HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition (PIL) No. 17209/2026
CNR: RJHC020759432026 | URN: CW / 35941U / 2026

Balraj Yadav S/o Shri Dhannaram Yadav, Aged About 35 Years, Resident of Village Fatehpura Bhomiyan, Tehsil Khandela, District Sikar, Rajasthan-332709.

----Petitioner

Versus

1. State of Rajasthan, Through The Principal Secretary, Department of Revenue, Government of Rajasthan, Government Secretariat, Jaipur, Rajasthan.
2. The District Collector And District Magistrate, Sikar, District Sikar, Rajasthan.
3. The Sub-Divisional Officer, Sub Division Khandela, District Sikar, Rajasthan.
4. The Tehsildar, Tehsil Khandela, District Sikar, Rajasthan.
5. The Inspector Land Revenue, Khandela, District Sikar, Rajasthan.
6. Gram Panchayat Fatehpura Bhomiyan, Through Its Village Development Officer-Cum-Secretary, Tehsil Khandela, District Sikar, Rajasthan.

----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Ms. Anisha Sharma on behalf of Mr. GS Gill, AAG

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE SAMEER JAIN

Order

23/11/2026

1. The Division Bench of this Court in **Jagdish Prashad Meena & Ors. Vs. State of Rajasthan & Ors., D.B. Civil Writ Petition (PIL) No.10819/2018**, vide order dated 30.01.2019, has

directed creation of Public Land Protection Cell (PLPC) for rural areas in every district; the relevant portion of the order reads as follows:-

> *"This Court is inundated with large number of writ petitions, styled as public interest litigation, from almost all the Districts of the State, with allegations of encroachment over the pasture land/land of 'johad','talab'/river/river bed/public way Shamshan/Kabristan etc. In all such petitions, common allegation is that despite repeated complaints/representations to the concerned revenue officers, no steps are taken by them to remove the encroachment. This results in number of writ petitions being filed by the complainants/representationists before this Court. This Court has been passing orders in such matters requiring the respective District Collectors to examine the factual content of the allegations and take steps to remove the encroachments so as to secure such land.*
>
> *In order therefore to provide a pan-Rajasthan solution to this ever persisting problem, we deem it appropriate to direct the Chief Secretary of the State to devise a permanent mechanism, which should be operational in every District of the State where the concerned District Collector should be required to periodically notify for the information of the general public to lodge the complaints/representations with regard to such encroachments with a specially designated Public Land Protection Cell (for short 'PLPC') for rural areas. The PLPC should be headed by District Collector and function under his direction and supervision. The PLPC shall get such complaints/representations enquired into by deputing concerned Sub Divisional Officer/Tehsildar/NaibTehsildar so as to verify whether or not such encroachments have actually taken place on such land. If the allegations are found to be substantiated, appropriate steps in accordance with law be immediately taken for removal of the encroachments and appropriate penal action be also taken against the trespassers. The complaints/representations received in the PLPC should be decided by passing speaking order, informing the respective complainant/representationist about the action taken. This would obviate the necessity of such complainants/ representationists approaching this Court directly by way of public interest litigation. If this practice is put in place, this Court would not be inclined to directly entertain such public interest litigation or would do so only in the event of inaction on the part of the concerned PLPC.*

The PLPC aforementioned shall also keep in view the guidelines issued by the Supreme Court in ***Jagpal Singh & Others Vs. State of Punjab & Others, (2011) 11 SCC 396*** *wherein all the State Governments of the country were directed that they should prepare schemes for eviction of illegal/unauthorised occupants of the Gram Sabha/Gram Panchayat/ Poramboke/ Shamlat land and the same must be restored to the Gram Sabha/Gram Panchayat for the common use of villagers of the village. The said scheme should provide for the speedy eviction of such illegal occupants, after giving them a show cause notice and a brief hearing. It was further held therein that long duration of the illegal encroachment/occupation of land or huge expenditure in making construction thereon or political connections of trespassers are no justification for regularising such illegal occupation. Regularisation should be permitted only in exceptional cases where lease has been granted under some government notification e.g. to landless labourers or members of Scheduled Castes/Scheduled Tribes or where there is already a school, hospital, dispensary, 'shamshan', 'kabristan' or other public utility of the like nature on the land.*

Observations of the Supreme Court in Jagpal Singh (supra) thus leaves no manner of doubt that removal of encroachment on all such land is a rule and regularisation an exception and that too in extremely limited number of cases, which only the Government can do by appropriate notification of the government and no other authority.

List this matter on 14.03.2019.

A copy of this order be sent to the Chief Secretary of the State of Rajasthan, Government Secretariat, Jaipur, who shall ensure compliance of this order and do the needful for creation of Public Land Protection Cell (PLPC) for rural areas. A copy of this order be also provided to Mr. Anil Mehta, learned Additional Advocate General for compliance.

2. Accordingly, the writ petition stands disposed of in view of the directions issued by a Division Bench of this Court in **Jagdish Prashad Meena** (supra) and the petitioner is at liberty to make a representation before PLPC/ Competent Authority and the respondents shall decide the same within a period of two months, from the date of receiving the certified copy of this order, strictly

in accordance with law. Pending application, if any, also stands disposed of.

(SAMEER JAIN),J (SANJAY K. AGRAWAL),CJ

D-A/140/AMIT/RAHUL