

GUJARAT PANCHAYATS (Gramdan) RULES, 1967

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SCHEDULE 1 :- SCHEDULE

GUJARAT PANCHAYATS (Gramdan) RULES, 1967

No.KP/988/PRB; 69/67-JH.-In exercise of the powers conferred by section 323 of the Gujarat Panchayats Act, 1961 (Guj. VI of 1962) and of all other powers enabling it in that behalf, the Government of Gujarat hereby makes the following rules, namely :-

1. Short title :-

These rules may be called the Gujarat Panchayats (Gramdan) Rules, 1967.

2. Definitions :-

In these rules, unless the context otherwise requires :

- (a) "the Act" means the Gujarat Panchayats Act, 1961 ;
- (b) "Form" means a form appended to these rules;
- (c) "section" means a section of the Act.

3. Publication of Notification of declaration of a Gram as a Gramdan Gram :-

A notification declaring a gram as a Gramdan under sub-section (1) of section 333 shall be published in Form 1.

4. Publication of order under sub-sec. (3) of section 333 :-

An order made by a Collector, under sub-section (3) of section 333, shall be published by affixing copies thereof, on the notice boards in the offices of the Collector, Mamlatdar or as the case may be, Mahalkari and the gram panchayat concerned.

5. Filling of declaration under sub-section (1) of section 334 :-

(i) A declaration under clause (a) of sub-section (1) of section 334 shall be in Form II and a declaration under clause (b) of the said sub-section (1) shall be in Form III;

(2) Every declaration shall be signed by the declarant in the presence of any officer not below the rank of a Circle Inspector or a Sarpanch of the gram panchayat and a person residing in the gram.

(3) An owner, who has lands in different grams, shall file separate declarations in respect of lands in each gram;

(4) A declaration may be filed before the Collector, either by delivering it by the declarant or any person on his behalf personally or by sending it by registered post.

6. Fixation of date for purposes of sub-section (3) of section 335 :-

The date on which the first declaration in Form II is received by the Collector, shall be the date for the purpose of sub-section (3) of section 333.

7. Manner of publication of declaration under sub-section (1) of section 335 :-

(1) Every declaration received under clause (a) of subsection 334 by the Collector, shall be entered in a register which shall be maintained by an Officer designated by the Collector in this behalf.

(2) Such declaration shall be published by affixing a copy thereof, on the notice-boards in the offices of the Mamlatdar or Mahalkari and the gram panchayat within the jurisdiction of which the land is situated together with a notice referred to in sub-section (1) of section 335: Such notice shall be in Form IV.

(3) A copy of the notice together with a copy of the declaration,

shall be served on all persons whose names are mentioned in the Record of Rights as persons having rights, title or interest in the land.

8. Procedure for inquiry into objections received under clause (b) of sub.section (1) of section 335 :-

(1) After the expiry of a period of forty five days from the date of publication of a declaration under rule 7, the Collector shall inquire and ascertain :--

(a) Whether the person, making the declaration-

(i) has a prima-facie right, title or interest in the land specified in the declaration;

(ii) is legally competent to make the declaration;

(b) whether those persons, who raised objections, have a right, title or interest in the land;

(c) whether there are encumbrances on the land, including arrears of land revenue or any other Government dues.

(2) For the purpose of an inquiry under sub-rule (1) the Collector may call all or any of such persons, or require them to produce before him any documents which he may consider to be necessary for ascertaining any averments made in the declaration or in the objections submitted to him.

(3) Every order made under sub-section (2) of section 335, shall be published by affixing it on the notice boards in the offices of Collector, Mamlatdar or Mahalkari and the Gram Panchayat in whose jurisdiction the land specified in the declaration is situated.

9. Procedure to be followed at the meeting called under section 336 :-

(1) In the meeting convened under section 336 of the Act, the Collector shall inform the persons attending the meeting of the scheme of constituting the gram as Gramdan gram and explain to them the relevant and important provisions of the Act. He shall also inform them of the approximate number of declarations received by him under section 334 and of the possibility of constituting the gram as a Gramdan gram.

(2) Any person entitled to attend the meeting may, after the

Collector any question relating to the constitution of the Gramdan gram or apprise him of any matters relating thereto.

(3) The Collector shall after taking the sense of the meeting, ascertain the number of persons who are for and against the constitution of the gram as Gramdan gram. The proceedings of the meeting shall be recorded and signed by the Collector and copies thereof made and kept on record in the offices of the Collector and the Mamlatdar or Mahalkari concerned.

10. Cost of collection and manner and time of remittance of the amount realised under section 338(d) :-

The Gramdan Panchayat shall deduct as cost of collection at the rate of five percent of the total sum recovered under clause (d) of section 338 and remit the remaining amount in a Government Treasury or Sub-Treasury at the headquarters of the Taluka or Mahal as the case may be, within a period of eight days from the date of the realisation of such amount.

11. Payment of land revenue etc. by lessees :-

The seventh day immediately before the dates fixed for the payment of the respective tax referred to in clause (c) of sub-section (1) of section 344 by persons liable thereto in a non-gramdan gram in the same taluka or mahal under the law relating to land revenue for the time being in force, shall be the date for the purpose of clause (c) of sub-section (1) of the said section 344.

12. Manner and interval for payment of surplus income :-

The surplus income, if any, payable to the leasee under sub-rection (4) of section 346 shall be paid in cash annually between the period from the 1st July to the end of August.

SCHEDULE 1

SCHEDULE

Sr.	Name(s) of	Particulars of land	
No.	person(s)		
		Survey No.	Area
			A. G.
		Collector.	