

The Rajasthan Sub-Grants Resumption Validation Act, 1959

(Act No. 41 of 1959)

[Received the assent of the President on the 9th Day of October, 1959.]

An Act to validate the resumption of sub-grants in certain cases and to provide for the award and payment of compensation and rehabilitation grant to the holders thereof.

Whereas, according to the provisions of the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act 6 of 1952), sub - grantees holding lands in chakrana muafi from jagirdars whose jagir lands are resumed under the said Act are entitled to be treated as separate jagirdars and to receive compensation and rehabilitation grant accordingly;

And whereas, in a number of cases, lands being the subject of such chakrana muafi sub - grants have been resumed along with the jagir lands of jagirdars from or under whom such sub - grants were being held;

And whereas the compensation, accompanied with or without rehabilitation grant, payable under the said Act in respect of such chakrana muafi sub-grants has been awarded to and is being paid to the grantor jagirdars to the exclusion total or partial, of the holders of such sub-grants;

And whereas such resumption, award of compensation and payment thereof are not in accordance with law and affect pre-judicially the interests of the said holders of chakrana muafi sub-grants;

And whereas it is expedient to validate the resumption of such chakrana muafi sub-grants and to make provision for the award and payment, according to law, of compensation, accompanied with or without rehabilitation grant, to the said sub-grantees partly out of the amount awarded to the jagirdars from or under whom they held their chakrana muafi sub-grants as compensation, whether with or without rehabilitation grant and partly by the State Government.

Be it enacted by the Rajasthan State Legislature in the Tenth Year of the Republic of India as follows:-

1. Short title and extent. - (1) This Act may be called the Rajasthan Sub - Grants Resumption Validation Act, 1959.

(2) It extends to the whole of the pre-reorganisation State of Rajasthan except the Sironj area.

2. Application of Act. - The provisions of this Act shall apply to such chakrana muafi sub-grants as have, before the commencement to this Act, been resumed under the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act 6 of 1952), hereinafter referred to as the Resumption Act, along with the jagir lands of the jagirdars from or under whom such sub-grants were held, such jagirdars being hereinafter referred to as the principal Jagirdars, without treating the holders of the said sub-grants as separate jagirdars and without awarding to the latter compensation, accompanied with or without rehabilitation grant, according to law.

3. Validation of resumption of certain sub-grants. - Notwithstanding anything contained in the Resumption Act and notwithstanding any want or defect of form, jurisdiction, procedure or authority, all sub-grants to which the provisions of this Act apply shall be deemed to have been lawfully and validly resumed, even though they could not be so resumed in pursuance of the notifications issued by the State Government under section 21 of the Resumption Act for the resumption of the jagir lands of the principal jagirdars, as if such notifications also applied to the said sub-grants.

4. Award and payment of compensation. - (1) Notwithstanding that compensation, with or without rehabilitation grant, in respect of a sub-grant to which the provisions of this Act apply, shall have been awarded and is being paid, to the principal jagirdar, every holder of such sub-grant shall be awarded compensation, accompanied with or without rehabilitation grant, calculated in accordance with the provisions of the Resumption Act, and the amount thereof shall be paid to him in the manner laid down in sub-section (2).

(2) The Jagir Commissioner shall determine the amount of compensation, accompanied with or without rehabilitation grant payable to such sub-grantee under and in accordance with the provisions of the Resumption Act as if the resumption of his sub-grant had taken place on the date on which it was actually resumed. The amount so determined shall be paid partly out of the compensation to be paid or being paid to his principal jagirdar and partly by the State Government in the prescribed manner.

5. Rules. - The State Government may make rules for the purpose of carrying into effect the provisions of this Act.