

राजस्थान स्टेट ग्रान्ट एक्ट, 1961

40 वर्ष व इससे अधिक पुराने कब्जों के पट्टे दिये जाने संबंधी

The Rajasthan Government Grant Act, 1961

[Act No. 20 of 1961]

(Received the assent of the President on the 8th day of July, 1961)

An Act to provide for the non-applicability of certain laws to grants or transfers from the central government or the state government and to declare the validity of the provisions, restrictions, conditions and limitations contained in or imposed by such grants or transfers. Be it enacted by the Rajasthan State Legislature in the Twelfth Year of the Republic of India as follows:

- 1- **Short title, extent and commencement:** - (1) this Act may be called the Rajasthan Government Grants Act, 1961. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force at once.
- 2- **Transfer of Property Act 1882 not to apply to Government Grants:** - Nothing in the Transfer of Property Act, 1882 (Central Act, 4 of 1882) Contained shall apply or be deemed ever to have applied to any grant or other transfer of land or any interest heretofore made or hereafter to be made by or on behalf of the State Government or the Central Government to, or in favor of, any person whomsoever; but every such grant and transfer shall be construed and take affect as the said Act had not been passed.
- 3- **Certain laws not to apply to grants from Central Government:** - Nothing contained in the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955) or in the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) shall apply or be deemed ever to have applied to any grant or other transfer of **land or of any interest therein heretofore made or hereafter to be made by,** or on behalf of, the Central Government to, or in favor of any person whomsoever; but every such grant and transfer shall be construed and shall take effect as if neither of the said Acts had been passed.
- 4- **Government grants to take effect according to their tenor:**- All provisions restrictions, condition and limitations ever contained in any such grant of transfer as is referred to in section 2 or section 3 shall be valid and shall take effect according to their tenor, any provision contained in any of the Acts mentioned in those sections or any rule of law, statute or enactment or any decree or direction of a court of competent jurisdiction to the contrary notwithstanding.

Repeal:- The Government Grants Act, 1985. of the central legislature in so far as it extends to or stand adopted to the whole or any part of the state of Rajasthan and all other corresponding laws in force in any part of the state are here repealed and serial number 35 of the schedule to the Rajasthan Adaptation of Central Ordinance, 1950 Rajasthan Ordinance 4 of 1950. is hereby omitted.

GOVERNMENT OF RAJASTHAN LOCAL SELF GOVERNMENT DEPARTMENT

No.

Jaipur, Dated 15-09-1983

ORDER

No. OE/F-19 (Campaign) DLB/83/5783. : In suppression of this department circular No. D.745/F.10 (22) LSG/A/59 dated 27th April 1959 & memorandum No. F.10 (29) LSG/A/58 dated 26 February] 1962 and all other orders issued in this behalf, the state government have been pleased to sanction allotment of land free of cost and issue of *patta* on a nominal fees of Rs.5.00 under the Rajasthan state government grant Act, 1961 (Rajasthan Act No.20 of 1961) to all such person have been occupying the land for the last 40 years of more on the following conditions:-

1. Such *patta* shall be issued by the municipal authority in case of Nazul (*Abadi*) land and not in case of agricultural land or any other kind of land.
2. The *patta* shall be issued for the area of land, which has been built upon by *Kaccha/Pakka* construction thereon with a maximum area of 300 sq. meters only.
3. In order to determine the period of possession of land for 40 years or more, all or any of the following factors may be taken into consideration:-
 - i) The name in the voter's list;
 - ii) Ration Card;
 - iii) Postal post card/envelop etc. address to the occupier duly stamped;
 - iv) Old *Patta*/Sale deed issued by the competent authority or authenticated site plan in which name or description of land under possession has been mentioned/shown;
 - v) Judgment of any court or any competent authority;
 - vi) Any notice/letter addressed to the occupier;
 - vii) **Any other documentary evidence; and**
 - viii) Oral evidence of at least two night hours of not below the age of 60 years old supported by any affidavit to the satisfaction of the authority.

Explanation: For the purpose of reckoning the period of possession for 40 years more, the period of possession held by the original occupier, his legal heir, successors or transferees may also be taken into account and *patta* shall be issued accordingly.

4. In case of land which is under dispute or for which legal proceeding are pending in any law court or before any authority, no *patta* shall be issued until the case is finally decided.
5. The *Patta* shall be issued in accordance with the provisions contained in the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974.
6. In case of any dispute, the decision of the collector in this regards shall be final.

By order of the government.

(J.S. Yadav)

Dy. Secretary to the government.

