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GOVERNMENT OF RAJASTHAN  
Urban Development & Housing Department

No. U.D.H/5/99-Par

Dated September 10, 2002

6 OCT 2002

CIRCULAR

**SUBJECT:** Section 90-B of the Rajasthan Land Revenue Act, 1956 -- Date from which effective and impact on the provisions of Section 42(B) of the Rajasthan Tenancy Act

Some doubts have been expressed regarding the date from which the provisions of Section 90-B of the Rajasthan Land Revenue Act, 1956 will be effective and the impact of the provisions of Section 90-B on the provisions of Section 42(B) of the Rajasthan Tenancy Act.

In this connection your attention is invited to this Department's Orders of even No. dated 04/12/1999 and 06/07/2002 which had been issued with a view to clarifying the impact of the insertion of the new section 90-B. It had been clarified that the land which was originally recorded in the khatadari of persons belonging to the Scheduled Castes/Scheduled Tribes and which vests in the State Government after resumption under sub-section (3) and (5) of Section 90-B and is deemed to have been placed at the disposal of the concerned local authority can be allotted/regularized in the name of persons other than those belonging to the Scheduled Castes/Scheduled Tribes because once the land vests in the State Government the provisions of Section 42(B) of the Rajasthan Tenancy Act will not be applicable to such lands.

It is hereby clarified that Section 90-B of the Rajasthan Land Revenue Act, 1956 is applicable only in respect of those lands which had been transferred for use for non-agricultural purposes before the commencement of the Rajasthan Land

Section 90-B of the Rajasthan Land Revenue Act, 1956 -- Date from which effective and impact on the provisions of Section 42(B) of the Rajasthan Tenancy Act

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(Amendment) Act, 1999. The Rajasthan Land Revenue (Amendment) Act, 1999 came into force with effect from 17th June, 1999. Therefore, Section 90-B is applicable in respect of only those lands which had been transferred or used for non-agricultural purposes before 17/06/1999.

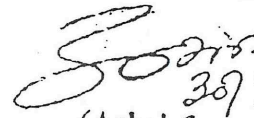
The position is hereby clarified as follows:

(a) The provisions of Section 90-B of the Rajasthan Land Revenue Act, 1956 are applicable only in case of those lands which have been transferred or used for non-agricultural purposes before 17/06/1999. This Section will not be applicable in respect of any lands which have been transferred or used for non-agricultural purposes on or after 17/06/1999.

(b) The provisions of Section 42(B) of the Rajasthan Tenancy Act, 1956 will be applicable in respect of those lands which have been transferred or used for non-agricultural purposes on or after 17/06/1999.

The above-mentioned clarification may be brought to notice of all concerned for ensuring compliance thereof.

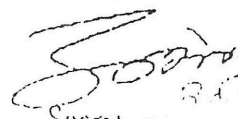
Yours faithfully,

  
30/8/2003

(Ashok Sampatram)  
Secretary to Government

Copy for information & necessary action to the following:

1. Principal Secretary to the Chief Minister
2. Private Secretary to the Minister, Urban Development Department
- ✓ 3. Private Secretary to the Secretary, Urban Development Department
4. All Divisional Commissioners / All Collectors
5. Commissioner, Jaipur Development Authority, Jaipur
6. Chief Executive Officer, Nagar Nigam, Jaipur / Jodhpur / Kota
7. Director, Local Bodies, Rajasthan Jaipur. May issue directions accordingly to all the Municipal Boards/Municipal Councils.
8. Chairmen / Secretaries of All Urban Improvement Trusts
9. Guard File.

  
30/8/2003  
Secretary to

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