# HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 14930/2025

1. Mala Ram S/o Shri Asu Ram Jakhar, Aged About 37 Years, R/o Village Hatundi, Tehsil Baori, District Jodhpur, Rajasthan.
2. Puna Ram S/o Shri Jetha Ram, Aged About 41 Years, R/o Harkanada, Village Hatundi, Tehsil Baori, District Jodhpur, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary Department Of Revenue (Gr.-I), Government Of Rajasthan, Secretariat, Jaipur.
2. Dy. Secretary, Department Of Revenue (Gr-I), Government Of Rajasthan, Secretariat, Jaipur.
3. Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
4. Board Of Revenue, Rajasthan, Ajmer Through Its Registrar.
5. District Collector, (Land Record), Jodhpur.
6. Sub Divisional Officer, Baori, Jodhpur.
7. Tehsildar (Revenue), Baori, Jodhpur.

----Respondents

S.B. Civil Writ Petition No. 13956/2025

1. Dipa Ram S/o Shri Gulaba Ram, Aged About 44 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).
2. Kheta Ram S/o Shri Haru Ram, Aged About 54 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).
3. Ratna Ram Meghwal S/o Shri Uda Ram Meghwal, Aged About 68 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).
4. Maga Ram S/o Shri Achala Ram, Aged About 46 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).

5. Ghewar Ram S/o Shri Khushala Ram, Aged About 55 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).
6. Shera Ram S/o Shri Uda Ram, Aged About 72 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).
7. Jasa Ram S/o Shri Kalu Ram, Aged About 41 Years, R/o Village Somesar, Tehsil Shergarh, District Jodhpur (Raj.).

----Petitioners

Versus

1. The State Of Rajasthan, Through The Deputy Secretary, Revenue Department (Group-1), Government Of Rajasthan, Secretariat, Jaipur (Raj.).
2. The District Collector (Land Records), Jodhpur (Raj.).
3. The Sub-Divisional Officer, Panchayat Samiti Shergarh, District Jodhpur (Raj.).
4. The Tehsildar (Land Records), Tehsil Shergarh, District Jodhpur (Raj.).
5. The Gram Panchayat, Somesar, Panchayat Samiti Shergarh, District Jodhpur (Raj.), Through The Village Development Officer.
6. The Administrator, Gram Panchayat, Somesar, Panchayat Samiti Shergarh, District Jodhpur (Raj.).

----Respondents

S.B. Civil Writ Petition No. 6576/2025

1. Laxman Choudhary S/o Ranaram, Aged About 37 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
2. Chagana Ram S/o Ghamanda Ram, Aged About 42 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
3. Hanuman Ram S/o Mala Ram, Aged About 47 Years, R/ o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
4. Pira Ram S/o Kirpa Ram, Aged About 50 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.

5. Lumba Ram S/o Sona Ram, Aged About 46 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
6. Narpat Lal S/o Bala Ram, Aged About 51 Years, R/o Naya Batadu, Gram Panchayat Singodiya, Harkhali District Barmer.
7. Navla Ram S/o Mala Ram, Aged About 52 Years, R/o Naya Batadu, Baytoo District Barmer.
8. Dhanna Ram S/o Ghamanda Ram, Aged About 49 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
9. Hasta Ram S/o Ammeda Ram, Aged About 52 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.
10. Chutara Ram S/o Bagata Ram, Aged About 64 Years, R/o Naya Batadu, Gram Panchayat Singodiya, District Barmer.

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary Revenue Department, Jaipur.
2. District Collector, Barmer.
3. Sub-Divisional Magistrate, Division Batadu District Barmer.
4. Tehsildar, Batadu District Barmer.
5. Gram Panchayat, Through Sarpanch, Office At Gram Panchayat, Singodiya, Tehsil- Batadu, District Barmer.

----Respondents

S.B. Civil Writ Petition No. 6918/2025

Gram Panchayat Bhimda, Through Sarpanch/administrator Kishan Lal Bheemra, Age 34 Years, R/o Bhimda, Panchayat Samiti Bayetu, Tehsil Bayetu, District Barmer.

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary Revenue Department, Jaipur.

2. District Collector, Barmer.

3. Sub-Divisional Magistrate, Division Bayetu District Barmer.

4. Tehsildar, Batadu, District Barmer.

5. Kesraram, The Then Patwari, Tehsil Batadu District Barmer, Presently Working As Patwari, Patwar Mandal Bamnor, Tehsil Dhanau.

6. Jaisa Ram S/o Bharu Ram, Aged About 63 years R/o Choukhoyon Katala, Bheemra, Bhimda, Dist- Barmer.

7. Sona Ram S/o Vagta Ram, Aged About 59 years R/o Sau Indony Ki Dhani, Bhimda, District Barmer.

8. Deraj Ram S/o Hukma Ram, Aged About 41 R/o Sau Ki Dhani, Bhimda, District- Barmer.

9. Kala Ram S/o Hukma Ram, Aged About 44 years R/o Sau Ki Dhani, Bhimda, District- Barmer.

10. Lakha Ram S/o Sama Ram, Aged About 29 years R/o Bhimda, District- Barmer.

11. Rana Ram S/o Gunasa Ram, Aged About 61 years R/o Bhimda, District – Barmer.

12. Jagdish Kumar S/o Rana Ram, Aged About 31 years R/o Bhimda, District- Barmer.

13. Oma Ram S/o Naru Ram, Aged About 29 years R/o Bhimda, District – Barmer.

14. Joga Ram S/o Naru Ram, Aged About 34 R/o Bhimda, District Barmer.

15. Naru Ram S/o Ganesha Ram, Aged About 57 years R/o Bhimda, District Baremer.

16. Ramesh Kumar S/o Rana Ram, Aged About 24 years R/o Bhimda, District – Barmer.

17. Rugnath Ram S/o Sona Ram Aged About 30 years R/o Bhimda, District – Barmer.

18. Shiv Lal S/o Sona Ram Aged About 39 years R/o Bhimda, District – Barmer.

----Respondents

S.B. Civil Writ Petition No. 15730/2025

Ganpat Singh S/o Sh. Keshar Singh, Aged About 51 Years, R/o Khetalwa Marg, Village Surana, Tehsil Sayala, District Jalore.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Revenue Department, Government Of Rajasthan, Jaipur.
2. The Commissioner, Rural Development And Panchayati Raj Department, Secretariat, Jaipur.
3. The Deputy Secretary, Department Of Revenue (Group-1), Secretariat, Jaipur.
4. The Secretary, Board Of Revenue, Rajasthan, Ajmer.
5. The District Collector, Jalore.
6. Sub-Divisional Officer, Sayala, District Jalore.
7. Tehsildar, Sayala, District Jalore.
8. The Gram Vikas Adhikari (Village Development Officer), Gram Panchayat Surana, Tehsil Sayala, District Jalore.

----Respondents

S.B. Civil Writ Petition No. 9377/2025

1. Ibrahim Khan S/o Sada Khan, Aged About 50 Years, R/o Talbaniyo Ki Dhani, Tehsil Sindhari, Lolawa, Balotra.
2. Ramjan Khan S/o Gula Khan, Aged About 40 Years, R/o Talbaniyo Ki Dhani, Tehsil Sindhari, Lolawa, Balotra.

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary Revenue, Government Of Rajasthan, Jaipur.
2. Collector, Balotra.
3. Sub-Divisional Officer, Sindhari, Balotra.

4. Tehsildar, Sindhari Balotra.

5. The Village Development Officer, Panchayat Samiti-Payla Kala, Balotra.

----Respondents

Connected With

S.B. Civil Writ Petition No. 9078/2025

Dinu Khan S/o Kasam Khan, Aged About 45 Years, R/o Village Talbaniya Ki Dhani, Tehsil Sindhari, Balotra.

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary Revenue, Government Of Rajasthan, Jaipur.

2. Collector, Balotra.

3. Sub-Divisional Officer, Sindhari, Balotra.

4. Tehsildar, Sindhari Balotra.

5. The Village Development Officer, Gram Panchayat Talbaniyon Ki Dhani, Panchayat Samiti-Payla Kala, Balotra.

----Respondents

S.B. Civil Writ Petition No. 7702/2025

1. Mubarak Khan S/o Sh. Suban Khan, Aged About 36 Years, R/o Kasam Kha Ki Dhani, Village Riyan, Tehsil Pipar City, District Jodhpur.

2. Allarakh S/o Sh. Amu Khan, Aged About 70 Years, R/o Kasam Kha Ki Dhani, Village Riyan, Tehsil Pipar City, District Jodhpur.

3. Alam Khan S/o Sh. Mohammad Khan, Aged About 69 Years, R/o Kasam Kha Ki Dhani, Village Riyan, Tehsil Pipar City, District Jodhpur.

4. Ibu Khan S/o Sh. Aladin, Aged About 48 Years, R/o Kasam Kha Ki Dhani, Village Riyan, Tehsil Pipar City, District Jodhpur.

5. Iqabi S/o Sh. Gendu Khan, Aged About 35 Years, R/o Kasam Kha Ki Dhani, Village Riyan, Tehsil Pipar

City, District Jodhpur.

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary To The Government, Revenue Department, Government Of Rajasthan, Jaipur.
2. The District Collector, Jodhpur.
3. Sub-Divisional Officer, Pipar City, District Jodhpur.
4. Tehsildar, Pipar City, District Jodhpur.
5. Sarpanch, Gram Panchayat Riyan, Panchayat Samiti Pipar City, District Jodhpur.

----Respondents

S.B. Civil Writ Petition No. 8623/2025

Ganga Singh S/o Bhanvar Singh, Aged About 44 Years, Resident Of Solankiya Tala, District - Jodhpur (Rajasthan).

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Revenue (Group-I), Department, Government Of Rajasthan, Secretariat, Jaipur (Rajasthan).
2. The District Collector, Jodhpur (Rajasthan).
3. Sub - Divisional Officer, Shergarh, District Jodhpur (Rural) (Rajasthan).
4. Tehsildar (Land Record), Shergarh, District Jodhpur (Rajasthan).
5. Sarpanch, Gram Panchayat Solankiya Tala, Panchayat Samiti Shergarh, District Jodhpur (Rajasthan).

----Respondents

S.B. Civil Writ Petition No. 10708/2025

1. Kewala Ram S/o Dharma Ram, Aged About 55 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.

2. Vilal Khan S/o Kabal Khan, Aged About 32 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.
3. Shareef Khan S/o Usman Khan, Aged About 40 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.
4. Jor Mohammad S/o Kamal Khan, Aged About 30 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.

----Petitioners

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue, Govt. Of Rajasthan, Secretariat, Jaipur (Raj.).
2. Divisional Commissioner, Barmer (Raj.).
3. The District Collector, Barmer, Rajasthan.
4. The Sub-Divisional Officer, Gadara Road, Barmer, Rajasthan.
5. Gram Panchayat, Harsani, Through Its Sarpanch, Office Of Gram Panchayat Samiti Harsani, Tehsil Gadara Road, District Barmer, Rajasthan.
6. The Gram Vikas Adhikari, Village Harsani, Tehsil Gadara Road, Barmer.

----Respondents

S.B. Civil Writ Petition No. 10713/2025

1. Mohan Ram S/o Sawai Ram, Aged About 40 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.
2. Dwarka Ram S/o Paru Ram, Aged About 57 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.
3. Lakha Ram S/o Paru Ram, Aged About 38 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.

4. Manga Ram S/o Raga Ram, Aged About 72 Years, R/o Village Harsani, Tehsil Gadara Road, Barmer, Rajasthan.

----Petitioners

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue, Govt. Of Rajasthan, Secretariat, Jaipur (Raj.).
2. Divisional Commissioner, Barmer (Raj.).
3. The District Collector, Barmer, Rajasthan.
4. The Sub-Divisional Officer, Gadara Road, Barmer, Rajasthan.
5. Gram Panchayat, Harsani, Through Its Sarpanch, Office Of Gram Panchayat Samiti Harsani, Tehsil Gadara Road, District Barmer, Rajasthan.
6. The Gram Vikas Adhikari, Village Harsani, Tehsil Gadara Road, Barmer.

----Respondents

S.B. Civil Writ Petition No. 10892/2025

1. Dan Singh S/o Amedram, Aged About 39 Years, Residents Of Old Village Meghwalon Ki Dhani, Sohara Tehsil- Gida District Balotra (Raj.).
2. Tulsa Ram S/o Rana Ram, Aged About 34 Years, Residents Of Old Village Meghwalon Ki Dhani, Sohara Tehsil- Gida District Balotra (Raj.).
3. Khema Ram S/o Naina Ram, Aged About 42 Years, Residents Of Old Village Meghwalon Ki Dhani, Sohara Tehsil- Gida District Balotra (Raj.).
4. Pura Ram S/o Bala Ram, Aged About 61 Years, Residents Of Old Village Meghwalon Ki Dhani, Sohara Tehsil- Gida District Balotra (Raj.).
5. Haduman Ram S/o Bhoora Ram, Aged About 45 Years, Residents Of Old Village Meghwalon Ki Dhani, Sohara Tehsil- Gida District Balotra (Raj.).

----Petitioners

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur (Raj.).
2. The District Collector, Balotra (Raj.).
3. The Sub Divisional Officer, Balotra.
4. Tehsildar, Gida District Balotra (Raj.)
5. Gram Panchayat, Sohada Panchayat Samiti Gida Dis. Balotra Through Its Sarpanch.

----Respondents

S.B. Civil Writ Petition No. 14987/2025

1. Ashok S/o Kishana Ram, Aged About 28 Years, R/o Ajit Nagar, Bawarli, District Jodhpur, Rajasthan.
2. Deva Ram S/o Gunesha Ram, Aged About 28 Years, R/o Bhambhuon Ki Dhani, Bawarli, Balesar Satta, District Jodhpur, Rajasthan.
3. Hukma Ram S/o Gumna Ram, Aged About 27 Years, R/o Kadela Ki Dhani, Bawarli, Balesar, District Jodhpur, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
2. The Secretary, Revenue Department, Government Of Rajasthan, Secretariat, Jaipur.
3. District Collector, Jodhpur.
4. Gram Panchayat, Bawarli, Through Its Village Development Officer.
5. Tehsildar, Balesar, District Jodhpur.
6. Patwari Balesar, District Jodhpur.
7. Sub-Divisional Officer, Balesar, District Jodhpur.

----Respondents

| | | |
|---|---|---|
| For Petitioner(s) | : | Mr. R.S. Choudhary<br>Mr. Yashpal Khileree<br>Dr. Ashok Choudhary<br>Mr. Deepak Nehra<br>Mr. Rajesh Joshi, Sr. Adv.<br>Mr. Ram Dayal Bhadu<br>Mr. Ram Dayal Dudy<br>Mr. C.R. Choudhary<br>Mr. Mansoor Ahmed Siddiqui<br>Mr. Muktesh Maheshwari<br>Mr. Gaurav Ranka<br>Mr. Aidan Choudhary<br>Mr. Vivek Firoda |
| For Respondent(s) | : | Mr. N.S. Rajpurohit, AAG<br>Mr. Sher Singh Rathore<br>Mr. Ram Niwas Haniya<br>Mr. Shailendra Gwala<br>Mr. Prithvi Raj Singh Balot |

**HON'BLE MR. JUSTICE KULDEEP MATHUR**

**Order**

**23/09/2025**

***REPORTABLE***

1. The present batch of writ petitions involves dispute with regard to creation of new Revenue Villages and naming of the newly created villages.

2. This Court, before dealing with the common arguments as raised before by the learned counsel appearing for the petitioners and respondents, deems it just and proper to summarize grievances of the petitioners as canvased in each of the present writ petitions.

**S.B. Civil Writ Petition No. 14930/2025-**

3. In the present writ petition, the petitioners have prayed for quashing of the notification dated 25.07.2025 (Annex.11) whereby the State Government has created new Revenue Villages namely '***Harkanada***' and '***Deron Ki Dhani***' from existing Revenue Village '*Hatundi*'.

4. The petitioners alleged that the proposal for creating new Revenue Villages was forwarded on 26.06.2025 without convening a Gram Sabha meeting, as mandated under the provisions of the Panchayati Raj Act and Rules. They further alleged that despite the absence of available land for developing basic amenities, the authorities proceeded in violation of State Government guidelines laid down in circulars dated 20.08.2009 and 28.02.2025. Furthermore, the petitioners alleged that the proposed village *Harkanada* and *Deron Ki Dhani* has been named after a local resident, Harka Ram, violating Clause 4 of the circulars dated 18.02.2025 and 20.08.2009.

**S.B. Civil Writ Petition No. 13956/2025-**

5. In the present writ petition, the petitioners have prayed for quashing of the notification dated 04.06.2025 (Annex.7) whereby the State Government has created a new Revenue Village, namely '***Somesar Kalla***', from the existing Revenue Village '*Somesar*'.

6. The notification dated 04.06.2025 has been challenged on the grounds that the State Authorities did not adhere to the relevant guidelines and parameters outlined in the circulars issued for the creation of new Revenue Villages. It has been contended

that no meeting of the Gram Sabha was convened in accordance with the provisions of the Panchayati Raj Act and Rules prior to submitting the proposal for the new Revenue Village. Furthermore, it was asserted that the newly created Revenue Village, *Somesar Kalla*, does not satisfy the minimum population requirement of 250 villagers as prescribed in the guidelines.



**S.B. Civil Writ Petition No. 6576/2025-**

7. In the present writ petition, the petitioners have prayed for quashing of the notification dated 19.03.2025 (Annexure 6) whereby the State Government has created new Revenue Villages, namely '***Aadarsh Naya Singodiya'***, ***'Batadu Dakshin'*** and ***'Aadarsh Naya Batadu'*** from the existing Revenue Village, namely 'S*ingodiya'.*

8. The notification dated 19.03.2025 has been assailed on the ground that the respondents have presented inflated numbers for the residents of the newly formed villages, while these villages do not meet the minimum population requirement of 150 villagers as outlined in the relevant circulars dated 20.08.2009 and 17.02.2025. It is further alleged that the proposal for creation of new Revenue Villages was forwarded by the State Authorities without taking consent/convening a meeting of Gram Panchayat, *Singodiya*, *Baytu*, District Barmer.

**S.B. Civil Writ Petition No. 6918/2025-**

9. In the present writ petition, the petitioners have prayed for quashing of the notification dated 18.03.2025 (Annexure 9) whereby the State Government has created new Revenue Village,

namely ***'Ambedkar Nagar, Bhimda'*** from the existing Revenue Village namely *'Bhimda'.*

10. It has been alleged that before the creation of the new Revenue Village, the general consent of the villagers of Gram Panchayat*, Bhimda* was not obtained and that infact, the Gram Panchayat, *Bhimda*, during its meeting dated 20.12.2024, rejected the proposal for creating the new Revenue Village. Thus, the new Revenue Village was created in blatant disregard and violation of the parameters and guidelines prescribed for the creation of new villages in the relevant circulars dated 20.08.2009 and 17.02.2025.

**S.B. Civil Writ Petition No. 15730/2025-**

11. In the present writ petition, the petitioner has prayed for quashing of the notification dated 04.06.2025 (Annexure 5) whereby the State Government has created new Revenue Village, namely ***'Naya Surana'*** from the existing Revenue Village '*Surana*'.

12. The writ petitioners have challenged the notification dated 04.06.2025, on the ground that the State Authorities failed to obtain a NOC from the Gram Panchayat prior to creating the new Revenue Village. It is further contended that no prior consultation, consent, or resolution was sought from the Gram Panchayat, *Surana*, in violation of the guidelines in the circular dated 20.08.2009.

**S.B. Civil Writ Petition No. 9377/2025 & S.B. Civil Writ Petition No. 9078/2025-**

13. In the present writ petitions, the petitioners have prayed for quashing of the proceedings with regard to the creation of new Revenue Villages, namely ***'Keraliya Nada'*** and '***Kakdon Ki Dhani***'.

14. The writ petitioners have challenged the creation of new Revenue Villages on the grounds that the proposals submitted by the State Authorities were illegal and arbitrary; violating the guidelines set forth in the circulars dated 20.08.2009 and 17.02.2025. It is contended that these proposals were forwarded without convening Gram Sabha meetings or obtaining the general consent of the villagers. Furthermore, the naming of the proposed new Revenue Villages is also alleged to be in violation of the circular dated 17.02.2025, which prohibits naming villages after a particular person, religion, caste, or sub caste.

**S.B. Civil Writ Petition No. 7702/2025-**

15. In the present writ petition, the petitioners have prayed for quashing of the notification dated 12.03.2025 (Annexure 7) whereby the State Government has created new Revenue Village, namely '***Chandpura***' from the existing Revenue Village '*Riya*'.

16. The writ petitioners have questioned the creation of the new Revenue Village, *Chandpura*, primarily on the ground that it fails to meet several criteria prescribed by the State for such creations. These criteria include the minimum population requirement, the required distance from the Gram Panchayat, and the availability of

land reserved for public infrastructure development such as schools, hospitals, and Panchayat Bhawan.

**<u>S.B. Civil Writ Petition No. 8623/2025-</u>**

17. In the present writ petition, the petitioner has prayed for quashing of the notification dated 26.03.2025 (Annexure 1) whereby the State Government has created a new Revenue Village, namely ***'Phusa Nagar'*** from the existing Revenue Village '*Solankiya Tala'*.

18. Questioning the validity and propriety of the notification dated 26.03.2025, the petitioner in the present writ petition has alleged that the proposal was sent and the decision with regard to the same was taken without obtaining any general consensus among the villagers. Furthermore, the petitioner has contended that the new Revenue Village has been named after one Phoosa Ram, who is the father of an influential political figure, which is in utter disregard to the circulars dated 20.08.2009 and 17.02.2025.

**<u>S.B. Civil Writ Petition No. 10708/2025 & S.B. Civil Writ Petition No. 10713/2025-</u>**

19. In the present writ petitions, the petitioners have prayed for quashing of the proceedings with regards to creation of new Revenue Villages, namely ***'Kishandasot Nagar'*** and ***'Akheraj Nagar'*** from the existing Revenue Village '*Harsani*'.

20. The petitioners, who are residents of village *Harsani*, have alleged through these writ petitions, that the State Authorities manipulated the records of Gram Panchayat, *Harsani*, to submit proposals for the creation of new Revenue Villages namely

*Kishandasot Nagar* and *Akheraj Nagar*. The petitioners contend that these proposals were forwarded in direct violation of the circulars dated 20.08.2009, 06.03.2025, and 17.02.2025. Furthermore, no meeting of the Gram Sabha was convened on 05.04.2025 to discuss the creation of the Revenue Village named *Kishandasot Nagar* and *Akheraj Nagar*, thereby negating any question of the Gram Panchayat approving such a proposal. It is also contended that the village *Kishandasot Naga*r has been proposed in the name of a particular individual, which is against the guidelines of the aforementioned circulars.

**S.B. Civil Writ Petition No. 10892/2025-**

21. In the present writ petition, the petitioner has prayed for quashing of the notification dated 18.03.2025 (Annexure 6) whereby the State Government has created a new Revenue Village, namely ***'Chouhan Nagar'*** from the existing Revenue Village 'Sohda'.

22. The writ petition states that the State Government, through its circular dated 20.08.2009, mandated that for the creation of new Revenue Villages in general areas, the population should not be less than 250, and in desert and tribal sub-areas, it should be at least 200. However, in the present case, the State Authorities failed to comply with these requirements prior to notifying the creation of new Revenue Village. The writ petition further alleges that no consent was obtained from the Gram Sabha for the proposed new Revenue Village, and further, the name *'Chouhan Nagar'* was chosen under the influence of the Chouhan families of

the area, which is based on a surname and is thus is a violation of the circulars dated 20.08.2009 and 17.02.2025.

**S.B. Civil Writ Petition No. 14987/2025-**

23. In the present writ petition, the petitioner has prayed for quashing of the notification dated 20.06.2025 (Annexure 16) whereby the State Government has created new Revenue Villages, namely ***'Hiranmagri'*** and ***'Raila'*** from the existing Revenue Village '*Bawarli*'.

24. The petitioners have challenged the notification on the grounds that the State Authorities did not seek or obtain the consent of the residents of the existing Gram Panchayat, *Bawarli* and thus the decision of the State Government does not reflect the villagers' will as required by the various circulars issued by the State Government. Additionally, it is alleged that the name *Hiranmagri* was chosen under the influence of *'Heera Jaat,'* of a close relative of the current Sarpanch, and the village '*Raila*' has also been named based on the sub-caste of the Sarpanch, Shri Ramu Ram of Gram Panchayat, *Bawarli*.

**Arguments on behalf of the Petitioners-**

25. Learned counsel for the petitioners in unison, submitted that the impugned notification or impugned proposals, in relation to creation of new Revenue Villages, have been either published or sent for approval in utter disregard of the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025.

26. Learned counsel submitted that these aforementioned

circulars provide for exhaustive guidelines to be strictly followed before the creation of new Revenue Villages and in the naming of such newly created villages.

27. Learned counsel submitted that non-adherence to the various guidelines and parameters laid out in the above mentioned circulars renders the entire exercise of creating and naming of new Revenue Villages superficial, failing to reflect the general will of the local public and residents of the concerned areas.

28. Learned counsel submitted that the primary purpose behind issuing the aforementioned circulars was to streamline and facilitate the process of creating and naming new Revenue Villages, ensuring that the procedure remains impartial and free from the influence or preferences of politically motivated individuals.

29. Learned counsel submitted that in the present writ petitions, sufficient material has been placed on record to establish that the State Government has acted contrary to the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025 by illegally issuing the impugned notifications or approving the proposals for creating and naming of new Revenue Villages under the influence of a few individuals.

30. In sum and substance, the argument across all writ petitions is either that the Revenue Villages have been notified without holding Gram Sabha meetings to discuss and pass resolutions endorsing or suggesting the creation of new Revenue Villages in accordance with the provisions of Sections 8-A, 8-B, and 8-D of

the Panchayati Raj Act, 1994, or that the villages have been named after a particular person, religion, caste, or sub caste.

**31.** ***To support their contentions, learned counsel for the petitioners have relied upon the judgment passed by the Coordinate Benches of this Court in the case of*** "Moola Ram v. State of Rajasthan & Ors." (S.B. CWP No.3470/2025) ***and other connected matters decided on*** 18.02.2025, "Pukh Raj v. ***State of Rajasthan" (S.B. CWP No.7244/2025)*** decided on **13.05.2025** and ***"Banwari Lal & Anr. v. State of Rajasthan & Ors." (S.B. CWP No.9469/2014)*** decided on **23.02.2015.**



**<u>Arguments on behalf of the Respondents-</u>**

32. *Per contra*, the learned counsel for the respondents submitted that the impugned notifications for creation of new Revenue Villages has been issued by the State Government in exercise of powers conferred under the Section 16 of the Rajasthan Land Revenue Act, 1956 (for short 'the Act of 1956').

33. Learned counsel submitted that under Section 16 of the Act of 1956, the State Government is exclusively empowered to notify the creation or abolition of divisions, districts, sub-divisions, tehsils, sub-tehsils, and villages, or to alter their boundaries, for better revenue administration and overall development of the village population and, therefore, this Court, in the exercise of its writ jurisdiction under Article 226 of the Constitution of India, ought not to intervene in the matter.

34. Learned counsel asserted that the creation of new villages,

being an act of legislative nature, could neither be challenged nor entertained by this Court merely on the ground that before issuing or notifying the new Revenue Villages, objections related to violations of various guidelines or parameters like minimum population criteria, or non-conducting of Gram Sabha meetings, as laid down in the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025, and 06.03.2025 were not considered or entertained by the respondents, as the same are not statutory in nature.

35. Learned counsel submitted that the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025 have been issued by the State Government only to provide broad guidelines aimed at making the process of creating new Revenue Villages smooth, fair, and transparent, while also involving villagers in the decision-making, the intent and body of circulars cannot overreach the rule position.

36. Learned counsel contended that although these circulars were released with good intentions, it soon became apparent that achieving general consent from villagers or the concerned Gram Sabha was challenging, as Gram Panchayats often failed to reach a consensus, which caused delays in the process.

37. Learned counsel vehemently submitted that any violation of the guidelines and parameters for creation of new Revenue Villages mentioned in the aforementioned circulars would not, by itself, render the exercise of creation of new Revenue Villages illegal, as these circulars lack statutory authority and are not

enforceable by a court of law.

38. Learned counsel for the respondents in support of their arguments have placed reliance upon the following judgments:-

***(1)*** Bena Ram v. State of Rajasthan & Ors. (S.B. CWP No.14297/2025) decided on ***26.08.2025.***

***(2)*** ***Nirmala v. State of Rajasthan & Ors. (S.B. CWP No.15118/2025)*** decided on ***11.08.2025.***

***(3)*** ***Arjun Singh v. State of Rajasthan & Ors. (S.B. CWP No.1055/2025)*** decided on ***05.08.2025.***

***(4)*** ***Jogaram & Anr. v. State of Rajasthan & Ors. (S.B. CWP No.7275/2025)*** decided on ***08.05.2025.***

***(5)*** ***Ramaram v. State of Rajasthan & Ors. (D.B. Civil Writ Petition (PIL)No.1645/2013)*** decided on ***22.07.2013.***

***(6)*** ***Banwari Lal & Anr. v. State of Rajasthan & Ors. (S.B. CWP No.9469/2014)*** decided on ***23.02.2015.***

**<u>Relevant provisions of the Act of 1956 and circulars issued by the State Government from time to time:-</u>**

39. Heard learned counsel for the parties at Bar. Perused the material available on record.

40. Section 16 of the Act of 1956 reads as under:-

> ***"Power to create, abolish or alter divisions etc. - The State Government may by notification in the [official Gazette]-***
>
> ***(a) create new or abolish existing [divisions] districts, sub-divisions, tehsils and [sub-tehsils, villages], and***
>
> ***(b)alter the limits of any of them".***

41. The circular dated 20.08.2009 is reproduced below for ready reference:-

"नवीन राजस्व ग्राम घोषित किये जाने की प्रक्रिया के संबंध में राजस्व विभाग द्वारा समय-समय पर आरी किये गये समस्त पूर्व परिपत्रों /निर्देशों के अतिक्रमण में यह समग्र परिपत्र जारी किया जाकर इस सम्बन्ध में मानदण्ड एवं प्रक्रिया निम्नानुसार निर्धारित की जाती है।

राजस्व ग्राम न केवल, राजस्व प्रशासन की मूल ईकाई हैं, बल्कि विकास एंव आयोजना के लिये भी एक महत्वपूर्ण आधार बिन्दु हैं। विभिन्न जन-सुविधाओं एवं विकास योजनाओं यथा जल प्रदाय योजना, विद्यालय, सडक, चिकित्सालय, विद्युतीकरण, डाक घर, बस स्टेण्ड, रेल्वे स्टेशन इत्यादि की स्वीकृति के लिये राजस्व ग्राम एक महत्वपूर्ण आधार विन्दु है। राज्य में कहीं-कहीं पर आवादी मूल गांव से दूर अथवा बिखरी हुई ढाणियों में भी बसी हुई है। विभिन्न विकास योजनाओं में सामान्यतया सुविधायें राजस्व ग्राम की मुख्य आयादी में ही उपलब्ध कराई जाती हैं। उसी राजस्व ग्राम में दूर बसी हुई आबादी अथवा बिखरी हुई ढाणियों में बसी आबादी अलग से राजस्व ग्राम घोषित नहीं होने के कारण विकास कार्यों से वन्चित रह जाती हैं। अतः इन ढाणियों में बसे लोगों को भी विकास कार्यों का पूर्ण लाभ उपलब्ध कराने के लिये यह आवश्यक है कि इन सुदूर बसी आबादी एंव विखरी हुई ढाणियों को भी राजस्व ग्राम घोषित किया जाये।

नवीन राजस्व ग्राम घोषित करने के लिये निम्न मानदण्ड/प्रक्रिया एतद्वारा निर्धारित किए जाते हैं:-

1. मूल राजस्व ग्राम से दूर बसे जिन सुदूर आबादी क्षेत्र पंच बिखरी हुई ढाणियों को नवीन राजस्व ग्राम घोषित किया जाना हो, उनकी आयादी सामान्य क्षेत्रों में 250 से कम न हो तथा रेगिस्तानी व अनुसूचित जनजाति उपयोजना क्षेत्रों में 200 से कम न हो।

2. प्रस्तावित नवीन राजस्व ग्राम घोषित होने के बाद मूल राजस्व ग्राम की आबादी सामान्य क्षेत्रों में 250 से कम न हो तथा रेगिस्तानी य अनुसूचित जनजाति उपयोजना क्षेत्रों में 200 से कम न हो।

3. नवीन राजस्व ग्राम घोषित की जाने वाली ढाणियां/आबादी मूल राजस्व ग्राम की ढाणियों/आबादी से कम से कम 1 कि.मी. की दूरी पर हो।

4. नवीन राजस्व ग्राम प्रस्तावित करते समय उसके नाम का प्रस्ताव भी भिजवाया जाये। नाम का निर्धारण करते समय यह सुनिश्चित किया जाये कि ग्राम का नाम किसी व्यक्ति, धर्म, जाति अथवा उप जाति के आधार पर नहीं हो। जंहा तक सम्भव हो, ग्राम का नाम आस सहमति से प्रस्तावित किया जाये।

5. यदि प्रस्तावित नवीन राजस्व ग्राम की आबादी बिखरी हुई ढाणियों अथवा मजरों में बसी हुई हो, तो प्रस्तावित नवीन ग्राम के लिये सुविधाजनक स्थान पर केन्द्र बिन्दु का चयन किया जाये। केन्द्र बिन्दु निर्धारित करते समय आधारभूत सुविधाओं की उपलब्धता एंव आधारभूत सुविधाओं के विस्तार के लिये भूमि की उपलब्धता को भी ध्यान में रखा जाये।

6. यदि नवीन ग्राम में आधारभूत सुविधाओं एंव इनके विस्तार के लिये पर्याप्त सिवाय चक, चारागाह अथवा अन्य विलानाम भूमि उपलब्ध हो तो ऐसी भूमि को नवीन प्रस्तावित गांव की आधारभूत सुविधाओं तथा आबादी विस्तार के लिये आरक्षित कर दिया जाये। यदि पर्याप्त चारागाह या दिलानाम भूमि

उपलब्ध नहीं हो लेकिन स्थानीय व्यक्ति ग्राम की आबादी एंव आधारभूत सुविधाओं के लिये अपनी भूमि उपलब्ध कराने के लिये सहमत हो तो उस भूमि को भी आरक्षित कर दिया जाये।

*7.* नवीन राजस्व ग्रामों के प्रस्ताव भिजवाते समय संलग्न परिशिठ में निर्धारित सूचना आवश्यक रूप से भिजवाई जाये।

नवीन राजस्व ग्रामों की स्थापना हेतु जन प्रतिनिधियों / स्थानीय जनता से तो लगातार प्रस्ताव प्राप्त होतें ही रहते हैं। लेकिन नवीन राजस्व ग्राम घोषित करने के लिये यह आवश्यक नहीं है कि इसके लिये जन प्रतिनिधियों / स्थानीय नियासियों द्वारा मांग की जाये। अगर राजस्व अधिकारी यह महसूस करें कि ग्राम में ओ ढाणियां बसी है वह मूल गांव से काफी दूर हैं तथा नवीन राजस्य ग्रास घोषित करने के लिये निर्धारित मानदण्ड पूर्ण करती है तो उन पर भी विचार किया जा सकता है। अत राजस्व अधिकारी अपने क्षेत्रों का भ्रमण कर ऐसे प्रकरणों का चिन्हीकरण कर उन प्रकरणों में स्थानीय स्तर पर विचार कर निला कलक्टर एवं राजस्य मण्डल के माध्यम से राज्य सरकार को अपने प्रस्ताव भिजवा सकते हैं।

अब तक प्रास सभी प्रस्तार्यों का परीक्षण कर नवीन राजस्य ग्राम सृजित करने के प्रस्ताव शीघ्रातिशीघ्र राजस्य मण्डल के माध्यम से इस विभाग को भिजवाये जायें ताकि सभी प्रस्तार्यों का परीक्षण किया जाकर राजस्थान भू-राजस्व अधिनियम, *1956* की धारा *16* के अन्तर्गत नवीन राजस्व ग्राम घोषित किये आने की कार्यवाही की जा सके।"

42. The amendment introduced in Clause 4 of the circular dated 20.08.2009 vide circular dated 17.02.2025 reads as under:-

"अतः नवीन राजस्व ग्राम घोषित करने के संबंध में विभाग के परिपत्र दिनांक *20.08.2009* के बिन्दु संख्या-*4* में निम्नानुसार संशोधन किया जाता है *:-*

*4.* प्रस्तावित राजस्व ग्राम के नाम का चयन स्थानीय ग्राम पंचायत द्वारा सर्वसम्मति से निर्णय पारित कर ग्राम सभा का सहमति प्रस्ताव एवं ग्राम पंचायत की अनापत्ति प्रमाण-पत्र नवीन ग्राम के प्रस्ताव में आवश्यक रुप से संलग्न प्रेषित किया जावे। ग्राम का नाम पूर्व प्रचलित ढाणियों के नाम अनुसार/ आमजन में अभ्यस्त नाम/शहीद *(*प्रमाणित दस्तावेज की प्रति*)*, महापुरूष आदि के नाम पर स्थानीय जनभावना को ध्यान में रखते हुए प्रस्तावित किये जायें। <u>यथा संभव प्रस्तावित ग्राम का नाम व्यक्ति, धर्म, जाति अथवा उपजाति के आधार पर नहीं हो। ग्रामों के नाम का चयन करते समय इस बात का ध्यान रखा जाना आवश्यक है कि मूल तहसील में उसी नाम का कोई ग्राम या कस्बा आदि न हो, जिससे आमजन में भ्रांति की स्थिति उत्पन्न न हो</u>।"

43. The Clause 4 of the circular dated 20.08.2009 was further amended vide circular dated 18.02.2025 in the following manner:-

"*4.* प्रस्तावित राजस्व ग्राम के नाम का चयन स्थानीय ग्राम पंचायत द्वारा सर्वसम्मति से निर्णय पारित कर ग्राम सभा का सहमति प्रस्ताव एवं ग्राम

> पंचायत की अनापत्ति प्रमाण-पत्र नवीन ग्राम के प्रस्ताव में आवश्यक रुप से संलग्न प्रेषित किया जावे। ग्राम का नाम पूर्व प्रचलित ढाणियों के नाम अनुसार/ आमजन में अभ्यस्त नाम / शहीद (प्रमाणित दस्तावेज की प्रति), महापुरूष आदि के नाम पर स्थानीय जनभावना को ध्यान में रखते हुए प्रस्तावित किये जायें। <u>यथा संभव प्रस्तावित ग्राम का नाम व्यक्ति, धर्म, जाति अथवा उपजाति के आधार पर नहीं हो। ग्रामों के नाम का चयन करते समय इस बात का ध्यान रखा जाना आवश्यक है कि मूल तहसील में उसी नाम का कोई ग्राम या कस्बा आदि न हो, जिससे आमजन में भ्रांति की स्थिति उत्पन्न न हो।</u>"



44. In continuity of the circular dated 18.02.2025, the State Government issued circular dated 28.02.2025. The relevant portion of the aforesaid circular is reproduced below for ready reference:-

> "अतः नवीन राजस्व ग्राम घोषित करने के संबंध में विभागीय परिपत्र दिनांक *18.02.2025* में उल्लेखित निर्देशों की निरन्तरता में वर्तमान परिस्थितियों के परिपेक्ष्य में विकल्प के तौर पर निम्न प्रक्रिया एतद्वारा निर्धारित की जाती है:-
>
> ढ़ाणी/मजरे जो नवीन राजस्व ग्राम घोषित करने हेतु निर्धारित मानदंडों को पूर्ण करती है. परन्तु प्रस्तावों पर ग्राम पंचायत से आमसभा का सहमति प्रस्ताव / अनापत्ति प्रमाण-पत्र प्राप्त किया जाना संभव नहीं हो पा रहा है, <u>विकल्प के तौर पर इन समस्त प्रस्तावों में संबंधित ग्राम विकास अधिकारी एवं पटवारी को सहमति प्रस्ताव एवं अनापति प्रमाण-पत्र जारी करने हेतु अधिकृत किया जाता है। सर्वप्रथम उन्हें यह सुनिश्चित करना होगा कि प्रस्तावित गांव निर्धारित मानदंडों को पूरा करते हैं, इसके पश्चात् ही सहमति प्रस्ताव / अनापत्ति पत्र को प्रमाणित किया जा सकेगा। प्रस्ताव प्रेषित करते समय हस्ताक्षर करने वाले अधिकारी/कर्मचारी द्वारा नाम एवं पदनाम का अंकन किया जाना आवश्यक है।"</u>

45. In supersession of Clauses 1, 2 & 4 of circular dated 20.06.2009 and Clause 4 of circulars dated 18.02.2025 and 28.02.2025, the State Government issued an another circular dated 06.03.2025. The relevant portion of the aforesaid circular is reproduced below for ready reference:-

> "नवीन राजस्व ग्राम घोषित करने के संबंध में विभाग द्वारा जारी परिपत्र दिनांक *20.08.2009* में उल्लेखित बिन्दु संख्या *1, 2* व *4* तथा परिपत्र दिनांक *18.02.2025* एवं *28.02.2025* में उल्लेखित बिन्दु संख्या *4* को अधिक्रमित करते हुए राज्य सरकार निम्न मानदण्ड/प्रक्रिया एतद्वारा निर्धारित करती है *:-*

> *1.* मूल राजस्व ग्राम से दूर स्थित गांव/ ढाणियों / मजरों को नवीन राजस्व ग्राम घोषित करने हेतु उनकी आबादी सामान्य क्षेत्रों में *200* से कम न हो तथा रेगिस्तानी व अनुसूचित जनजाति उपयोजना क्षेत्रों में *150* से कम न हो।
>
> *2.* नवीन राजस्व ग्राम घोषित होने पश्चात् मूल राजस्व ग्राम की शेष आबादी सामान्य क्षेत्रों में *200* से कम न हो तथा रेगिस्तानी व अनुसूचित जनजाति उपयोजना क्षेत्रों में *150* से कम न हो।
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> *4.* नवीन राजस्व ग्राम का नाम स्थानीय ग्रामीणों की आम सहमति / ग्राम के प्रचलित नाम /सरपंच/ग्रामसेवक की अनुशंसा के आधार पर प्रस्तावित किया जाए।"

**Analysis of the arguments in the context of S.16 of the Act of 1956 and myriad Circulars issued by the State Government:-**

46. In order to appreciate the arguments of the learned counsel for the respondents — that the establishment of a new Revenue Village under Rule 16 of the Act of 1956 is a legislative act, and thus, this Court should refrain from intervening— this Court finds it useful to refer to the judgment of Hon'ble Supreme Court of India in ***"Union of India v. Cynamide India Ltd. & Anr."*** reported in ***(1987) 2 SCC 720*** wherein the Hon'ble Supreme Court while making a distinction between legislative, administrative and quasi judicial acts held as under:-

> *"A legislative act is the creation and promulgation of a general rule of conduct without reference to particular cases; an administrative act is the making and issue of a specific direction or the application of a general rule to a particular case in accordance with the requirements of policy. Legislation in the process of formulating a general rule of conduct without reference to particular cases and usually operating in future; administration is the process of performing particular acts, of issuing particular orders or of making decisions which apply general rules to particular cases'. It has also been said: "Rule making is normally directed toward the formulation of requirements having a general application to all members of a broadly identifiable class" while, "an adjudication, on the other hand, applies to*

> *specific individuals or situations". But this is only a broad distinction, not necessarily always true. Administration and administrative adjudication may also be of general application and there may be legislation of particular application only. That is not ruled out. Again, adjudication determines past and present facts and declares right and liabilities while legislation indicates the future course of action. Adjudication is determinative of the past and the present while legislation is indicative of future. The object of the rule, the reach of its application, the rights and obligations arising out of it. Its intended effect on past, present and future events, its form, the manner of its promulgation are some factors which may help in drawing the line between legislative and non-legislative acts""*

47. Based on the principles of law laid down in the case of ***Cynamide India Ltd. (Supra)*** the Hon'ble Supreme Court of India in the case of "***State of Punjab v. Tehal Singh & Ors"*** reported in **(*2002) 2 SSC 7*,** after considering the facts of that case, was pleased to hold that the principles of law that emerge from the aforesaid decisions are- (1) where provisions of a statue provide for the legislative activity, i.e. making of a legislative instrument or promulgation of general rule of conduct or a declaration by a notification by the Government that certain place or area shall be part of a Gram Sabha and on issue of such a declaration certain other statutory provisions come into an action forthwith which provide for certain consequences; (2) where the power to be exercised by the Government under provisions of a statute does not concern with the interest of an individual and it relates to public in general or concerns with a general direction of a general character and not direct against an individual or to a particular situation and (3) lay down future course of actions, the same is generally held to be legislative in character.

48. Having gone through Section 16 of the Act of 1956, facts of

the present writ petitions so also the objections with regard to creation of new Revenue Villages, this Court observes that Revenue Villages serve as both the fundamental unit of revenue administration and a vital foundation for the development and planning of the entire State at grassroot levels, which is in consonance with our Constitutional Ethos. The State Government recognized that development benefits were predominantly limited to the residents of the main, densely populated areas of the village, often excluding those in remote, sparsely populated regions like Dhanis. To address this disparity, the State Government has time and again decided to create new Revenue Villages, ensuring that the benefits of development are extended to all residents, not just those in the primary settlement areas. In essence, the creation of new Revenue Villages through territorial adjustments is driven by administrative convenience and the need for effective land revenue management.

49. In view of aforesaid, the creation of a new village or the decision to alter the boundaries or limits of a Revenue Village impacts a defined area or a particular village, and is not related to the general public in an abstract sense. The decision to establish a new Revenue Village is made based on the specific needs of a village, with the aim of ensuring that the benefits of development, such as water supply, roads, healthcare facilities, electrification, etc. reach out to all the citizens, rather than being limited to those in the main settlement area. Additionally, this approach facilitates the better maintenance of revenue records for the area, ultimately contributing to more efficient revenue administration, including

the collection of land revenue, record-keeping, local governance, and the effective resolution of revenue disputes among the residents of the village.

50. Thus, in light of aforesaid observations and in view of the precedent law laid down in the case of ***Cynamide India Ltd. and Tehal Singh,*** the arguments raised by the respondents with regard to creation of Revenue Villages being a legislative act is rejected and it is thus held that the exercise of creation of new Revenue Villages under Section 16 of the Act of 1956 is an administrative act which is based on the administrative / policy decision of the Government.

51. Though it is a settled position of law that administrative decisions are a prerogative of the executive and the same should not usually be interfered by the Court, but the said decisions can still be interfered with, if they are found to have been taken arbitrarily, with *mala fide* intent, or in a mechanical manner without proper application of mind.

52. A Division Bench of this Court in the case of "***Rama Ram v. State of Rajasthan & Ors.***" ***(D.B. Civil Writ Petition (PIL) No.1645/2013)*** decided on ***22.07.2013*** while dealing with a similar controversy was pleased to observe that the <u>revenue administration is the best judge in the matters concerning creation of new villages and in the absence of any unimpeachable proof of any violation of the prescribes norms pertaining to the bifurcation of an establishment of a Revenue Village, such disputes cannot be gone into by this Court.</u>

***[Emphasis Supplied]***

53. At the cost of repetition, it is stated that the present batch of writ petitions questions the impugned notifications issued by the State Government for creation of new Revenue Villages and naming the newly created villages on the ground that the State Government has not followed the parameters and guidelines laid down by it in circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025.

54. It appears to this Court that though the Section 16 of the Act of 1956 confers absolute power upon the State Government to create new or abolish existing villages, the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025 lay down additional guidelines and parameters for creation of the new Revenue Villages for administrative convenience. This Court observes that no doubt the circulars aforementioned lay down procedure certain guidelines and parameters for creating a new Revenue Village, but the primary purpose of the same is merely to streamline the process and ensure it remains smooth and hassle-free.

55. These circulars have not been issued in the official gazette. The circulars, by themselves, do not create, abolish or alter administrative territorial units of the village. These circulars also do not include any provision stating that the failure to adhere to the procedures and parameters outlined within them would render the entire process of creating a new Revenue Village invalid, nor do they specify that the State Government is bound to establish a

new Revenue Village upon receiving a proposal in accordance with the aforementioned circulars, and therefore, the guidelines and parameters laid down in the circulars dated 20.08.2009, 17.02.2025, 18.02.2025, 28.02.2025 and 06.03.2025 are found not to have any statutory force although it is expected from the authorities to adhere to the said guidelines and parameters as far as possible so as to avoid any element of arbitrariness in creation of the same.

56. Upon hearing learned counsel for the parties and on a consideration of the circular dated 20.08.2009, this Court finds that the circular dated 20.08.2009 gives ample discretion to the revenue authorities for the creation of new Revenue Villages in order to facilitate development activities and aid in better administration at all levels of governance. The guidelines and parameters prescribed in the circular dated 20.08.2009 with regard to taking decision / forwarding proposal for creation of new Revenue Village, can be summarized in the following manner:-

1. Minimum population of the new Revenue Village should not be less than 250 inhabitants/residents and in cases of deserts and tribal areas, the same should not be less than 200 inhabitants/residents.
2. Distance between a new Revenue Village with that of existing village should be at least one kilometer.
3. There should be availability of land for establishment of basic amenities in the village.
4. As far as possible the new revenue villages should not be named after any person, caste, sub caste or religion.
5. Reserving certain classes of land *viz. Sivay Chak, Charagaah and Bilanaam* land for the development of basic amenities in the village.

57. Clause 4 of the circular dated 20.08.2009 was amended vide notification dated 17.02.2025 and in addition to the requirement of newly created village not to be named after any person, caste, sub caste or religion, it was added that as far as possible, the newly created villages be named after pre-existing *dhanis,* prevalently used words by general public or any martyr or nobleman (*mahapurush*) of the area concerned.

58. Clause 4 of the circular dated 20.08.2009 was further amended vide notification dated 18.02.2025 wherein it was stated that while naming the newly created village or sending proposals thereof, it should be kept in mind that no village or town of similar name is already existing in the tehsil concerned so as to avoid any confusion with regard to name of the village.

59. At this juncture, it is relevant to note here that after initiation of the process of new Revenue Villages in conformity with circular dated 20.08.2009, a number of writ petitions came to be filed before this Court being aggrieved by the creation of new Revenue Villages/proposals of new Revenue Villages in violation of Clause 4 of the circular. In those writ petitions, it was alleged that the proposals for new Revenue Villages have been sent and accepted without adhering to the guidelines and parameters in clause 4 of the circular dated 20.08.2009 and the villages have been named against particular person, caste, sub-caste, region etc.

60. A co-ordinate Bench of this Court after hearing a batch of writ petitions led by ***Moola Ram (supra)*** was pleased to hold

that before naming the newly created Revenue Village, the State Government is required to follow the guidelines and parameters mentioned in Clause 4 of the circulars dated 20.08.2009 and 17.02.2025. The aforesaid direction was made applicable for all the cases in which the notification for creation of new villages was not issued or the same was in process.

61. The respondents, after passing of the judgment by the co-ordinate Bench of this Court in the case of ***Moola Ram (supra),*** issued circulars dated 28.02.2025 and 06.03.2025, whereby the condition / guideline of clause 4 of circulars dated 20.08.2009, 17.02.2025 and 18.02.2025- that the newly created Revenue Village should not be named after a particular person, caste, sub caste or religion, was deleted.

62. The said decision of the State Government came to be challenged before this Court in the case of ***Joga Ram v. The State of Rajasthan (S.B. CWP No.7275/2025).*** The challenge was mainly raised on the ground that removing the expression from the circulars dated 20.08.2009 and 17.02.2025, which prohibited naming newly created Revenue Villages after a particular person, caste, sub-caste, or religion, is illegal and arbitrary.

63. A co-ordinate Bench of this Court vide its judgment dated 08.05.2025 in the case of ***Joga Ram (supra)*** was pleased to hold that the deletion of condition/guideline with regard to naming of newly created Revenue Villages after a particular person, caste, sub caste or religion is indeed illegal and arbitrary. The co-ordinate

Bench directed that no Revenue Village should be created in the name of a particular person, caste, sub caste or religion. The direction given in the case of ***Joga Ram (supra)*** were made applicable in all the cases which are/were in pipeline or pending consideration before the State Government.



64. Further, dealing with the controversy with regard to naming of the newly created Revenue Villages, this Court in the case of ***Bena Ram v. State of Rajasthan (S.B. CWP No.14297/2025)*** and ***Nirmala v. State of Rajasthan (S.B. CWP No.15118/2025)***, held that the question of legality or validity concerning the naming of newly created Revenue Villages cannot be examined under the writ jurisdiction of the Court unless it is proven on record that such naming was done with the intent to glorify a living individual or under the influence of an elected representative, while holding that no such challenge can be entertained if the villages are named after a decorated member of the armed forces or the police.

65. By issuing the circulars dated 28.02.2025 and 06.03.2025, the condition with regard to obtaining majority consent for creation of new Revenue Village by an NOC / approval in the general meeting (*Aam Sabha*) as mentioned in the circulars dated 17.02.2025 and 18.02.2025 came to be diluted. The new guidelines provided that *Gram Vikas Adhikari* and *Patwari* can also make recommendation for creation of New Revenue Village, if the new village to be created otherwise fulfills all other laid down parameters. This was done keeping in view the fact that the

requirement of obtaining general consensus / NOC in the meeting of Gram Panchayat for creation of new Revenue Village was creating an impediment in the overall process of development. Further, the guidelines also diluted the prescribed number of minimum population of the new Revenue Village to 200 inhabitants and in the cases of desert and tribal areas, to 150 residents.

**Conclusion:**

66. In the context of the facts detailed herein above, this Court finds that as far as dispute with regard to naming the newly created Revenue Village is concerned, the State Government as far as possible should not name the Revenue Villages after any person, caste, sub caste or religion, in conformity with the circulars dated 20.08.2009, 17.02.2025 and 18.02.2025 so also the directions issued by the co-ordinate Bench of this Court in the case of ***Moola Ram (supra).*** However, since the circulars issued in that regard by the State Government have no statutory force, no challenge in that regard can be entertained by this Court unless it is established on record beyond doubt that the Revenue Village has been named after a particular person, deity or caste to appease a particular religious or political group/under the influence of any political influential person or representative/a living person who is closely associated with the affairs of the village concerned arbitrarily and *mala fidely*. This is also for the reason that, historically, Indian cities and towns, both rural and urban, have been named based on a mix of Religious, Historical

and Political Figures, coupled with Geographical Characteristics and the Colonial Identities.

67. In that background, upon scanning the pleading of the writ petitions and documents attached with them, this Court, *prima facie* does not find any intentional and deliberate departure from the guidelines and parameters laid down in clause 4 of the circulars dated 20.08.2009, 17.02.2025, 18.02.2025 and 06.03.2025 by the respondents while naming the new Revenue Villages, thus, the arguments raised by petitioners qua deviation from the circulars to name new revenue villages is hereby turned down.

68. The challenge made to creation of new Revenue Villages on the ground that no general consent or NOC was obtained before their creation deserves to be negated for the simple reason that, a plain reading of the circular dated 28.02.2025 and 06.03.2025, nowhere binds the respondent authorities to convene a meeting of Gram Sabha / Aam Sabha of Gram Panchayat for floating the proposal / grant of NOC for creation of a new Revenue Village, before adopting the alternative mechanism of forwarding the proposal for creation of a new Revenue Village, if it fulfills all the relevant guidelines and parameters. The alternative mechanism, was prescribed by the State Government looking to the difficulties faced in creation of new Revenue Villages for want of general consensus amongst residents of the area concerned, which in turn was creating hindrance and deterrence to the development at grass root level.

69. So far as the ground taken by some petitioners regarding violation of circulars laying down guidelines with respect to requirement of minimum population and distance is concerned, this Court observes that the respondents in their replies to the writ petitions have taken a specific stand with respect to both. They have submitted that before issuing notifications for the creation of new Revenue Villages or considering such proposals, compliance with the population requirement was ensured by examining official census data, ration card records, and other relevant documents. Similarly, the minimum distance requirement between the newly created and existing Revenue Villages was verified using official revenue maps and records. The respondents further asserted that no Revenue Village has been established without adhering to the conditions and guidelines on population and distance set out in the circulars dated 20.08.2009 and 06.03.2025.

70. In the aforesaid situation, the factual dispute with regard to non adherence to the guidelines and parameters laid down with regard to population and distance raised in few of the writ petitions cannot be gone into as the Division Bench in the case of ***Rama Ram (supra)*** categorically and in unambiguous terms held that in the absence of any impeachable proof of any violation of prescribed norms pertaining to the bifurcation of and establishment of Revenue Village, no interference in such matters is called for. It is a settled legal position of law, that in a case which involves disputed question of facts, the High Court cannot go into the same in exercise of its extra- ordinary jurisdiction

under Article 226 of the Constitution of India. However, to resolve the aforesaid factual dispute, the writ petitioner(s) may file representation(s) before the competent authority of the State Government within 30 days from today. In case, a representation(s) are so filed, it is expected from the concerned State Authority that the same shall be considered and decided as expeditiously as possible.

71. Consequently, this Court finds no merit in the present batch of writ petitions. The writ petitions are accordingly dismissed.

72. The stay petitions also stand dismissed.

73. A copy of this order be placed in each file.

**(KULDEEP MATHUR),J**

272,42,52,282, 274,54-55,86,88,89 to 92, -himanshu/-