

Rajasthan Agricultural Lands Utilisation Act, 1954

Act No. XXII of 1954

(Received the assent of the President on the 6th day of November, 1954).

An Act to provide for the utilisation of uncultivated agricultural lands in the State of Rajasthan and for regulating the cultivation of specified crops.

Be it enacted by the Rajasthan State Legislature in the fifth year of our Republic as follows —

1. Short title, extent and commencement.- (1) This Act may be called the Rajasthan Agricultural Lands Utilisation Act, 1954.

1(2) It extends to the whole of the State of Rajasthan.

*[(3) It shall come into force in such area -and on such date, as .the State Government may, by notification in the 2[Official gazette], specify from time to time.

2. Definitions.- In this Act unless the context otherwise requires—

- (a) **"Agricul-tural Land"** means land, whether occupied or not, which is used, or is capable of being used, for agricultural purposes and includes fallow land.
- (b) **"Landholder"** means the person to whom rent is, or, but for contract express or implied, would be, payable and includes a Jagirdar, a Biswedar, a Zamindar, a rent-free grantee, a grantee at a favourable rate of rent, a village servant, a tenant who has sublet or his mortgagee and an ijaredar or thekedar, but does not include the State Government;
- (c) **"Lessee"** means the person to whom land is let under this Act;
- (d) **"Prescribed"** means prescribed by or under thhis Act; and
- (e) **"Tenant"** means the person by whom rent is, or, but for a contract, express or implied, would be payable and includes a co-tenant, mortgagee and a grove-holder.

3. Power to require cultivators to grow specified crops.- (1) Notwithstanding anything to the contrary in any law, custom or practice for the time being, the

1. Substituted by item No. 37 of the Schedule of Rajasthan Act No. 27 of 1957, published in Rajasthan Gazette, Part IV-A, Extraordinary, dated 13.8.1957.

* Came into force in the whole of the State of Rajasthan from 15-3-1958 vide Revenue (B) Department Notification No. F. 1(1) Rev. 9153 dated February 18, 1958, published in Rajasthan Gazette, Part IV-C, dated February 27, 1958.

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State Government, if satisfied that it is necessary in the public interest to increase the production of fodder, food or any other commodity in any local area, may, by an order published in the 1[Official Gazette], direct that in such area every cultivator shall grow over a specified proportion of his holding such crop or crops as may be specified in such order, and different crops may be so specified for different parts of that area:

Provided that no such direction shall be made unless the State Government has notified its intention of doing so and has taken into consideration any objections thereto that may be received within a month of such notification.

(2) So long as an order issued under Section (1) is in force, no cultivator shall grow in his holding any crop other than the one which he is directed by such order to grow.

4. Utilisation of land for cultivation purposes in certain circumstances.- (1)

Notwithstanding anything to the contrary contained in any law for the time being in force, if the Collector is satisfied that any agricultural land has remained uncultivated for two years or more or has not at all been cultivated, he may, by a written notice in the prescribed form, call upon the landholder or tenant of such land. within thirty days from the date of the service of such notice-

- (a) to cultivate the said land personally, or
- (b) to arrange for its cultivation forthwith, or
- (c) to let out or sublet such land for cultivation.

Provided that no notice shall be issued under this sub-section in respect of any land which is grove land or which is considered necessary to be retained as pasture land or which is required to be kept fallow for regaining its fertility or which is by virtue of any custom or practice used as a threshing floor or a road or a path or an irrigation tank or for any other like purpose.

(2) If such landholder or tenant shows to the satisfaction of the Collector within the time specified in sub-section (1) that the land in question is not capable of being cultivated, or that it is already being cultivated or has been let out for cultivation, the Collector shall cancel the notice.

(3) The Collector may suspend the notice if he is satisfied that such land holder or tenant is making arrangements for the cultivation of the land himself and, if the whole or any part of such land is so cultivated within the time for which the notice remains suspended, the Collector shall cancel the notice in respect of the whole or part so cultivated.

(4) If the notice is neither complied with nor cancelled under sub section (2) or sub-section (3) the Collector shall order the Tehsildar, to let out such land for a specified period not exceeding 2[five] years in the prescribed order of

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1. Substituted by item No, 37 of the Schedule of Rajasthan Act No. 27 of 1957, published in Rajasthan Gazette, Part, IV-A, Extraordinary dated 13-8-1957.
 2. Substituted by Section 2 of Rajasthan Act Ni. 28 of 1960, published in Rajasthan gazette, part IV-A, Extraordinary dated 19-9-1960

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preference and in the prescribed manner to a person on a rent to determined in accordance with law, and the person to whom such land is let out shall be liable to pay the rent so determined direct to the land holder.

(5) The Collector after considering objections, if any, may, while ordering the Tehsildar to let out land as aforesaid, direct that the lessees shall grow there in specified crops; and, subject to any such direction of the Collector, the Tehsildar may let out such land for the purpose of growing there in of a specified crop by the lessees.

5. Appeals.- (1) An Appeal from an order of the Tehsildar under this Act shall lie to the Collector.

(2) An appeal from an order of the Collector under this Act made otherwise than on appeal shall lie to the 3[revenue appellant authority]:

(3) Any appeal under this section shall be preferred within thirty days of the order appealed from.

(4) The decision or the Collector of the 3[revenue appellate authority] as the case may be, on an appeal preferred under this section shall, subject to the provision contained in sub-section (5) be final.

(5) the Board of Revenue may revise any order passed under this Act by a collector or a 3[revenue appellate authority] on appeal.

6. Penalties- If any person contravenes any of the provisions of section 3 or section 4 or an order made under either of the said section, he shall be punished with fine not exceeding five hundred rupees.

7. Order not to be called in question.- Except as otherwise provided in this Act, no order made or action taken in exercise of any power conferred by or under this Act shall be called in question in any court or before any authority.

8. Bar to legal proceedings.- (1) No suit, prosecution or other legal proceeding shall lie for anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

(2) No suit or other legal proceeding shall lie against the State Government for any damage caused by anything which is in good faith done or intended to be done under this Act.

9. Power to make rules.- The State Government may, by notification in the 1[Official Gazette], make rules for carrying out the provisions of this Act.

10. 2[X X X].

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1. Substituted by Section 4 of Rajasthan Act No. 27 of 1957, published in Rajasthan Gazette, part IV-A, Extraordinary, dated 13-8-1957.
 2. Omitted by item No. 37 of the Schedule ibid
 3. Substituted by item (10) of the Schedule with effect from 16-11-1961 read with section 4 of the Act, published in Rajasthan Gazette, Part IV-A, Extraordinary, dated 13-04-1962