

GOVERNMENT OF RAJASTHAN  
Urban Development & Housing Department

No.F.5(3)UDH/3/99/Part

Dated: February 28, 2004

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.

With reference to the above-mentioned subject your attention is invited to this Department's earlier circular of even No. dated September 30, 2003 whereby the position had been 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 matter has been re-examined in consultation with Law Department. Law Department has clarified that the provisions of sub-sections (1), (2) & (5) of Section 90-B are applicable in those cases where the lands have been used for any non-agricultural purposes before the commencement of the Act i.e. before 17/06/1999. However, the provisions of sub-section (3) of Section 90-B are applicable in those cases where land is intended to be used


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

for non-agricultural purposes after the commencement of the Act.

Keeping in view the opinion expressed by Law Department, the earlier clarification issued by this Department vide Circular dated September 30, 2003 is hereby withdrawn. It is hereby clarified that the provisions of sub-section (3) of Section 90-B are applicable in those cases where land is intended to be used for non-agricultural purposes after the commencement of the Act.

The above-mentioned clarification may be brought to notice of all concerned.

Yours faithfully,

  
(Ashok Sanipalram)  
Secretary to Government

Copy for information & necessary action to the following:

1. All Divisional Commissioners / All Collectors
2. Commissioner, Jaipur Development Authority, Jaipur
3. Chief Executive Officer, Nagar Nigam, Jaipur / Jodhpur / Kota
4. Director, Local Bodies, Rajasthan, Jaipur for forwarding copies to all the Municipal Councils / Boards.
5. Secretaries of All Urban Improvement Trusts
6. Guard File

  
Secretary to Government