form-III to the allotting authority of the area in which the land is situated.

<sup>2</sup>[(1-a) Where an applicant is a married agriculturist, the application for allotment shall be submitted in the name of both husband and wife.]

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1. Inserted by Notfn. No. F.4(14) Rev./Col./88, dt. 29.12.1988.

2. Added by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.

(2) The application made under sub-rule (1) shall be verified by the applicant as a plaint according to the provision of the Code of Civil Procedure, 1908 (Central Act V of 1908).

(3) (a) The Allotting Authority shall on receipt of an application for allotment immediately register it in a register to be maintained in Form-IV and shall issue a receipt to the applicant in Form-V.

(b) The Allotting Authority shall scrutinise the applications and verify the particulars mentioned in the application with reference to the relevant entries in the land records and shall also conduct such enquiry as he may consider necessary for ascertaining the eligibility of the applicant of the land.

(4) Applications received after due date shall be rejected by allotting Authority.

10. **Allotment.**- (1) All allotments shall be made by the Allotting Authority in consultation with the Advisory Committee consisting of the following :-

(a) Member of the Rajasthan Legislative Assembly in whose constituency the land is situated.

(b) Pradhan of the Panchayat Samiti in whose jurisdiction the land is situated.

(c) Sarpanch of the Gram Panchayat in whose jurisdiction the land is situated.

(d) Representative of the Scheduled Castes or Scheduled Tribes as nominated by the Government if there is no such representative in the Advisory Committee.

(2) The Allotting Authority shall be the Chairman and Tehsildar shall act as Member Secretary to the Advisory Committee.

(3) For making allotments in consultation with the Advisory Committee, the Allotting Authority shall call a meeting of the committee preferably at the head quarters of the Colonisation/Revenue Tehsil <sup>1</sup>[or at any other place as may be decided by the Allotting Authority] in which the land is situated. The member of the Advisory Committee shall be given at least week's notice of the meeting by registered post:

Provided that if any member of the Advisory Committee fails to attend the meeting on the date fixed the Allotting Authority shall carry on the work of allotment in consultation with such of the members who attend the meeting.

(4) Separate reservation wise lists of eligible persons in Form-VI shall be prepared by the Allotting Authority and shall be placed before the Advisory Committee at such meeting.

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1. Inserted by Notfn. No. F.4(14) Rev./Col./88, dt. 29.12.1988.

(5) Subject to the availability of the land the Allotting Authority shall after consulting the Advisory Committee make reservation wise allotment of Government land to persons mentioned in the lists referred to in sub-rule (4) out of land entered in the list prepared under sub-rule (3) of rule 7.

(6) The minutes of the meeting shall be recorded by the Allotting Authority and signed by the members present. In case of difference of opinion between the members and the allotting Authority the latter shall, after recording his reasons for doing so, pass final orders granting or rejecting the applications for allotment.

(7) Separate lists of persons whose applications have been granted or rejected shall be affixed forthwith on the notice board of the Colony Tehsil or Revenue Tehsil in whose jurisdiction the land is situated. Such publications shall be deemed to be sufficient notice to the applicants of the orders passed on their applications.

(8) The allotment order shall be issued by the Allotting Authority in Form-VII.

<sup>1</sup>[(8-a) In case where allotment of land is made to a married Agriculturist, the allotment shall be made in the joint name of husband and wife and the allottees, in such case, shall be deemed to be joint allottees.]

(9) If a temporary tenant fails to apply for allotment of land under these rules or his application for allotment for any land or part thereof is rejected by the Allotting Authority his temporary cultivation lease in respect of such land or part thereof shall stand terminated on the expiry of the date upto which the application for allotment could be made or on the date his application for such allotment could be made or on the date his application for such allotment is rejected as the case may be, and the Government land covered by such lease shall revert to the Government free from all encumbrances and he shall be liable to be ejected from such land in accordance with the law for the time being in force.

**11. Allotment of small patch.-** (1) Notwithstanding anything to the contrary contained in these rules small patch of Government land may be allotted to a tenure tenant whose tenure land adjoins such patch, subject to the ceiling area at double the reserve price for the land of similar soil class in the neighbourhood. If the adjoining landholder is not willing to take this land, it can be allotted to any other person.

(2) In case there are more than one such tenant applying for allotment of the same small patch, allotment shall be made by draw of lots amongst them.

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1. Added by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.

(3) The price of such small patch shall be payable by the allottee in five annual instalments, the first instalment being payable within a fortnight of the order of allotment. The due date in respect of the second and subsequent instalments shall be the date of year corresponding to the date on which the allotment was made. Interest at the rate of 9% per annum shall be charged in default of payment of instalment on due date.

**12. Computation of area.-** (1) When land held jointly by two or more persons as members of a joint family or as co-tenants, each one of them shall be deemed to be a holder of so much area of land to which he may be entitled upon partition.

(2) One acre of irrigated land shall be deemed to be equal to two acres of uncommand or Barani land.

**13. Terms and conditions of allotment.-** (a) Subject to the provisions contained in the Rajasthan Colonisation Act and terms and conditions specified in the Rajasthan Colonisation (General Colony) Conditions, 1955, all allotments of Government land under these rules shall be on a permanent basis. The allottees shall be eligible to the conferment of khatedari rights unless, otherwise stated. All allotments so made shall be subject to the special terms and conditions, if any, further imposed by the Government.

(b) An allottee shall be bound to cultivate whole of the allotted land in two years. On his failure to fulfil this condition, the allotment of land shall be liable to cancellation by the Allotting Authority and upon cancellation of the allotment, the land shall revert to the State Government free of encumbrances and the allottee shall not be entitled to any compensation.

(c) The allottee shall be bound to co-operate fully in carrying out the land development works for optimum utilization of irrigation water.

**14. Scale of price and mode of payment.-** <sup>1</sup>[(1) For Government land allotted under these rules, price at the following scale for each soil class as sanctioned by the Collector, shall be charged from the allottee :-

S.No.	Class of Land	Price per bigha (in rupees)	
		Command	Uncommand
1.	All lands where land revenue is Rs. 1.50 per bigha or more	5000	2500
2.	All lands with land revenue in the range of 75 paise to Rs. 1.49 per bigha	3600	1800
3.	All lands where land revenue is less than 75 paise per bigha	2400	1200]

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1. Substituted by Notfn. No. F.4(4) Col./98, dt. 08.05.2001.

<sup>1</sup>[Provided that for the allotment of land in Tribal Area Sub-Plan (TSP), 25% of the above mentioned reserve price shall be charged from the allottees belonging to Scheduled Castes or Scheduled Tribes :

Provided further that no price shall be charged from the allottees of below poverty line.]

<sup>2</sup>[(2) The reserve price as mentioned above shall be realised in 10 equal half yearly instalments and the first of such instalment shall be payable commencing from the year in which the irrigation water is let out for such land or two years after the date of allotment whichever is later.]

(3) The subsequent instalments shall be payable on or before 15<sup>th</sup> January and 15<sup>th</sup> July every year and a simple interest at 9% per annum shall be charged on the amount of instalments falling into arrears from the due date till the date of payment.

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

(5) The following rates of rebate shall be allowed to the allottee –

	Persons belonging to the S.C./S.T./ Beneficiary of the IRDP/Displaced/ Agriculturist/Displaced Landless Agriculturist/Released Sagri	Others
For payment of the whole Price in one Lump sum <sup>3</sup> [within three days of Allotment, day of allotment Being inclusive.]	15%	10%

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1. Added by Notfn. No. F.4(4) Col./98, dt. 03.08.2006.
  2. Substituted by Notfn. No. F.4(14)Rev./Col./88, dt. 06.12.1988.
  3. Substituted by Notfn. No. F.4(6) Col./97, dt. 11.09.2002.

(6) After allotment of land the Allotting Authority shall prepare for each allottee a Demand Statement of the instalment to be realised from him and shall send it to the Collector and then it shall be the duty of the Collector to realise the amount from the allottee the instalments as and when they fall due and to maintain ledger and other accounts, registers connected therewith. The amount realised as well as the instalments falling in arrears with regard to each allottee shall be reported by the Collector after each crop to the Allotting Authority.

(7) 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.

<sup>1</sup>[(8) Notwithstanding anything contained in this rule-

(i) the allottees belonging to Scheduled Castes or Scheduled Tribes in Tribal Area Sub Plan (TSP), who already deposited 25% or more of the reserve price or the allottees who deposited less than 25% of the reserve price but deposit such remaining amount within six months, from the date of publication of these Amendment Rules, shall be entitled to get khatedari rights under these rules, provided the land still in their possession and they fulfill other conditions of allotment and otherwise eligible to get the khatedari rights. The amount excess of 25% already deposited, shall not be refunded.

(ii) the person belonging to below poverty line who allotted land under these rules prior to publication of the said Amendment Rules, shall be entitled to get the khatedari rights, provided the land still in their possession and they fulfill other conditions of allotment and otherwise eligible to get the khatedari rights. The amount already deposited shall not be refunded.]

<sup>2</sup>**[14-A. Regularisation of certain cases of trespassers.-** (1) Notwithstanding anything contained in these rules, and subject to the specific or general directions of the Government, the Allotting Authority may, on the advice of the Advisory Committee, instead of ejecting a trespasser 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 II of 1973) :

<sup>3</sup>[Provided that such trespasser has been in continuous possession of the trespassed land prior to <sup>4</sup>[01.01.2000].]

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1. Added by Notfn. No. F.4(4) Col./98, dt. 03.08.2006.
  2. Inserted by Notfn. No. F.4(1) Rev./Col./77, dt. 15.12.1988.
  3. Substituted by Notfn. No. F.4(4) Col./98, dt. 08.05.2001.
  4. Substituted by Notfn. No. F.4(4) Col./98, dt. 11.01.2008.

(2) Upon regularisation 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.

<sup>1</sup>[(3) Such trespasser upon regularization shall be bound to pay the price at the following rates :-

(i) For small/marginal farmers, persons Belonging to the SC/ST/below property line Of General category, and Beneficiary of the I.R.D.P. Level Committee.	15% of the rate determined by District Level Committee.
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(ii) For others	30% of the rate determined by the District Level Committee]
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(4) The price fixed under sub-rule (3) shall be paid by the trespasser in four yearly instalments and the first of such instalments shall be payable within 30 days from the date of order of regularization. The subsequent instalments shall be payable on or before 15<sup>th</sup> July every year.

(5) The price of land fixed shall be deemed to have become due from the date of order of regularization and a simple interest at the rate of 6% per annum shall be payable on the amount of the instalment which has follow due for payment. In case the allottee does not make payment of the instalment becoming so due even after the lapse of the period prescribed, for each instalment, interest at the rate of 9% per annum shall be payable on the amount of such instalment from its due date and if the instalment continues to fall in arrears exceeding six months the interest at the rate of 12% per annum shall be payable by such defaulter.

(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 :-

	Persons belonging to the S.C./S.T./ Beneficiary of the IRDP/Displaced Agriculturist/Displaced Landless Agriculturist/Released Sagri	Others
For payment of the whole Price in one Lump sum <sup>2</sup> [within three days of Allotment, day of allotment Being inclusive.]	15%	10%

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1. Substituted by Notfn. No. F.4(4) Col./98, dt. 08.05.2001.

2. Substituted by Notfn. No. F.4(6) Col./97, dt. 11.09.2002.

**15. Sale by special Allotment.-** (1) Notwithstanding anything to the contrary contained in these rules such lands as may be notified in this behalf by the State Government in the Rajasthan Rajpatra to be sold by special allotment may be allotted to the persons who are eligible for such allotment in the order of preference given in rule 6 of these rules and where any such person is not available, to any other person who has been bonafide resident of Rajasthan for a period of not less than ten years from the date of application 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 II of 1973), at a fixed price to be notified by the State Government in the Rajasthan Rajpatra from time to time, for such notified lands.

(2) (i) The Allotting Authority, soon after the issue of the notification by the State Government in the Rajasthan Rajpatra for sale by special allotment at the price notified, shall issue a public notice in Form VIII under his signature inviting applications for special allotment within the time fixed therein which shall not be less than 30 days from the date of issue of such notice. The time fixed by the Allotting Authority for inviting application may be extended by him as and when necessary.

<sup>1</sup>[(ii) The contents of notice shall be made widely known in the locality, in which land proposed to be sold by special allotment is situated-

- (a) by affixing copies thereof at some convenient place on or near about such land and in other conspicuous public places in the locality,
- (b) by beat of drum, and
- (c) by an advertisement in two newspapers having wide circulation in the locality.]

(iii) Where the Allotting Authority is not the Collector of the Revenue District, a copy of such notice shall also be sent to the Collector of the District for affixing it on the Notice Board of the Collectorate.

(3) (i) Within the time fixed in the public Notice issued under sub-rule (2) or within such time as may be extended by the Allotting Authority from time to time, any person eligible for allotment under this rule may present an application in Form-IX to the Allotting Authority of the area or to any other officer authorised by the Collector.

(ii) An application made under clause (i) of sub-rule (3) shall be verified by the applicant as a plaint according to the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

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1. Substituted by Notfn. No. F.4(4) Col./98, dt. 20.09.2011.

(iii) The applicant shall file, alongwith his application an affidavit duly verified by a Magistrate or an Oath Commissioner to the effect that the factual information given by him in his application regarding his permanent place of residence, means of livelihood, extent of his land holding, if any, and other particulars are true to the best of his knowledge and or belief.

(iv) Applications received after the time fixed in the public notice issued under sub-rule (2) or after the extended time under sub-rule (2) shall not be considered and shall be filed in a separate file kept for the purpose, unless the Allotting Authority desires to consider, any application received late as a special case for reasons to be recorded in writing.

(4) (i) On receipt of an application the Allotting Authority shall immediately register it in a register to be maintained in his office in Form-X and shall issue a receipt to the applicant in Form-XI.

(ii) The Allotting Authority shall scrutinise application and the annexed affidavit and shall verify the particulars contained therein with reference to relevant entries in the land record and shall conduct or get conducted such enquiry as he may consider necessary for his satisfaction.

(iii) After satisfying himself about the correctness of the information submitted by the applicant the Allotting Authority shall arrange the applications according to the priority for allotment as provided for in rule 6. He shall next fix a date, time and place for deciding the applications and shall affix a notice to this effect on the notice board of his office. Such notice shall not be of less than 7 days. The Allotting Authority may decide the applications on the date and time so fixed.

(iv) If it is discovered at any time that any information submitted by any applicant is false or if any allottee fails to cultivate the land personally the entire land allotted may be resumed by the Allotting Authority without payment of compensation.

(5) (i) A sum equivalent to 5% of the notified price shall be deposited by the applicant as earnest money before his application is taken up for consideration by the Allotting Authority.

(ii) Twenty five percent of the notified price shall be paid by the allottee at the time of issue of the allotment order, and twenty percent of the notified price shall be paid by him before taking actual possession of the land allotted to him.

(iii) The remaining 50% shall be recovered in two equal instalments. If the allotment order is issued before 30<sup>th</sup> June of the year, the first instalment shall fall due on first day of January of the year immediately following, and if the allotment order is issued in between 1<sup>st</sup> July and 31<sup>st</sup> December of the year, the first instalment shall fall due on 1<sup>st</sup> July of the year immediately following and the second instalment shall fall due six months after the first instalment.

The earnest money of an applicant who retracts and does not deposit the notified price as prescribed in the rules at the time of allotment shall be forfeited by the State Government.

(iv) In the event of more than one eligible person of the same category applying for allotment of the same plot of land, allotment shall be made to person who is ready to deposit whole of the notified price at the time of allotment.

(v) In the event of more than one eligible person of the same category being ready to deposit whole of the notified price forthwith, allotment shall be made by drawing lots.

(vi) After completion of allotment, the earnest money of the non allottee applicant shall be returned immediately.

**16. Sale by public Auction.-** (1) The Allotting Authority shall issue a notice of sale in Form-XII giving full details of the land to be sold by public auction, namely, the name of the village, khasra number, area, date, time and place of auction.

(2) The notice shall be signed and sealed by the Allotting Authority and shall be affixed on the notice board of his office, and copies of the notice shall be affixed on the notice board of the Tehsil and on the Notice Board of the village Panchayat. The contents of the notice shall be made widely known in the locality in which the land proposes to be sold is situated, -

<sup>1</sup>[(i) by affixing copies thereof at some convenient place on or near about such land and in other conspicuous public places in the locality,

(ii) by beat of drum, and

(iii) by advertisement in two newspapers having wide circulation in the locality.]

(3) Sale by public auction under these rules shall be made by the Allotting Authority or any other Gazetted Officer appointed by him for the purpose with the prior approval of the Government.

(4) The following shall be the conditions of the sale under these rules :-

(a) All land sold under these rules shall be subject to the provisions of the Act and of the Rajasthan Colonisation (General Colony) Conditions, 1955 and of these rules.

(b) Land may be put up for sale in one lot or in several lots other than those shown in the notice and the Allotting Authority shall be competent to withdraw any lot or lots from sale without assigning any reason. The reserve price fixed by the Government or the offer received in auction, whichever is higher, shall be the sale price:

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1. Substituted by Notfn. No. F.4(4) Col./98, dt. 20.09.2011.

Provided that small patch of 2 acres or less shall be allotted to a tenant of contiguous field or holding by charging 10% over and above the reserve price but if there are more than one claimant for such small patch it will be given to the highest bidder by inviting auction among such claimants having contiguous field or holding thereto:

Provided further that the conditions laid down in sub-clause (ii) of clause (d) hereunder shall not be applicable in such cases.

(c) No land shall be put up for sale until the State Government fixes a reserve price thereof.

(d) No person shall be allowed to bid unless he-

(i) deposits an earnest money amounting to five percent of the total reserve price of each plot of land in cash. This earnest money shall be refunded on the spot to the unsuccessful bidder at the conclusion of the auction;

(ii) Signs a declaration before the officer conducting the auction that he does not hold in his own or in the name of any member of the joint family or if he holds land the total area of the land already held and of the land he wishes to purchase at the auction shall not exceed the ceiling area prescribed for the Tehsil concerned, and that he undertakes to cultivate the land personally.

(e) No person shall at any auction, retract his bid and if any dispute arises, the land shall be put to auction against at the last undisputed bid.

(f) The highest offer shall be communicated to the Collector and the sale shall not be complete unless the offer is accepted by the Collector:

Provided that the collector shall not, without the approval of the State Government in Colonisation Department accept an offer which is less than 25% over the reserve price.

(g) The State Government in Colonisation Department reserves the right to reject any bid without assigning any reason.

(h) A sum equal to twenty percent of the purchase price shall have to be deposited in cash on the date the bid is closed, fifteen percent of the purchase price shall be paid within one month of such date and the remaining sixty percent in two equal yearly Instalments, that is to say, thirty percent of the purchase price one year after such date and the remaining thirty percent at the close of the second year. The amount payable in instalments shall bear interest at 9% per annum and the interest shall be payable along with the instalment of the purchase price.

**17. Cancellation of Allotment.-** If at any time it is discovered that any allotment of Government land was made under these rules upon an incorrect statement of facts made in the application or in any other document produced by an allottee, the Allotting Authority may order cancellation of such allotment and may also order re-entry upon and taking possession of the land without payment of any compensation:

Provided that no such order shall be made without giving the person likely to be affected thereby, an opportunity of being heard.

**18. Appeals and Revision.-** (1) Any person aggrieved by an order of the Allotting Authority under these rules, may within 30 days of the date of such order, appeal to the Revenue Appellate Authority, whose decision shall be final.

(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.

**19. Allotment of Government Land in Special Cases.-** Notwithstanding anything contained in these rules, the Government may make allotment to any person as a special case:

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

**FORM-I**

[See Rule 7(3)]

**List of Government Command Lands**

Tehsil .....

District .....

S.No.	Name of village	Khasra No.	Area	Class of soil	Remarks
1	2	3	4	5	6

**FORM-II**

[See Rule 8(1)]

**Public Notice**

Whereas ..... Bighas of Government land situated in village ..... of Tehsil ..... is available for allotment for agricultural purposes under the Rajasthan Colonisation (Mahi Project Government Lands Allotment and Sale) Rules. 1984, this public notice is hereby issued under rule 8(1) of the said rules and all concerned are hereby informed that any person who is eligible for allotment of Government land, under the said rules may apply to the Allotment Authority in the prescribed Form within ..... days of the publications of this public notice. The list of allotment lands can be seen in the office of the undersigned and on that of concerned Tehsil during office hours on working day.

Issued under my hand and the seal of office on this ..... day of .....20 .....

Signature

**FORM-III**

[See Rule 9(1)]

**Application for Allotment of Land**

To,

The Allotting Authority,

Tehsil .....

District .....

Sub. : Application for allotment of land under the Rajasthan Colonisation (Mahi Project Government land allotment and Sales) Rules, 1984.

Sir,

I, ..... Son of ..... Caste  
..... Permanent resident of ..... Tehsil .....  
District .....

<sup>1</sup>];or

In the case of married applicant

We, Shri ..... S/o ..... age .....  
Caste..... Occupation ..... (husband), and Smt ..... W/o  
..... Age ..... caste ..... Occupation  
..... (wife) Permanent R/o ..... Of Rajasthan; hereby  
state as under :-]

---

1. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.

1. That <sup>1</sup>[I/we] <sup>2</sup>[am/are] displaced agriculturist/displaced landless agriculturist/Released Sagri/Beneficiary of IRDP/Landless Agriculturist/temporary tenant within the meaning of the above rules.

2. That <sup>3</sup>[I/we] hold the under mentioned lands/do not hold any land :-

Name of village	Name of Tehsil with district	Khasra no. and area	Soil Class of tenure, khatedari, Gair-khatedari or on temporary lease
1	2	3	4

3. That <sup>4</sup>[my/our] family consists of :-

Name of adult family members with relation and age		Name of children with relation and age	
Male	Female	Male	Female

<sup>5</sup>[I/we] therefore hereby request that <sup>6</sup>[I/we] may be allotted the under mentioned lands for cultivation :-

Name of village	Tehsil	Khasra No. and area	Soil Class
1	2	3	4

<sup>7</sup>[I/we] hereby agree to abide by the provisions of (i) Rajasthan Colonisation Act, 1954 (ii) the Rajasthan Colonisation (General Colony) Conditions, 1955 and (iii) the Rajasthan (Mahi Project Government Lands Allotment and Sale) Rules, 1984 and <sup>8</sup>[I/we] further undertake to pay the price of the land as fixed by the Government.

Yours faithfully,

Signature

<sup>9</sup>[I/we] ..... S/o ..... Caste ..... Resident of ..... verify that the statements made in the above application are true to my knowledge and belief.

<sup>10</sup>[Applicant/Applicants]

- 
1. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  2. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  3. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  4. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  5. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  6. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  7. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  8. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  9. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.
  10. Substituted by Notfn. No. F.4(4) Col./98, dt. 16.10.2002.

**FORM-IV**

[See Rule 9(3)]

**Register of Application for Allotment.**

Name of the Tehsil ..... District .....

S.No.	Date of receipt of the application	time	Name of applicant	Address
1	2	3	4	5

**FORM-V**

[See Rule 9(3)]

**Acknowledgment of Receipt of Application**

Received application of Shri/Shrimati ..... Son of ..... resident of village ..... Tehsil ..... District ..... for allotment of land under the Rajasthan Colonisation (Mahi Project, Government Land Allotment and Sale) Rules, 1984 on ..... (date) and registered at serial number.....

Signature of Allotting Authority

**FORM-VI**

[See Rule 10(4)]

**Reservation-wise list of eligible persons**

S. No.	Name of eligible applicant with particulars	Description of reservation	Description of previous holdings	
			Name of village	Name of Tehsil & District
1	2	3	4	5

Total area of holding (in Bighas)		Area to be allotted (in Bighas)	Remarks
Command Khasra no.	Uncommand Khasra No.		
6	7	8	9

**FORM-VII**

[See Rule 10(8)]

**Allotment order**

Shri/Smt.....

.....

Sub. :- Permanent allotment of agriculture land under the Rajasthan Colonisation (Mahi Project Government Lands allotment and sale) Rules, 1984.

Ref. :- Your application dated .....

Your application for permanent Allotment of agriculture land has been considered and has been granted as under:-

1. That you have been permanently allotted land of the following description :-

S.No.	Name of Village	Khasra No.	Areas in bighas			Soil Class	Remarks
			Command	uncommand	Total		
1	2	3	4	5	6	7	8

2. That the price of the said allotted land measuring ..... Bighas amounting to Rs..... Shall be payable to the State Government in 10 half yearly instalments and the first of such instalments shall be payable before taking possession of the allotted land.

3. For Scheduled Caste/Scheduled Tribes/ Displaced agriculturist/Displaced landless agriculturist/Released Sagri/Beneficiary of the I.R.D. Programme, shall pay the instalment after one year from the taking of possession of the allotted land.

4. The subsequent instalments shall be payable in Treasury/Sub-Treasury on or before 15<sup>th</sup> January and 15<sup>th</sup> July every year and an interest at 9% per annum shall be charged on amount of instalments falling into arrears from due date till the date of payment.

5. The following rates of rebate shall be allowed to the allottee :-

	Persons belonging to the S.C./S.T./ Beneficiary of the IRDP/Displaced Agriculturist/Displaced Landless Agriculturist/Released Sagri	Others
For payment of the whole Price in one Lump sum within three days of Allotment, day of allotment Being inclusive.	15%	10%

6. Terms and Conditions of this allotment :-

(a) This allotment is subject to the obligations, terms and conditions prescribed under the Rajasthan Colonisation (Mahi Project Government Lands allotment and sale) Rules, 1984, Rajasthan Colonisation Act, 1954, Rajasthan Colonisation (General Colony) Conditions, 1955 and the Rajasthan Government Grants Act, 1961 and on breach of any of these obligations, terms and

conditions, the allotment shall be liable to be cancelled without payment of any compensation and the allotted land shall revert to the State Government without any encumbrance.

(b) The allottee shall be bound to co-operative fully in carrying out land development works for optimum utilization of Irrigation waters and saving the land from any damage and he shall also be liable to pay expenditure incurred or likely to be incurred in respect thereof the State Government or by any other agency approved or authorised by the State Government, on such terms and conditions as may be determined by the Collector.

Issued under my signature and seal today the ..... of .....

Allotting Authority

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**FORM-VIII**

[See Rule 15(2)]

**PUBLIC NOTICE**

Whereas ..... Bighas ( ..... Hectares) of Government land as given below is available for allotment for agricultural purposes under the Rajasthan Colonisation (Mahi Project Government Lands allotment and sale) Rules, 1984, this public notice is hereby issued under rule 15(2) of the said rules and all concerned are hereby informed that any person, who is eligible for allotment of Government land under the said rules may, within ..... days of the publication of this notice, present during office hours an application in the prescribed form to the undersigned/..... (officer) authorised by the Collector under rule ..... The lists of Government land to be allotted may be seen on the Notice Board of the office of the undersigned and on that of the concerned, Colonisation Tehsil.

Issued under my hand and seal on this ..... Day ..... of ..... (seal)

Signature of Allotting Authority

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**FORM-IX**

[See Rule 15(3)]

**Application for Allotment of Government Land**

To

Allotting Authority

.....

Sub:- Application for allotment of Government land under the Rajasthan Colonisation (Mahi Project Government Land allotment and sale) Rules, 1984.

Sir,

I, ..... Son of ..... Aged ..... Caste .....  
Occupation ..... permanent resident of ..... Colonisation Tehsil  
..... Revenue Tehsil ..... District ..... of Rajasthan hereby submit as  
under :-

- (1) The applicant is Displaced agriculturist/landless agriculturist/person of Scheduled Caste/Scheduled Tribe/Temporary tenant/ Released Sagri/Beneficiary of IRDP/Landless Agriculturist within the meaning of Rule 2 (v), (ix),(iii), (Viii) of the above rules.
- (2) That the applicant is a resident of Rajasthan of village ..... Tehsil ..... District .....
- (3) That the applicant holds following lands in his own name or in the name of some other member of his joint family or as a co-tenant with some one else and his exact share in such land is as follows:-

S.No.	Name of District	Particulars of areas of land held			
		Name of Revenue Tehsil	Name of village	Khasra No.	Area of land in bighas
1	2	3	4	5	6

Command/Unc ommand Irrigated/Bara ni	Whether as temporary cultivation lease holder	Whether in his own name as full owner or as a co- tenant or in the name of any other member of his joint family	In case of joint Family/co-owner ship land, share with exact area of the applicant in case of partition	Remarks
7	8	9	10	11

- (4) That the Grand father/Father/Mother..... of the Applicant holds land as follows:-

S. No .	Name of Grand father/Father/Mother in whose name the land is recorded.	Relation with the applicant	Particulars about the land			
			Khasra No.	Village	Tehsil	District
1	2	3	4	5	6	7

Area (In Bighas)			In case of Partition share of the application in the land (in bighas)	Name of heirs with relationship with the applicant	Remarks
Command /Irrigated	Uncomman /Barani	Total			
8	9	10	11	12	13

- (5) That the applicant or any other member of his joint family or his Grand father/Father/Mother have transferred the following land by sale, gift or otherwise after 15.10.1955:-

**Particulars of land transferred**

S.No.	Name of District	Name of Revenue Tehsil	Name of village	Khasra No.	Area(In bighas)
1	2	3	4	5	6

Command/Uncommand Irrigated/Barani	Name of the transferor with relationship with the applicant	In case of joint Family/co-owner ship land share with exact areas of the applicant in case of partition	Remarks
7	8	9	10

- (6) That the particulars of the members of the joint family of the applicant together with the lands held by them are as below:-

S.No.	Name of family members	age	Relation with the applicant	Details of the transferor others land held by the members of joint family
1	2	3	4	5

- (7) That the applicant is a bonafide agriculturist/agricultural labourer by profession whose primary source of income is agriculture and that he has no other source of income or that in addition to agriculture he has ..... Profession from which his income is Rs. .... per annum.
- (8) That the applicant is, eligible for allotment of ..... bighas of Government land under the said rules. Therefore, the applicant requests that he may be allotted ..... Bighas of Government land in Colonisation Tehsil.....
- (9) The applicant hereby, agrees to abide by the provisions of (i) Rajasthan Colonisation Act, 1954, (ii) Rajasthan Colonisation (General Colony) Conditions, 1955 and (iii) the Rajasthan Colonisation (Mahi Project, Government Land Allotment and Sale) Rules, 1984 and further undertakes to pay the price of the Government land fixed by the Government and land development charges if any under rule 15 of the aforesaid rules.

Yours faithfully  
Signature of the Applicant with  
Full present address

**VERIFICATION**

I ..... son of ..... aged ..... by Caste ..... resident of ..... do hereby solemnly state and affirm that the particulars given in para Nos. 1 to 9 above are true to my knowledge and belief.

Signature of the applicant

**FORM-X**

[see Rule 15(4)]

**Register of Applicants for Allotment**

Name of Colonisation/Revenue Tehsil.....

S.No.	Date	Name of Applicant	Present address	Remarks
1	2	3	4	5

Signature of Allotting Authority

**FORM-XI**

[see Rules 15(4)]

**Acknowledgment of receipt of Application**

Received application of Shri/Smt ..... S/o or W/o ..... resident of village ..... Tehsil ..... District ..... For allotment of land under the Rajasthan Colonisation (Mahi Project, Government Land Allotment and Sale) Rules, 1984 on ..... Date and registered it at serial number .....

Signature of Allotting Authority

**FORM-XII**

[See Rule 16(1)]

**Notice of Sale**

Notice is hereby given to the General public that the Government lands as mentioned in the Annexed schedule shall be sold by public auction, subject to the conditions attached hereto, at. .... (Name of place).

The auction shall be held by an officer appointed under rule 16(3) of the Rajasthan Colonisation (Mahi Project Government Land Allotment and Sale) Rules, 1984 ..... A.M./P.M. on the .....

Allotting Authority.

**Schedule of Government Lands**

Name of lot	Description of land		Reserved area of the land (village where the land is situated)	Reserved price for the land	Remarks
	Khasra No.	Area			
1	2	3	4	5	6

### **Conditions for Sale**

- (1) All lands sold shall be subject to the provisions of the Rajasthan Colonisation Act, 1954, the Rajasthan Colonisation (Mahi Project, Government Land Allotment and Sale) Rules, 1984.
  - (2) Lands shall be sold in lots as given in Schedule with reserved price for each land as given in Schedule.
  - (3) The bidder shall-
    - (i) Deposit an earnest money amounting to 5% of the total reserved price of each in cash. This earnest money shall be refunded on spot to the unsuccessful bidder at the conclusion of the auction.
    - (ii) Sign a declaration before the officer conducting the auction that he does not hold any land in his own name or in the name of any member of the Joint family or if he holds land the total area of the land already held and of the land that he wishes to purchase at the auction shall not exceed the ceiling limit prescribed for the Tehsil concerned.
  - (4) No bid less than the reserved price for any land shall be, considered and the highest bid shall be communicated to the State Government. The sale not be completed unless and until the bid has been accepted by the State Government.
  - (5) The State Government reserves the right to reject any bid without assigning any reason therefor or to withdraw any lots from auction at any time without assigning any reason.
  - (6) A sum equivalent to twenty-five percent of the purchase price shall have to be deposited in cash by the bidder whose bid is to be recommended to Government immediately at the conclusion of the bid and the balance must be paid in cash or by a demand draft or cheque drawn on a scheduled bank having its branch in Rajasthan within one month from the date of communication to him of the confirmation of sale by the State Government.
  - (7) Should any purchaser fail to observe or comply with any of the forgoing conditions his deposit shall be forfeited to the State Government, which may have the land re-sold by a public auction, and any deficiency of price which may result on such re-sale shall be made good and paid by the defaulting purchaser.
  - (8) If it is discovered at any time that the declaration made by the bidder about his present holding is false, the excess of the land, and if the purchaser fails to cultivate the land, personally, the whole of the land sold, may be resumed by the Government without payment of compensation.
-