

# **The Bihar Consolidation of Holdings and Prevention of Fragmentation Rules, 1958**

BIHAR

India

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### **Rule**

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The Bihar Consolidation of Holdings and Prevention of Fragmentation Rules, 1958Published vide Notification No. 1424 R, T. dated 20.8.1958

#### **1. Short title, extent and commencement.**

(1)These rules may be called the Bihar Consolidation of Holdings and Prevention of Fragmentation Rules, 1958.(2)They shall come into force in the areas in which, and from the date on which the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956, is made applicable.

#### **2. Definitions.**

- In these rules unless there is anything repugnant in the subject or context-(a)"The Act" means the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956;(b)"Form" means a form set out in the Schedule;(c)"Section" means a section of the Act;(d)"Adult" means a person who has completed twenty one years of age; and(e)all words and expressions used in these rules and not defined in these rules but defined in the Act shall respectively have the same meanings as assigned to them in the Act.

#### **3. [ Cancellation of notification under section 4 of the Act. [Substituted by S.O. 1461 dated 26.8.1976.]**

- The notification made under section 3 of the Act may, among other reasons, be cancelled in respect of the whole or any part of the area on one or more of the following grounds, namely:-(a)the area is under a development scheme of such a nature as when completed would render the consolidation operations inequitable to a section of the peasantry;(b)the holdings of the village are already consolidated for one reason or the other and the raiyats are generally satisfied with the present position;(c)the village is so torn up by party factions as to render proper consolidation proceedings in the village very difficult; and(d)a co-operative society has been formed for carrying out cultivation in the area after pooling all the land of the area for this purpose.]

#### **4. Application for sanction of transfer or partition under section 6.**

- Application for sanction under sub-section (1) of Section 6. -(1)An application for sanction for transfer or partition shall be made before the Consolidation Officer in Form II, as the case may be, containing the particulars as mentioned therein.(2)Such an application shall be accompanied by the requisite number of its copies and also the requisite number of notices in Form III.

#### **5. [ Appeals under sections 6(4), 10(6), 12-A(2) and 19(2). [Vide Notification No. 1424.R, T. dated 20.8.1958.]**

- Manner of disposal of appeals under sub-section (1) of Section 6, sub-section (6) of Section 10, sub-section (2) of Section 12-A and sub-section (2) of Section 19. - In hearing and disposing of appeals filed under sub-section (4) of Section 6, sub-section (6) of Section 10, sub-section (2) of Section 12-A and sub-section (2) of Section 19 the procedure laid down in Order XLI of the Code of Civil Procedure for the disposal of civil appeals shall be followed as far as may be.]

#### **6. [ Procedure for cadastral surveys and preparation of record-of-right before consolidation. [Substituted by S.O. 362 dated 30.4.1971.]**

- While preparing an up-to-date record-of-right before consolidation under Section 8, the provisions of Chapter X of the Bihar Tenancy Act, 1885 (Act VIII of 1885), Chapter XII of the Chotanagpur Tenancy Act, 1908 (Bengal Act VI of 1908), and the Santhal Parganas Settlement Regulation, 1872 (Regulation III of 1872) for the survey and preparation of record-of-right shall be followed subject to the following modifications:-(1)[Section 103A] Sections 105, 105-A, 106, 107, 108, 108-A, 109 and 109-A in Chapter X of the Bihar Tenancy Act, 1885 (Act VIII of 1885) shall not apply.(2)Clause (i) of sub-section (2) of Section 85, Sections 87, 89, 90, 91 and 93 in Chapter XII of the Chota Nagpur Tenancy Act, 1908 (Bengal Act VI of 1908) shall not apply.(3)Sections 25-A and 26 of the Santhal Parganas Settlement Regulation (Regulation III of 1872) shall not apply.]

#### **6A. [ Register of land to contain certain particulars. [Rules 6A to 6D inserted by S.O. 1761 dated 26.8.1976.]**

- The register of land shall also contain the following items, namely:-(a)the area and serial number of the plots of land held by under raiyats if any, having no right of occupancy therein;(b)the area and

serial number of the plots of lands held by under raiyats, if any, having any right of occupancy therein.

## **6B. Issue of parwana.**

(1)The Consolidation Officer shall, where he accords sanction to sale, gift, exchange or partition of land, issue a parwana to this effect in Form VI-A.(2)For compliance of the second proviso to sub-section (3) of Section 6, before any sanction is granted, the transferee shall be asked to file an affidavit duly sworn before the Consolidation Officer concerned to the effect that in case transfer of the land is granted in his favour, after such transfer the total area of land held by him under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).

## **6C. Statement of principles.**

(1)The statement of principle shall be prepared under his own hand in Form XXVI by the Assistant Consolidation Officer in consultation with the Village Advisory Committee and after making enquiries from as many raiyats of the unit as he may be able to collect. The statement shall contain reasons for the principles incorporated therein and shall be accompanied by a copy of the unit which shall show-(i)the existing permanent features, such as Abadi sites, canals, their distributaries alongwith the field channels, roads, groves, wells, nalas, rivers, graveyards, cremation ground and other areas used for public purpose;(ii)the additions and alterations proposed in the site alignment or dimensions of any of the items mentioned in the clause (i); and(iii)areas to be earmarked for any other public purposes.(2)Besides reservation of land for extension of Abadi including areas for Abadi site for members of schedule caste and scheduled tribe and landless labourers in the village land may be reserved according to the needs of each unit for the following public purposes:-(1)Gram Panchayat Ghar.(2)Children's Playground.(3)Gochar (Pasture land).(4)Manure pits.(5)Schools.(6)Threshing floor.(7)Road, village and inter-village rastas.(8)Hospitals.(9)Cremation and graveyards.(10)Plantation of trees.(11)Water channels for irrigation purposes.(12)Any other object of similar nature for which reservation of land may be considered necessary in the interest of the raiyats of the unit.(3)During the course of preparation of the statement of principles every specific problem of the unit having a bearing on equitable allotment of chaks shall receive the attention of the Assistant Consolidation Officer and the Village Advisory Committee. The principles on which such problems are proposed to be resolved should be in consonance with the provisions of the Act and Rules and must be incorporated in the statement.(4)If there is a difference of opinion between the Assistant Consolidation Officer and the Village Advisory Committee on any of the terms of the statement of principles, the Assistant Consolidation Officer shall prepare a note covering the points of difference and forward it to the Consolidation Officer.(5)If the Consolidation Officer is unable to resolve the difference between the Assistant Consolidation Officer and the Village Advisory Committee, he shall forward the record to the Assistant Director of Consolidation together with his opinion on each point of difference.(6)The Assistant Director of Consolidation, shall after hearing the Village Advisory Committee give his decision on the points referred to him under sub-rule (5).

## 6D. Publication of the Statement and Registers.

(1)The statement of principles under section 9A and the register of land prepared under section 9 shall be published in the unit alongwith the map for a period of 30 days by beat of drum and a general notice in Form X-A shall be published in the unit in the manner prescribed in rule 13. Before the date of such publication a notice in Form X-B alongwith the extracts of the relevant entries of the register of land shall be served upon the raiyats and under raiyats of the land to which the entries relate.(2)Any person interested in any entry of the statement of principles or the register of lands may file objections in writing before the Assistant Consolidation Officer within a period of 45 days from the date of publication under section 10(1).(3)All objections against the statement of principles shall clearly indicate the manner in which the interest of the objectors are likely to be affected.(4)The objectors shall file separate objections in respect of-(a)rights and liabilities in respect of land together with specification of shares of individual raiyat, under joint holdings and other cognate matters,(b)valuation of plots and trees, wells and other improvements:Provided that no objection shall be dismissed merely on the ground that a composite objection in respect of matters referred to in sub-clauses (a) and (b) has been filed.(5)The Assistant Consolidation Officer shall get separate case files opened in respect of each of the two categories of objections mentioned in sub-clauses (a) and (b) of sub-rule (4).(6)Cases related to each of the two categories mentioned in sub-clauses (a) and (b) of sub-rule (4) shall be entered in separate village-wise registers in Form XXV in the office of the Assistant Consolidation Officer.(7)The Assistant Consolidation Officer shall as far as possible deal with all the objections filed by raiyats and under raiyats with regard to matters referred to under section 10(2) in the village itself. In deciding disputes on the basis of conciliation in term of sub-section (3) of Section 10 he shall record the terms of conciliation in the presence of at least two members of the Village Advisory Committee. These terms shall have to be read over to the parties concerned and their signatures or thumb impression obtained. The members of the Village Advisory Committee present shall also sign the terms of the conciliation. The Assistant Consolidation Officer shall then pass orders deciding the dispute in terms of conciliation specifying the precise entries to be made in the record. Details of the operative part of the orders passed by the Assistant Consolidation Officer shall be noted in the register maintained by him. No ex parte orders or order in default shall be passed by the Assistant Consolidation Officer.(8)In all cases in which the Assistant Consolidation Officer sends a report under the provisions of sub-section (4) of Section 10 to the Consolidation Officer for disposal, he may fix a date and place for the disposal of the cases by the Consolidation Officer and communicate the same to the parties present before him and issue notices in Form XI-A to the parties not so present. The report of the Assistant Consolidation Officer in such cases shall clearly bring out the points under dispute between the parties and the efforts made by him to reconcile them.(9)(a)The cases received from the Assistant Consolidation Officer shall be entered in the register in Form XXV in the office of the Consolidation Officer.(b)On the date fixed under sub-rule (8) or any subsequent date fixed for the purpose the Consolidation Officer shall hear the parties, frame issues on the points in dispute, take evidence both oral and documentary and decide the objections.(c)The notice which it may become necessary for the Consolidation Officer to issue to any person in connection with the disposal of a dispute by him shall be in Form XI-A.(d)For deciding a dispute regarding valuation of a plot or tree, well or other improvement existing on a plot the Consolidation Officer shall make a local inspection of the plot concerned, prepare an inspection memo and place it on the connected file.(10)The Amin shall note the orders of the Assistant

Consolidation Officer and Consolidation Officer passed under section 10 in the register of land. The Assistant Consolidation Officer shall check cent per cent of the entries to ensure that they have been correctly made.(11)The Consolidation Officer or the Assistant Director of Consolidation, as the case may be, shall, when making a local inspection, of the unit under sub-section (7) of Section 10, prepare an inspection memo and place it on the file his order.]

## **7. [ Manner of appointment of Village Advisory Committee under section 7. [Substituted by S.O. 1461 dated 26.8.1976.]**

(1)The number of persons to be appointed in the Village Advisory Committee under section 7 shall not be less than five and more than twelve.(2)Such member shall be an adult and shall be a raiyat or under raiyat of the village or shall be resident thereof or of a contiguous village.(3)In a village where landless labourers constitute more than 10 percent of the adult population, the Assistant Consolidation Officer shall appoint under the 4th proviso to sub-section (1) of Section 7 at least one such adult labourer of the village to be a member of the Village Advisory Committee. Under the same proviso the Assistant Consolidation Officer shall also appoint at least one such adult farmer of the village who does not possess more than five acres of land to be a member of the Village Advisory Committee.(4)Where there is a Gram Sabha duly constituted under the Bihar Gramdan Act, 1965 in the village, not more than five members from each of the Executive Committee of the Gram Panchayat and of the Executive Committee of the Gram Sabha of the Village shall be included in the Village Advisory Committee to be elected by the members of the respective Executive Committees.(5)Where at any time the Consolidation Officer is satisfied that the Executive Committees of the Gram Panchayat or of the Gram Sabha has or have failed to elect the fixed number of members of the Village Advisory Committee under sub-rule (4) within a reasonable time, he may with the approval of the Assistant Director. Consolidation, nominate the requisite number of persons who shall constitute the Village Advisory Committee.(6)The Consolidation Officer shall appoint the members of the Village Advisory Committee, under first, second and fourth proviso of sub-section (1) of Section 7 on the basis of selection made by the Assistant Consolidation Officer of those members in a general meeting of the raiyats, under raiyats and landless labourers of the village. The Assistant Consolidation Officer shall issue a general notice in Form IV fixing a date, time and place for the said meeting calling upon all persons interested or concerned to attend such meeting with such evidence as they may like to adduce in support of their claims and objections, if any.(7)Every member of a Village Advisory Committee on his appointment shall be informed of his appointment by a letter and the names of such members shall be published in the village by issuing a general notice in Form V.(8)Where at any time the Consolidation Officer is satisfied that the Village Advisory Committee has failed or refused without reasonable cause or excuse to discharge the duties or perform the functions imposed or assigned by the Act or the Rules or circumstances have so arisen that the Village Advisory Committee has been rendered unable to discharge the duties or to perform the functions aforesaid or it is otherwise expedient so to do, he may with the approval of the Assistant Director, Consolidation, constitute a new Village Advisory Committee in accordance with the provisions of these rules by appointing the requisite number of persons.(9)(a)The resignation of a member of the Village Advisory Committee may be accepted by the Consolidation Officer and the vacancy created may be filled up by the Consolidation Officer in accordance with the provisions of the rules.(b)Vacancy created by the death of any member shall also be filled likewise by

the Consolidation Officer.(10)Where there are two Gram Panchayats in one unit not more than five members from each of the Executive Committee of the Gram Panchayats shall be included in the Village Advisory Committee, to be elected by the members of the respective Executive Committees of the Gram Panchayats in the manner laid down in sub-rule (4). Where there is also a Gram Sabha in such unit, then not more than 3 members from each of the Executive Committees of the Gram Panchayat and the Executive Committee of the Gram Sabha, shall be included in the Village Advisory Committee.]

## **8. Manner and purpose of consultation with the Village Advisory Committee under section 40(2)(c)**

- Manner in which and the purpose for which the Consolidation Officer shall consult the Village Advisory Committee. -(1)The [Assistant Consolidation Officer] [Substituted for words 'Consolidation Officer' by S.O. 1461 dated 26.8.1976.] shall consult the Village Advisory Committee by holding a meeting of that Committee in the village. He shall give written notice of the said meeting to the members of the said Committee at least 24 hours before the meeting is to be held fixing a date, time and place for the said meeting and calling upon the members to attend it. The specific purpose for which the meeting is to be held should as far as possible be stated in the notice.(2)The proceedings of meeting of the Village Advisory Committee shall be recorded in the form of minutes.(3)The [Assistant Consolidation Officer] [Substituted for words 'Consolidation Officer' by S.O. 1461 dated 26.8.1976.] shall consult the Village Advisory Committee for the following purposes:-(i)in fixing the [valuation] [Substituted for words 'Market value' by S.O. 1461 dated 26.8.1976.] of lands, houses, buildings, wells, etc., at the time of the preparation of the register of lands under section 9;(ia)[ in preparing statement of principles under section 9-A;] [Inserted by S.O. 1461 dated 26.8.1976.](ii)in preparing the draft scheme of consolidation under section 11;(iii)in fixing the time when a tenant will enter into possession over any land allotted to him as provided under sub-section (1) of Section 14;(iv)in fixing the compensation for standing crops under [sub-section (1) of Section 19] [Substituted by S.O. 1461 dated 26.8.1976.].(v)in drawing up a scheme for recovery of the cost of consolidation proceedings under section 24; and(vi)[\* \* \* \*] [Omitted by S.O. 1461 dated 26.8.1976.]

## **9. Rules for preparation of draft scheme of consolidation under sections 11 and 40(2)(k) Rules for the guidance of the Village Advisory Committee, the [Assistant Consolidation Officer] [Substituted for words 'Consolidation Officer' by S.O. 1461 dated 26.8.1976.] and other persons in preparing the scheme of consolidation under sections 11 and 40(2)(k).**

- The following procedure shall be followed in preparing the draft scheme of consolidation:-(1)[ An attempt shall be made to provide land for a circular road round the basti which may be connected by roads with other villages on north, south, east and west, as the case may be.] [Substituted by S.O. 1461 dated 26.8.1976.](2)[ Wherever possible land should be allotted for Gram Panchayat Ghar, children playground, construction of house for landless labourers, Gochar and any other object of similar nature for which reservation of land may be considered necessary in the interest of the

raiyyats in the unit. If the total area of Gair Mazrua Malik and Aam land in the village is not sufficient for the purpose a pro rata contribution may be taken from the villagers provided that no contribution shall be taken from a person who has got less than:- [Substituted by S.O. 1461 dated 26.8.1976.](a)one acre of land irrigated by flow irrigation, tube-well or lift irrigation,(b)two acres of unirrigated land, or(c)4 acres of hilly or sandy land.None should be required to contribute land exceeding 5 percent of the value of his original holding.](3)As far as possible each tenant after consolidation of his holding shall have land of the same value as he had previously, subject to any contribution which he may make towards the village common lands.(4)If a tenant had paddy and bhiti lands or don and tanr lands before consolidation, he should as far as possible get both classes of land after consolidation.(5)For the purpose of consolidation, the village should be divided into blocks having the same classification of soil.(6)Every tenant shall as far as possible be allotted land in the block where he holds the largest part of the major portion of his holdings, priority being given to those who have the largest area of land within that block and if any tenant cannot be allotted land in the block where he has major portion, he should be allotted land where he has got his second or third major portion:[Provided that all such landholders of a village who have not more than one acre of land in the village, with their consent in any one side of the village and other landholders will get chaks only after allotting chaks to such landholders.] [Inserted by S.O. 1461 dated 26.8.1976.](7)If a tenant has to be allotted land in more than one block, he shall as far as possible be allotted land on the boundary of the blocks so as to form a compact area.(8)As far as practicable the land held by an under raiyat [\* \*] [Omitted by S.O. 1461 dated 26.8.1976.] shall be consolidated as provided in [sub-section (g) of Section 11] [Substituted by S.O. 1461 dated 26.8.1976.]. Where such an under raiyat holds land under more than one raiyat, the total area of the land to be allotted to him should be in one block and should be divided into sub-plots according to the proportionate area held under each raiyat.(9)The tenants belonging to the same family shall as far as possible be given neighbouring plots.(10)The sites of the existing buildings of Government departments and local authorities should not be disturbed.(11)[ The draft scheme shall also state explicitly- [Substituted by S.O. 1461 dated 26.8.1976.](a)the areas of land used for public purposes proposed to be amalgamated with any holding and showing the areas earmarked for public purposes under section 11 (3);(b)the encumbrance attached to a holding, the amount, name of the person in whose favour the encumbrance exists and the nature and terms of the encumbrances.(12)(a)The Assistant Consolidation Officer shall prepare the draft consolidation scheme in Form XXII-A in consultation with the members of the Village Advisory Committee after consulting as many raiyyats as he is able to collect.(b)The consolidation scheme prepared under sub-rule (12)(a) shall be accompanied with a copy of the map of the unit showing the points allotted to raiyyats and the location of land set apart for the public purposes.(c)All cutting and overwriting in the draft scheme shall be initialled and dated by the persons responsible for them and also by the Assistant Consolidation Officer. An Errata list in Form XXVII shall be prepared in respect of all corrections in the draft scheme and it shall be attached to the record of the village.][9A. The scheme prepared under section 11 alongwith a map and a general notice in Form XII-A shall be published in the unit in the manner prescribed in rule 13. Relevant extract from the draft consolidation scheme shall be prepared by the Amin in duplicate in respect of each raiyat and under raiyat. It shall be attested by the Assistant Consolidation Officer and one copy of the extract shall be issued to the raiyat or under raiyat, on demand, free of charge. It shall be the responsibility of the Assistant Consolidation Officer to ensure that no harassment is caused to any raiyat or under raiyat in supplying the extract.] ['Rules 9A to 9F' inserted by S.O. 1461

dated 26.8.1976.][9B. The objections received by the Assistant Consolidation Officer under section 12(2) shall be forwarded by him to the Consolidation Officer for disposal. Separate files shall be opened for each case in which objections are received under Section 12(2) of the Act. The file of each case shall deal with one set of parties. All the objections shall be entered in a register in Form XXV in the office of the Consolidation Officer.] ['Rules 9A to 9F' inserted by S.O. 1461 dated 26.8.1976.][9C. (1) If as a result of the orders passed under section 12-A the draft consolidation scheme has to undergo numerous changes which it may not be easily possible to incorporate in the existing statement itself, a fair copy thereof alongwith a copy of the map of the unit showing the plots allotted to the raiyats, and location of the land set apart for public purposes may be prepared before it is confirmed and published under section 13(1) and (2).(2)All the cuttings and overwritings in the draft consolidation scheme as confirmed by the Assistant Director of Consolidation and published under sub-section (2) of Section 13 shall be initialled and dated by the persons responsible for the cuttings and overwritings and also by the Assistant Consolidation Officer. They shall be brought on an Errata list in Form XXVII.] ['Rules 9A to 9F' inserted by S.O. 1461 dated 26.8.1976.][9D. Upon confirmation of the scheme under sub-section (1) of Section 13, it shall be published in the unit by beat of drum and a copy of the confirmed scheme shall be displayed in the office of the Assistant Consolidation Officer.] ['Rules 9A to 9F' inserted by S.O. 1461 dated 26.8.1976.][9E. The procedure to be followed under section 17-A by the Assistant Consolidation Officer in putting the raiyats in actual physical possession over the chaks allotted to them shall be the same as prescribed in the Civil Procedure Code for delivery of possession over immovable property in execution of a decree.] ['Rules 9A to 9F' inserted by S.O. 1461 dated 26.8.1976.][9F. After the scheme is confirmed under sub-section (1) of Section 13 and published in the unit under sub-section (2) of Section 13 the Consolidation Officer shall in consultation with the Village Advisory Committee fix a date from which the final consolidation scheme shall come into operation. Such date shall be published in the unit by beat of drum.] ['Rules 9A to 9F' inserted by S.O. 1461 dated 26.8.1976.]

## **10. Rules regarding transfer of lease, mortgage or other encumbrance under sections 18 and 40(2)(f).**

- Rules for the guidance of the Consolidation Officer in respect of the transfer of a lease, mortgage or other encumbrance under sections 18 and 40(2)(i) - A person having lease, mortgage or other encumbrance on the (former) holding of a raiyat should be allotted land of equivalent value out of the new holding of that raiyat. If the land allotted to a lessee, mortgagee or other encumbrancer is of lesser market value than those of the land previously held under lease, mortgage or other encumbrance, the Consolidation Officer shall determine the amount of compensation which the raiyat of the holding shall pay to him.

## **11. [ Notice under Rule 6-D and Sections 11(1) and 12(1). [Substituted by S.O. 1461 dated 26.8.1976.]**

- Notices to be issued under rule 6-D and Sections 11(1) and 12(1) shall be a general notice.]



**12. [ Form of general notices under rule 6-D and Sections 11 (1) and 12(1).  
[Substituted by S.O. 1461 dated 26.8.1976.]**

- The Assistant Consolidation Officer shall issue a general notice under rule 6-D and Sections 11(1) and 12(1) in Form XA, VII and XII-A.]

**13. [ Mode of services of general notices under Section 40(2)(a). [Substituted by S.O. 1461 dated 26.8.1976.]**

- A general notice prescribed under sub-rules 6 and 7 of Rule 7 and Rule 11 shall be served by affixing a copy of it in presence of not less than two persons of the village of the Gram Panchayat Ghar or any conspicuous place in the village as well as by publishing it in that village by beat of drum. Such notice under section 11(1) and Rule 7(6) shall be served at least 15 days prior to the date fixed for meeting or visit of the officers concerned as the case may be. The notice in sub-rule (7) of Rule 7 shall be served as soon as possible after appointment of the members of the Village Advisory Committee.]

**14. [ Form of notices under Section 12-A (1). [Substituted by S.O. 1461 dated 26.8.1976.]**

- The Consolidation Officer shall issue notice under section 12-A (1) in Forms XIII and XIII-A and the Assistant Director of Consolidation in Forms XIV and XIV-A.]

**15. Mode of service of notice under Section 40(2)(b).**

- Mode of service of notice. - (1) Unless otherwise provided in the Act or prescribed in these rules, any notice or summons required to be served under the provisions of the Act shall be served by delivering or tendering a copy thereof, duly signed and sealed, to the person on whom it is to be served or to his duly authorised agent.(2)Where the person on whom such process is to be served cannot be found and where such person has no agent empowered to accept service of such process on his behalf, service may be made on any adult male member of the family of such person residing with him.(3)Where the serving officer delivers [or tenders] a copy of such process to the person to be served with such process personally or to an agent on his behalf, he (serving officer) shall obtain on the original process the signature or thumb impression of the person to whom the copy is delivered as an acknowledgement of service.(4)Where the person to be served with such process or his agent as aforesaid refuses to sign the acknowledgement or where the serving officer after using all due and reasonable diligence cannot find the person to be served with such process and there is no agent empowered to accept service of such process on his behalf, or any other person on whom service can be made, service may be made by publishing it in the village by beat of drum and by affixing a copy of such process on outer door or some other conspicuous part of the house in which the person to be served with the process ordinarily resides or carries on business or personally works for gain.The serving officer shall, in all cases in which such process has been served under this sub-rule, endorse or annex, or cause to be endorsed or annexed, on or to the original process a

return stating the date on which and the manner in which the process was served and the names and addresses of two persons witnessing the service.(5)Notwithstanding anything contained in the foregoing sub-rules, the [Assistant Consolidation Officer] [Substituted by S.O. 1461 dated 26.8.1976.], Consolidation Officer, Assistant Director of Consolidation, Director of Consolidation may, if he thinks fit order that the process shall be served-(i)by sending a copy thereof, duly signed and sealed, by registered post with acknowledgement due to the person on whom such process is to be served; or(ii)if such process relates to any land, by affixing such process to a conspicuous place in the land to which such process relates.In the case referred to in clause (i) of sub-rule (5) the posting of the process shall be sufficient proof of the service of such process on the person concerned.In the case referred to in clause (ii) of sub-rule (5) a return by the serving officer stating the date of such service attested by two persons shall be sufficient proof of the service of such process on the person concerned.(6)Where the person to be served with such process under the Act is a minor or a person of unsound mind, the service shall be made in the aforesaid manner on the guardian of such minor or person of unsound mind, as the case may be.(7)The date, time and place to which the enquiry by or visit of the officers concerned may be adjourned shall be notified by proclaiming the same by beat of drum at the time and place originally fixed in the notice.

## **16. [ [Substituted by S.O. 1461 dated 26.8.1976.]**

(1)The manner of determining compensation under Section 19(1). - (1) If possession of any holding is to be given with standing crops and if there is no agreement in respect of such crops between the parties concerned, the Assistant Consolidation Officer shall determine the market value of such crops in consultation with the Village Advisory Committee.(2)In assessing the value of the standing crops under sub-rule (1) the Assistant Consolidation Officer shall take into account the following:-(a)the condition of the crop,(b)the estimated yield of the crop,(c)the estimated price the produce is likely to fetch at the time of harvesting in the village.(d)the amount likely to be spent on the crops from the date of transfer to the time of harvesting.(3)The appraisalment mentioned in sub-rule (2) shall be made in presence of raiyats concerned unless they fail to attend despite general notice which shall be given by beat of drum in the unit.(4)Result of appraisalment shall be published by the order of the Assistant Consolidation Officer in Forms XXVIII and XXIX.(5)After the statements under sub-rule (4) have become final, the Assistant Consolidation Officer shall issue certificate of award of compensation to the payers in Form XXIV.(6)In case the right to tend or gather the crops standing on such holdings or parts thereof remains with the person from whom possession is transferred, the Assistant Consolidation Officer shall in consultation with the Village Advisory Committee determine in Form XXXI the amount of compensation which may not exceed three times of the rental value of the cropped area, for the use of the land to be payable to the person to whom possession over the land is transferred. The date by which the standing crops must be harvested and removed from the plots and the date by which compensation determined must be paid, shall also be fixed by the Assistant Consolidation Officer. Extract in Form XXXI shall be served on the raiyat concerned.(7)After appeals preferred under Section 19(2) have been decided the Assistant Consolidation Officer shall issue Certificate of Awards of Compensation to its recipients in Form XXX. He shall also issue a notice in Form XXIV to the payers.(8)Valuation of trees, wells, buildings and other improvements should be done in consultation with the Village Advisory Committee and instructions given in the Land Acquisition Manual should be followed as far as

possible. If the Assistant Consolidation Officer so decides he may before coming to a finding himself request the Assistant Director of Consolidation to have the value of a well and other improvement estimated by an officer of the Public Works Department. If a tree, well or other improvement is owned by more than one person, the amount of compensation which may be determined shall be apportioned among the several co-owners by the Assistant Consolidation Officer after making necessary inquiries with regard to their share. Soon after the delivery of possession the Assistant Consolidation Officer shall cause to be delivered a certificate in Form XXIV-A to the recipient compensation for trees, wells, buildings or other improvements. The certificate shall show the name of the payer, the amount of compensation and description of the property compensated. Notice of payment of compensation for trees, wells and other improvements shall also be furnished to each payer of compensation showing the name of recipients, amount of compensation awarded and the description of the property compensated.(9)The amount of compensation payable to raiyats for land contributed for the public purposes shall be paid by adjustment against the cost of consolidation as determined under Rule 22. In cases in which no cost of consolidation is payable by the raiyats or compensation exceeds cost of consolidation the excess compensation shall be paid to them in cash by the Assistant Consolidation Officer and a record of payment shall be maintained by him in Form XXXII.]

## **17. [ Certificate of transfer under Section 15. [Substituted by S.O. 1461 dated 26.8.1976.]**

- Certificate, of transfer. Form and particulars under section 15. - Relevant extract of Register XVII (Parts I and II) shall be issued to every raiyat and under raiyat, which shall constitute the certificate of transfer under section 15.]

## **18. Register of lands under Sections 9 and 13.**

(1)The following registers in the forms shown against each register and containing the particulars as mentioned in each form shall be maintained-

(i)	Register of lands of raiyats	... Form XVII.
(ii)	Register of lands of under raiyats	Form XVIII.
(iii)	Register of land of Gairmazrua Khas malik lands	... Form XIX.
(iv)	Register of lands of Gairmazrua am lands	... Form XX.
(v)	Register of lands held by Government Departments and Local Authorities.	... Form XXI.
(vi) [ [Inserted by S.O. 1461 dated 26.8.1976.]	Register of Draft Consolidation Scheme	Form XXI-A.]

(2)One separate page shall be allotted to each raiyat and under raiyat in the registers in Forms XVII and XVIII respectively and entries in respect of each raiyat or under raiyat shall be made in alphabetical order. Similarly in the register in Form XXI one page shall be allotted to each

Government Department or local authority.

**19.**

[x x x x x] [Omitted by S.O. 1461 dated 26.8.1976.]

**20.**

[x x x x x] [Omitted by S.O. 1461 dated 26.8.1976.]

**21. Assessment of rent including water rates of reconstituted holding under section 40(2)(g).**

- The manner in which area and assessment of rent (including water rates if any) of each reconstituted holding shall be determined.-(i)The area of a reconstituted holding shall be determined in accordance with the instructions and rules prescribed in Bihar and Orissa Survey and Settlement Manual, 1927 and the Technical Rules of the Settlement Department, Bihar and Orissa, 1927.(ii)The rent of reconstituted holding shall be fixed after taking into consideration the rent previously paid by the tenant and it shall be increased or decreased in the proportion in which the [value] [Inserted by S.O. 1461 dated 26.8.1976.] of his reconstituted holding bears to that of his original holding.(iii)In case the village is irrigated from a Government canal for which water rates are realised or if any cost is recoverable on account of any irrigation scheme executed under the Bihar Private Irrigation and Drainage Works Act, 1922 or the Bihar Public Irrigation Works Act, 1939, a copy of the relevant entries from the consolidation proceedings shall be sent by the Consolidation Officer to the appropriate authorities for re-assessment of water rates or the cost recoverable under the Bihar Private Irrigation and Drainage Works Act, 1922 and the Bihar Public Irrigation Works Act, 1939 as the case may be.

**22. Assessment of cost of consolidation under Section 24.**

- Procedure (or assessing the cost of consolidation proceedings under section 24(i). The cost of consolidation proceedings in a village shall be assessed by adding up the following items:-(a)The cost of the special staff entertained for preparing the record-of rights of the village.(b)The proportionate cost of stationery and other items of expenditure in connection with the consolidation work.(c)The proportionate cost for the entertainment of the Consolidation Officer and his establishment, as well as that of the Director of the Consolidation.Note. - (i) The proportionate cost on the items (b) and (c) will be calculated by dividing the total cost under these heads by the area under consolidation during the year.(ii)From the amount of total cost of the consolidation proceedings in the village, so determined, any amount which Government may decide to contribute towards the cost of consolidation should be deducted, and the net amount determined shall be apportioned between the tenants and other persons affected by the consolidation scheme.(iii)The net amount determined in accordance with sub-rule (ii) shall be divided by the total area of the raiyat holdings in the village which will give the cost rate per acre.The amount to be recovered from

each raiyat shall be determined by multiplying the total acreage of his holding with the rate of cost per acre and if any portion of a holding is held by an under raiyat or by a lessee mortgagee or any other encumbrancer, half of the proportionate cost of the area so held shall be recovered from such under raiyat lessee mortgagee or encumbrancer and half from the raiyat concerned. Provided that the total recovery shall not exceed Rs. 4 per acre.

### **23. Appointment of guardians of minors or person of unsound mind under Section 40(2)(h).**

- Appointment of guardians of minors whose interest may be affected by consolidation proceedings-(i)[ The Assistant Consolidation Officer shall in consultation with the Village Advisory Committee appoint guardians, for purposes of proceedings under the Act, of such tenants, lessees, mortgagees or other encumbrancers who are minors or of unsound mind and whose interests are likely to be affected by consolidation proceedings unless such guardians have been already appointed by order of a competent court. [Substituted by S.O. 1461 dated 26.8.1976.](ii)The guardian appointed for a minor or a person of unsound mind shall be his natural guardian, unless the natural guardian possesses an interest adverse to the interest of the minor or the person of unsound mind. If the natural guardian is not so appointed, the Assistant Consolidation Officer shall record reasons therefor, and shall then appoint the nearest male relative of the minor or person of unsound mind, not possessing an interest adverse to him as guardian.](iii)A list of all such guardians together with the names of their wards shall be published in the village and any person interested in the ward may file an objection against such appointment before the Consolidation Officer within 15 days of such publication. The Consolidation Officer shall consider such objections in consultation with the Village Advisory Committee and pass orders thereon which shall be final.

### **24. Court-fees under Section 40(2)(J).**

- Court-fees payable on application and memoranda of appeals. - The Court-fees payable on applications, processes and memoranda of appeals shall be as follows:-

Nature of application, process and appeals.	Amount of Court-Fee stamps payable per application, process, or memorandum of appeals. Rs.
1. Application under sub-section 2(1) of Section 6	1.50
2. Process fees under sub-section (1) of Section 6	1.13
3. Memorandum of appeal under sub-section (4) of Section 6 or Section 10	2.50
4. Application filed during the preparation of the record-of-rights other than petition of objection.	No court-fee payable
5. Petition of objection under section 103A of the Bihar Tenancy Act, 1885; Section 83 of the Chotanagpur Tenancy	Rs. 1.50 for each objection petition besides process fee of Rs. 1.13 per

Act, 1908 or Section 24 of the Santhal Parganas Settlement process  
Regulation, 1872

- |   |                      |
|---|----------------------|
| 6. Objections under sub-section (2) of Section 10 | No court-fee payable |
| 7. Objections under sub-section (2) of Section 12 | Ditto                |
| 8. Objections under sub-section (3) of Section 13 | Ditto                |

**25. [Rules 25 to 28 added by S.O. 1461 dated 26.8.1976.]**

The Consolidation Amin shall maintain the proceeding of the meetings of the Village Advisory Committee in Form XXXIII. He should also maintain a diary in Form XXXIV showing the details of works done by him each day. The diary in this Form shall also be maintained by the Assistant Consolidation Officer.

**26.**

(1)The Assistant Director of Consolidation may withdraw any case from the file of any Consolidation Officer/Assistant Consolidation Officer subordinate to him and may refer the same for disposal to any other Consolidation Officer/ Assistant Consolidation Officer competent to deal with it.(2)The officer before whom appeals, revisions or references under the provisions of the Act or these Rules are instituted may transfer any case instituted or pending before him to any other officer empowered to hear and decide such case or recall any case pending before any other officer from the file of that officer to his own file.(3)The Director of Consolidation may withdraw any case from the file of any Assistant Director of Consolidation and refer the same to any other Assistant Director of Consolidation for disposal.

**27.**

The Director of Consolidation shall exercise powers of supervision superintendence over the officers and staff employed in the Consolidation Organisation of the State and may for that purpose issue such directions as may be necessary.

**28.**

An application under section 35 of the Act shall be presented by applicant or his duly authorised agent to the Director of Consolidation within 30 days of the order against which the application is directed. Copies of judgment and order in respect of which the application is preferred shall also be filed alongwith the application.]List of FormsPrescribed in the Schedule to the Statutory Rules under the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956.

- |     |      |   |
|-----|------|---|
|     | Form |   |
|     | No.  |   |
| I.  | -    | Form of application for transfer under section 6(1).  |
| II. | -    | Form of application for partition under section 6(1). |

- III. - Form of Notice under section 6(1).
- IV. - Statutory general notice under rule 7(6).
- V. - General Notice under statutory rule 7(7).
- VI. - Omitted by 1976 Amendment
- VI-A. - Form of Parwana under Rule 6B.
- VII. - General Notice under section 11(1).
- VIII. - Omitted by 1976 Amendment
- IX. - Omitted by 1976 Amendment
- X. - Omitted by 1976 Amendment
- X-A. - General Notice under Section 10(1).
- X-B. - Form of Notice under Section 10(1).
- XI. - Omitted by 1976 Amendment
- XI-A. - Form of Notice.
- XII. - Omitted by 1976 Amendment
- XII-A. - Form of General Notice under Section 12(i).
- XIII. - Form of Notice under section 12A(1).
- XIII-A. - Form of Notice under section 12A(1).
- XIV. - Form of Notice under Section 12A(3).
- XIV-A. - Form of Notice under Section 12A(3).
- XV. - Omitted by 1976 Amendment
- XVI. - Certificate of transfer under section 15(2) for holdings of underraiyat.
- XVII. - Register of lands held by raiyats under sections 9 and 13.
- XVIII. - Register of lands held by under-raiyat under sections 9 and 13.
- XIX. - Register of Gairmazrua Khas Malikland under sections 9 and 13.
- XX. - Register of village common lands under sections 9 and 13.
- XXI. - Register of lands in occupation of Government Department and Local Authorities under sections 9 and 13.
- XXII. - Omitted by 1976 Amendment
- XXII-A. - Form of draft consolidation scheme under Section 11.
- XXIII. - Form of receipt under Rule 17.
- XXIV. - Form of payment of compensation under sub-rules (5) and (7) of Rule 16.
- XXV. - Register of cases instituted.
- XXVI. - Statement of Principles.
- XXVII. - Correction slips.
- XXVIII. - Khesra for valuation of crops for compensation.
- XXIX. - Statement of award of compensation of crop.
- XXX. - Certificate relating to award of compensation.

- XXXI. - Statement of compensation awarded.
- XXXII. - List of raiyats and under-raiyats whom compensation is due for the land given in contribution for public purposes.
- XXXIII. - Proceeding Book.
- XXXIV. - Diary of Consolidation Amin.

## Schedule

[See Rule 2(b)] Form I [See Rule 4(1)] Form of application for transfer under Section 6(1) To, The Consolidation Officer Whereas I/We ..... son/sons of resident of Village ..... P.O. .... P.S. intend to transfer land of which details are given below and which is situated within an area notified under section 3 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956, it is, therefore, requested that the said transfer may be sanctioned under sub-section (3) of Section 6 of the said Act.

**1. Particulars of the lands to be transferred viz., village, Thana no., P.S., Khata No., status and rent of each holding, plot No., classification, area, valuation of each plot.**

**2. Description of the other lands held by the transferee or in the village with particulars as in serial no. 1.**

**3. Name, parentage and particulars of the transferee.**

**4. Description of other lands held by the transferee in the village with particulars as in serial no. 1.**

**5. Nature of the proposed transfer whether sale, lease or simple mortgage or usufructuary mortgage with full details of the sale, lease or mortgage.**

**6. Reasons for the proposed transfer.**

**7. Relationship, if any, between the transferor and the transferee.**

**8. Proposed arrangements for payment of rent including apportionment of rent in case of outright sale.**

Signature of applicant(s) Form II [See Rule 4 (1)] Form of application for partition under Section 6(1) To, The Consolidation Officer Whereas I/We ..... son/sons of ..... resident of Village ..... P.O. .... P.S. .... intend to partition my/our ..... share (s) of my/our lands of which particulars are given below and which are situated within an area



notified under section 3 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956. I/We request that the proposed partition may be sanctioned under sub-section (3) of Section 6 of the said Act:-

- 1. Particulars of the lands to be partitioned, viz., village, Thana No., P.S., Khata No., status and rent of each holdings, plot no., classification, area, valuation of each plot.**
- 2. Names, parentage and particulars of the parties amongst whom partition is proposed.**
- 3. Relationship, if any, between the parties.**
- 4. Reasons for the partition.**
- 5. Particulars of other land by the parties as in serial no. 1.**

Signature of applicant(s) Form III [See Rule 4(2)] Form of notice under Section 6(1) To, Name Father's name Village Thana No. Police-station District Whereas ..... S/o ..... resident of village ..... Thana No. ...., P.S. ...., district ..... has filed an application under section 6(1) of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 for sanction for transfer/partition of his land as per details given in his application, a copy of which is attached/enclosed. Take notice that application will be heard by me on ..... at ..... 20 ..... at A.M./P.M. You are hereby required to appear before me personally or through an authorised agent at the abovementioned time and place or at any other time and place to which the proceedings may be adjourned and produce such evidence, written or oral, as you may have to offer on the subject-matter of the proceedings. Consolidation Officer Place Date Form IV [See Rule (7) 6] Statutory general notice under Rule [7 (6)] For publication at village ..... P.S. .... Thana ....., thana No. .... To Whomsoever It May Concern Take notice that for selection of persons for appointment as members of Village Advisory Committee under section 7 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 (Bihar Act XXII of 1956) a general meeting of raiyats, under raiyats, and landless of the said village will be held by me on ..... at ..... A.M./P.M. in the said village. It is, therefore, notified for general information that any person interested or concerned may attend the said meeting on the said appointed date and time or any other date and time to which the meeting may be adjourned with such evidence as he may like to produce in support of his claims or objections, if any. Signature of the Consolidation Officer Place Date Form V [See Rule [7(7)]] [Substituted for '7(5)' in view of amendment of Rule 7 in 1976.] General notice under statutory Rule [7(7)] [Substituted for '7(5)' in view of amendment of Rule 7 in 1976.] For publication at village ..... P.S. .... thana ..... thana No. .... It is hereby notified for general information that (the following gentlemen have been appointed as members of Village Advisory Committee) in exercise of the powers vested in me by the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 and the rules made thereunder, I have appointed the

following persons as members of Village Advisory Committee for the Village. Serial No. Name  
 Father's name Residence Signature of the Consolidation Officer Place Date Form VI[\* \* \*] [Omitted by  
 S.O. 1461 dated 26.8.1976.] [Form VI-A] [Inserted by S.O. 1461 dated 26.8.1976.] [See Rule 6B] Form  
 of Parwana under Rule 6B Suit No. .... Shri ....., Village P.S. .... Dist.  
 .... is allowed to sell the following land to Shri ..... Village ..... P.S. ....  
 Dist under section 6 of Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956.  
 The purchaser shall have the same right over the land as the seller:- Village P.S. No. Khata Khesra  
 Area Consolidation Officer Memo No. .... Dated..... Copy forwarded to Shri  
 ..... S/o ..... Village ..... P.S. .... Dist.: and the  
 Sub-Registrar ..... for necessary action. Consolidation Officer Form VII (See Rule  
 12) General notice under Section 11(1) For publication at Village ..... P.S. .... thana  
 ..... thana no. .... To Whomsoever It May Concern Whereas the preparation of  
 a draft scheme under the Bihar Consolidation of Holdings and Prevention of Fragmentation Act,  
 1956 for the consolidation of holdings of the said village has been taken up, and whereas I shall visit  
 the said village on ..... with the ..... at ..... A.M./P.M. in connection of preparation of the  
 said draft scheme. Now, therefore, it is notified for general information that any person interested or  
 concerned may appear before me at the aforesaid place on the aforesaid date and time or any other  
 date and time to which the said visit may be adjourned with such evidence as he may like to produce  
 in support of his claim or objection, if any. Assistant Consolidation Officer Place Date Form VIII to X[\*  
 \* \* \*] ['Forms VIII to X' omitted by S.O. 1461 dated 26.8.1976.] [Form X-A] [Inserted by S.O. 1461  
 dated 26.8.1976.] [See Rule 6D] General notice under Section 10(1) For publication for all concerned  
 persons in Village ..... P.S. .... P.S. No. .... Whereas the Register of  
 land and Statement of Principles for Village ..... P.S. No. .... P.S. ....  
 Dist..... have already been prepared under sections 9 and 9A of Bihar Consolidation of  
 Holdings and Prevention of Fragmentation (Amendment) Act, 1958 therefore, now it is notified for  
 general information that the said Register and Statement of Principles are hereby published in  
 aforesaid village with effect from ..... for information of all concerned. These can be seen at  
 ..... All interested and concerned persons may file their objections within 40 days of  
 publication thereof. Assistant Consolidation Officer Place Date [Form X-B] ['Forms VIII to X' omitted  
 by S.O. 1461 dated 26.8.1976.] [See Rule 6D(1)] Form of notice under Section 10(1) To, Name  
 ..... Raiyat/under raiyat ..... S/o ..... village ..... P.S. No.  
 ..... P.S ..... Dist. .... Whereas the Register of land and statement of Principles  
 have been prepared for village ..... P.S. No. ...., P.S. .... Dist. ....  
 under sections 9 and 9A of Bihar Consolidation of Holdings and Prevention of Fragmentation  
 (Amendment) Act, 1958. And whereas a copy of the entries of the said Register relating to your land  
 is attached/enclosed herewith. Therefore you are hereby required to file your objection before the  
 Assistant Consolidation Officer regarding the said entries within 45 days of the publication of the  
 Register of land and Statement of Principles in the said village. Assistant Consolidation  
 Officer Place Date Form XI[\* \* \* \*] ['Form XII' omitted by S.O. 1461 dated 26.8.1976.] [Form XI-A]  
 [Inserted by S.O. 1461 dated 26.8.1976.] [See Rules 6D(8), 6(C)] Notice Case no. ....  
 Village ..... Name of the parties ..... vs. .... Father's name  
 ..... resident of ..... You are hereby informed that a case has been filed before me  
 regarding right in the land and determination of liabilities, division of joint holdings, determination  
 of value of plots, trees, wells and other improvements. You are hereby required to be present in

person or through your authorised agent at ..... on ..... 20 ..... at  
 .....(time).In case of your failure to be present, dispute shall be decided in your  
 absence.Given under my hand and seal this day the ..... 20 .....Seal of officerAssistant  
 Consolidation OfficerForm XII[\* \* \* \* \*] ['Form XII' omitted by S.O. 1461 dated  
 26.8.1976.][Form XII-A] [Inserted by S.O. 1461 dated 26.8.1976.][See Rule 12]Form of general  
 notice under Section 12(1)For publication in Village..... PS.....P.S. No.  
 .....Dist.....To all Persons ConcernedWhereas a draft  
 consolidation scheme for Village.....P.S. No. .... P.S. ...., Dist. ....has  
 been prepared under the Bihar Consolidation of Holdings and Prevention of Fragmentation Act,  
 1956 Now, therefore, it is hereby notified for general information the said draft scheme in  
 village.....on.....It can be seen ..... at [.....] [Here write the place where  
 draft schedule to be seen.] Any person interested with the same can have a copy of the relevant  
 entries from the office of the Assistant Consolidation Officer free of cost.Assistant Consolidation  
 OfficerPlaceDateForm XIII[See Rule 14]Form of notice under Section 12A (1)To,Name  
 ..... Raiyat/Under raiyat .....Father's name  
 .....Village ....., Thana no.  
 .....Police-station ....., District  
 .....Whereas you have filed an objection to the draft scheme of consolidation  
 under sub-section (2) of Section 12 of the Bihar Consolidation of Holdings and Prevention of  
 Fragmentation Act, 1956;And whereas for deciding those objection I will visit village  
 ..... thana no. .... P.S. ...., district ..... and hold an  
 enquiry therein on ..... at A.M./P.M.You are hereby required to appear before me personally  
 or through an authorised agent at the above mentioned time and place or at any other time and  
 place to which the proceedings may be adjourned with such evidence as you may like to produce in  
 support of your claim or objection, if any.Consolidation OfficerPlaceDate[Form XIII-A] [Inserted by  
 S.O. 1461 dated 26.8.1976.][See Rule 14]Form of notice under Section 12A(1)To,Shri .....  
 S/o .....Village ..... P.S. No. ....P.S. .... Dist.  
 .....Whereas an objection has been filed regarding the draft consolidation scheme under  
 sub-section (2) of Section 12 of the Bihar Consolidation of Holdings and Prevention of  
 Fragmentation Act, 1956.And whereas in order to decide the same I shall make an enquiry by going  
 to village ..... P.S. No. .... P.S. .... Dist. .... on  
 ..... 20 .....You are, therefore, hereby requested to be present at the said place  
 and time or at such place or time for which the proceeding may be adjourned.Consolidation  
 OfficerPlaceDateForm XIV[See Rule 14]Form of notice under Section  
 12A(3)To,Name.....Father's name  
 .....Village....., Thana  
 No. ....Police-station ....., District  
 .....Whereas you have filed an objection to the draft scheme of consolidation  
 under sub-section (3) of Section 13 of the Bihar Consolidation of Holdings and Prevention of  
 Fragmentation Act, 1956;And whereas for deciding those objections I shall visit village  
 ..... thana no. .... P.S. .... district., and hold an enquiry therein  
 on ..... at ..... A.M./P.M.,You are hereby required to appear before me personally or  
 through an authorised agent at the abovementioned time and place or at any other time and place to  
 which the proceeding may be adjourned with such evidence as you may like to produce in support of

your claim or objection, if any. Assistant Director of Consolidation Place Date [Form XIV-A] [Inserted by S.O. 1461 dated 26.8.1976.] [See Rule 14] Form of notice under Section 12A(3) To, Shri ....., S/o ..... Village ....., P.S. No. .... P.S. ...., District ..... Whereas appeals have been filed regarding the draft under sub-section (2) of Section 12A of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956. You are, therefore hereby requested to be present at the said place and time or such place or time for which the proceeding may be adjourned. Assistant Director of Consolidation Place Date Form XV (Omitted by Amending Rules of 1976) Form XVI [See Rule 17(2)] Certificate of Transfer under Section 15(2) for holding of under raiyats. Name of under raiyat ..... Father's name ..... Caste ..... Residence (village, P.O., P.S. and district) Whereas a scheme of consolidation has been confirmed in accordance with Section 13(4) of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956, in respect of village ..... P.S. .... thana ..... thana no. .... district ..... It is hereby certified that the land of which particulars are specified below have been allotted to you and all previous rights in such land have been extinguished except to the extent mentioned below:-

[The serial numbers of the khata and plots are those allotted in the record of rights prepared after the confirmation of the scheme of consolidation under section 13(4)]

District .....

Village .....

P.S. .... Particulars of lands held by an under raiyat.

Thana ..... Name of superior raiyat ..... father's name ..... caste ..... residence ..... Raiyati Khata No. ....

Thana No. ....

.....

Serial No.	Khata No.	Area of holding	Rent	Status	Special incident	Plot no.	Boundaries	Area	Classification	No. of trees	No. and particulars of tanks, wells and pynes	Rem
1	2	3	4	5	6	7	8	9	10	11	12	13

Seal Date Place Signature of Kanungo-cum-Circle Inspector. Signature of Consolidation Officer

Form XVII [See Rule 18] Register of lands held by raiyat under sections 9 and 13 in village

..... thana ..... thana no.

....., district ..... Name of raiyat

..... Father's name

..... Residence

..... Status

.....

## Part I – (Schedule of lands before consolidation)

(The Khata Nos. and plot nos. are those given in the record-of-rights published under section 8)

Serial No.	Khata No.	Area of holding	Rent	Plot No.	Boundaries	Area	Classification	Value of land	No. and particulars of homestead on the plot		
1	2	3	4	5	6	7	8	9	10		
Total											
								Particulars of lease, mortgage, other encumbrance, if any (1) Amount advanced, (2) Period of redemption, (3) Rate of interest		Remarks (the particulars of under raiyat should be noted in this column)	
Market value of homestead	No. and particulars of well and tanks on the plot		Market value of properties in column 12		No. and description of trees on the plot		Market value of tree in column 14	Total of columns 11, 13 and 15			
11	12		13		14		15	16		17	18
Total											

## Part II – (Schedule of land allotted after confirmation of the scheme of consolidation under Section 13(4))

[The khata Nos. and plot nos. are as given in the record-of-rights after the completion of the scheme of Consolidation under Section 13.]

Serial No.	Khata No.	Area of holding	Rent	Plot No.	Boundaries	Area	Classification	Value of land	No. and particulars of homestead on the plot	Market value of homestead
1	2	3	4	5	6	7	8	9	10	11
Total										
No. and particulars of well and tanks on the plot	Market value of properties in column 12	No. and description of trees on the plot	Market value of tree in column 14	Total of columns 11, 13 and 15	What compensation is payable to raiyat or any amount is recoverable			Particulars of the lands to which lease, mortgage, other encumbrance,	Remarks (The provision of under raiyat should be noted in this column)	

is shifted  
under section  
18

12 13 14 15 16 17 17A 18

Total

Place Date Signature of Amin Signature of Assistant Consolidation Officer

Form XVIII[See Rule 18]Register of lands held by under raiyat under Sections 9 and 13 in village

.....thana ..... thana no.

....., district.....Name of under raiyat

..... Name of superior raiyat .....Father's

name ..... Father's name

.....Residence .....

Residence .....Status

..... Serial No. of Raiyati no. of Raiyati Khata

.....

## Part I – (Schedule of lands held before Consolidation)

(Khata Nos. and plot Nos. are as given in the Record-of-rights published under Section 8)

Serial No.	Shikmi Khata No.	Area of holding	Rent	Plot No.	Boundaries	Area	Classification	Value of land	No. and particulars of homestead on the plot
1	2	3	4	5	6	7	8	9	10

Total

Market value of homestead	No. and nature of well and tanks on the plot	Market value of properties in column 12	No. and description of trees on the plot	Market value of tree in column 14	Total of columns 11, 13 and 15	Remarks
11	12	13	14	15	16	17

Total

## Part II – [Schedule of land allotted after completion of the scheme of consolidation under Section 13]

[Khata Nos.and plot nos. given in the Record-of-rights prepared after completion of the scheme of Consolidation under Section 13.]

Serial No.	Shikmi Khata No.	Area of holding	Rent	Plot No.	Boundaries	Area	Classification	Value of land	No. and particulars of homestead on the plot
1	2	3	4	5	6	7	8	9	10

Total

Market value of homestead	No. and nature of well and tanks on the plot	Market value of properties in column 12	No. and description of trees on the plot	Market value of tree in column 14	Total of columns 11, 13 and 15	Details of compensation payable to underraiyatand amount recoverable	Remarks
11	12	13	14	15	16	17	18

Total

Place Dated Signature Signature of Assistant Consolidation Officer

Form XIX[See Rule 18]Register of Gairmazrua Khas Malik land under Sections 9 and 13District.....Village.....

Thana.....Thana no.....

## Part I – (Schedule of land held before Consolidation)

(Khata Nos. and plot nos. are as given in the Record-of-rights published under Section 8)

Serial No.	Khata No.	Area of Khata	Plot No.	Boundaries	Classification	Particulars of trees on the land and the customary rights if any	Particulars of road and building, if any, on the land	Particulars of tanks, wells, pynes, if any, on the land and the customary right, if any.	Remarks
1	2	3	4	5	6	7	8	9	10

Total

Place Date Signature ofAmin Signature of Assistant Consolidation Officer

## Part II – (Schedule of lands allotted after the scheme of Consolidation is confirmed under section 13)

[Khata Nos. and plot nos. are as given in the Record-of-rights prepared after completion of the scheme of Consolidation under Section 13]

Serial No.	Khata No.	Area of Khata	Plot No.	Boundaries	Classification	Particulars of trees on the land and the customary rights if any	Particulars of road and building, if any, on the land	Particulars of tanks, wells, pynes, if any, on the land and the customary right, if any.	Remarks
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1	2	3	4	5	6	7	8	9	10
Total									
Form XX[See Rule 18]Register of Village Common Lands under Sections 9 and 13 - Gairmazrua Aam Lands.District.....Village.....									
Thana.....Thana no.....									

## Part I – (Schedule of land held before Consolidation)

(Khata Nos. and plot nos. are as given in the Record-of-rights prepared under Section 8)

Serial No.	Khata No.	Area of Khata	Plot No.	Boundaries	Classification	Purpose for which held	
1	2	3	4	5	6	7	
Total							
Particulars of trees on the land and the customary rights if any		Particulars of road and building, if any, on the land		Particulars of tanks, wells, pynes, if any, on the land and the customary right, if any.		Remarks	
8		9		10		11	
Total							
Place Date Signature of Amin Signature of Assistant Consolidation Officer							

## Part II – (Schedule of lands allotted after the scheme of Consolidation under Section 13)

[Khata Nos. and plot nos. are as given in the Record-of-rights prepared after completion of the scheme of Consolidation under Section 18(4)]

Serial No.	Khata No.	Area of Khata	Plot No.	Boundaries	Classification	Purpose for which held	
1	2	3	4	5	6	7	
Total							
Particulars of trees on the land and the customary rights if any		Particulars of roads, if any, on the land and how maintained		Particulars of tanks, wells, pynes on the land- the nature of customary rights and how maintained		Remarks	
8		9		10		11	
Total							
Place Date Signature of Amin Signature of Assistant Consolidation Officer							

Form XXI[See Rule 18]Register of lands in occupation of Government Department and Local Authorities under Sections 9 and 13(One page to be allotted to each Department of Local Body)



## Part I – (Schedule of lands held before Consolidation.)

(Khata Nos. and plot nos. are as given in the Record-of-rights-prepared under Section 8) Name of Department/Local Authority

Serial No.	Khata No.	Area of Khata	Rent, if any	Plot No.	Boundaries	Area	Classification	Value of market land	
1	2	3	4	5	6	7	8	9	
Total									
Number of buildings on the land	Cost of construction of the buildings	Number of wells, tanks on the land	Cost of construction	Number and description of trees on the land	Market value of tree	Total of columns 11, 13 and 15	Remarks		
10	11	12	13	14	15	16	17		
Total									

## Part II – (Schedule of lands allotted after the scheme of Consolidation under Section 13)

[Khata Nos. and plot nos. are as given in the Record-of-rights prepared after completion of the scheme of Consolidation under section 13]

Serial No.	Khata No.	Area of Khata	Rent, if any	Plot No.	Boundaries	Area	Classification	Value of market land	
1	2	3	4	5	6	7	8	9	
Total									
Number of buildings on the land	Cost of construction of the buildings	Number of wells, tanks on the land	Cost of construction	Number and description of trees on the land	Market value of tree	Total of columns 11, 13 and 15	Remarks		
10	11	12	13	14	15	16	17		
Total									

Place Date Signature of Amin Signature of Assistant Consolidation Officer

Form XXII[Repealed by Amending Rules of 1976]Form XXII-A[See Rule 9, sub-rule (12)]Form of draft Consolidation scheme under Section 11Village ..... P.S. No. .... Name of circle of Consolidation, P.S. ....

Sl. No. of Land Register	Khata No.	Name of raiyat	Outside the Consolidation (Chak)	Inside the consolidation					
Khasra No.	Area	Kind of Land	Khata No.	Khasra No.	Kind of Land	Value of Land			
1	2	3	4	5	6	7	8	9	10

Percentage of deduction [Section 11(3)(ii)]	Value whosechakis given (10-11)	Present rent [Section 11(4)(i)]	Details of encumbrance if any 11(4)	Details of underraiyat, if any	Details and number of wells, ponds, trees etc	Bigger Value plot ofKhasra			
First	Second	Third							
11	12	13	14	15	16	17	18	19	20

Chak No.	Draft Chak under Section 11	Proposed rent 11	Encumbrance 11	Wells, trees etc. on chak	Under raiyat, if any				
Khata No.	Khasra	Area	Type of Land	Value					
21	22	23	24	25	26	27	28	29	30

Chak modified according to order under Selection	Chak modified according to order under section12A(2)	Remarks								
Objection No.	Chak No.	Khasra No.	Area	Value	Chak No.	Khasra No.	Area	Value		
31	32	33	34	35	36	37	38	39	40	

Form XXIII [SeeRule 20] Form of receipt under rule 17 Receipt Counterfoil Block no..... Receipt No. .... Dated ..... 19 ..... Received from ..... the sum of rupees..... on account of..... Rs.	Form XXIII [SeeRule 20] Form of receipt under rule 17 Receipt Counterfoil Block no..... Receipt No. .... Dated ..... 19 ..... Received from ..... the sum of rupees..... on account of..... P.	Rs. P.
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Signature of Nazir	Accountant	Signature of Consolidation Officer	Signature of Nazir	Accountant	Signature of Consolation Officer
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Form XXIV[See Rule 16(5) and 16(7)]Form for payment of compensation under sub-rules (5) of Rule 16 and sub-rule (7) of Rule 16

Inner foil  
Register No.  
S.I. No.  
P. S.

Outer Foil  
Register No.  
Sl. No.  
P.S.

(Write Sl. no of form 31/29)

(Write Sl. no of form 31/29)

Vill.

P.S.

Dist. Vill. P.S. Dist.

Shri

Shri

Please take note that you are to make payment of compensation for retention of right to tend and collect standing crop from plots which were originally allotted to the following tenureholders noted against each of them:-

Please take note that you are to make payment of compensation for retention of right to tend and collect standing crop from plots which were originally allotted to the following tenureholders noted against each of them:-

Sl. No.	Name of raiyat (form 31, col. 9 and form 29 col. 19)	Standing crop in plot no.	Compensation payable	Sl. No.	Name of raiyat (form 31, col. 9 and form 29 col. 19)	Standing crop in plot no.	Compensation payable
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Sl. no. of certificate issued to Receiver	Date of issue	Seal of Asst. Consolidation Officer	Asst. Consolidation Officer	Sl. no. of certificate issued to Receiver	Date of issue	Seal of Asst. Consolidation Officer	Asst. Consolidation Officer
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Form XXIV-A [See Rule 16(8)] Register No. Sr. No. Inner Foil Amount payable towards transfer of trees, wells and other improvements Vill. .... P.S. No. .... P.S.

..... Dist. .... It is hereby certified that Shri  
..... S/o ..... resident of .....  
entitled to receive compensation awarded in connection with the trees, well and other improvements at the time of consolidation from chak holder No.  
..... Shri ..... S/o  
..... resident of .....

Plot No. on which trees etc. are situated	Number and type of tree, wells and other improvements	Amount of compensation payable
1	2	3

Form XXV [See Rules 6D(6), (9A)] Register of cases instituted before ....., P.S.  
..... Dist. ....

Case No.	Village and Name of P.S. No.	Name of Parties	Detail of case	Date of Institution	Date of order	Abstract of order passed Register
Division & amalgamation/ others						

1	2	3	4	5	6	7	8
Date of correction of record cols. 7 and 8	No. of chalan and date of sending the file to Collector's record room			If the file handed over to any other of the record room, his signature and date			Remarks
9	10			11			12
Form XXVI[See Rule 6D]Statement of PrinciplesVill .....				P.S. No. .... P.S. ....			
..... Dist. ....							

## Part I – Section showing the statistical and topographical details

1. Total area of the unit (in acres/bighas).....

2. Total area of holdings in the unit (in areas/bighas)

3. Total area proposed to be included in consolidation scheme

4. Total valuation (in [annas] [Now rupees])

5. Total area used in public purposes from before

6. Total number of raiyats

7. Total area set apart for different public purposes - valuation in [annas] [Now rupees].....

(a)Out of holding area .....(b)Out of other area .....(c)Percentage of deduction from holding area .....

### 8. Irrigation facilities available

(a)Number of Government tubewells.....area irrigated.....(b)Number of private tubewells.....area irrigated.....(c)Number of pucca and durable tubewells area irrigated.....(d)Area irrigated by tubewells.....(e)Area irrigated through other sources

### 9. (A) Total population of the village....

(B)Name of tola.....(C)Harijans and landless labourer.....Others..... Total

## 10. Topographical details of the unit.

### Part II – Section showing the principles

(A)(Unit plan section) (Full page)(B)(Unit consolidation section) (Full page)

### Part III – Plots proposed to be set apart for different public purposes on the basis of principles contained in Part II and details of their area.

Sl. No.	Purpose for which the plot has been set apart	Plot No.	Reserved area	Valuation in[annas] [Now rupees.]for col. 4	Remarks	
Out of holding area	Out of non-holding area					
1	2	3	4	5	6	7

Asstt. Consolidation OfficerForm XXVII[See Rules 9(12)(c) and 9 C(2)]

Correction slip relating to ..... Vill ..... P.S. No. ....

P.S. .... Dist. ....

Sl. No.	Page no. of the record	Column of the record	Line Entries	Remarks
Incorrect or doubtful	Correct			

1	2	3	4	5	6	7
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Consolidation AminAsstt. Consolidation OfficerForm XXVIII[See Rule 16(4)]Khasra for valuation of crop for compensation.

Vill ..... P.S. No. .... P.S. .... Date .....

Plot No.	Name of the relevant crop	Area under crop	Estimated yield per acre or bigha in maunds	Total produce of plot in maunds	Market value of produce per maund	Estimated price of crops of lots	Cost of cultivation per acre or bigha till theharvest	Total cost of cultivation in plot	Present value of crop of the plot	Remarks
1	2	3	4	5	6	7	8	9	10	11

Signature of the Asst. Consolidation OfficerForm XXIX[See Rule 16(4)]Statement of award of compensation of cropVill ....., P.S. No. ...., P.S.

....., Dist .....

Sl. No.	Name and parentage of tenure holder	Original holding of the person recorded in col. 3which has been given to another person with crop	Proposed holding of the person recorded in col. 2where crop is obtained from
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other person also

Plot No.	Value of crop of the plot	Where the person mentioned in col. 2 gets compensation from other.	Plot No.	Value of crop of the plot	Where the person mentioned in col. 2 pays compensation to another person
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Amount of compensation for plot	Name of the tenure holder whom plot has been given with crop	Amount of compensation for plot	Name of the tenure holder who had tendered the crop in the beginning
---------------------------------	--	---------------------------------	--

Signature of Amin  
Signature of Asstt. Consolidation Officer  
Form XXX[See Rule 16(5) and 16(7)]  
Certificate relating to award of compensation

Inner Foil

Outer foil

No. of Register....., P.S. ....

No. of Register ..... P.S.....

Sl. No. ...., Dist .....

Sl. No. ....,Dist.....

Name of village/villages.....

Name of village/villages.....

Write Sl. No. of forms 31 and 39

Write Sl. No. of forms 31 and 39

Certified that Shri ..... has been authorised to receive compensation from the following tenureholder on account of his having retained the right to tend and collect standing crop of hischak:-

Certified that Shri..... has been authorised to receive compensation from the following tenure holder on account of his having retained the right to tend and collect standing crop of hischak:-

Standing crop  
Standing crop

Sl. No.	Name of the raiyat making payment	Plot No.	Amount of compensation payable	Sl. No.	Name of the raiyat making payment	Plot No.	Amount of compensation payable
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Col. 6 of Form 29  
Col. 6 of Form 29

1 2 3 4 5 6 7 8

Asstt. Consolidation Officer seal  
Asstt. Consolidation Officer seal  
Form XXXI[See Rule 16(6)]  
Statement of Compensation Awarded  
Vill..... P.S. No. ....  
P.S. .... Dist. ....

Sl. No.	Name and parentage of the raiyat	Plot No.	Name of crop and its area	Original holding in which the right to tend	Plot No. of crop and
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				crop was entrusted to person recorded in col. 2 but which was allotted to another person		its area					
List hereditary rate applicable	Rent value of area in which crop is standing	Multiple of compensation fixed	Where the raiyat recorded in col. 2 pays compensation to another person								
Amount of compensation for the plot	Name of the tenure holder whom the plot is allotted										
1	2	3	4	5	6	7	8	9	10	11	
Sl. No.	Name of crop and its area	Where the right to tend crop is given to another person (allotted plot to person recorded in column 2)	Remarks								
Last hereditary rate applicable	Rent value of area in which crop is standing	Multiple of compensation fixed	Where the raiyat recorded in column 2 receives compensation from another person								
Amount of compensation for the plot	Name of raiyat tending crop of the plot										
12	13	14	15						16	17	18 19

Consolidation Amin Asstt. Consolidation Officer Form XXXII [See Rule 16(9)] List of raiyats/under whom compensation is due for the land given in contribution for public purposes. Vill..... P.S. No. .... P.S. .... Dist .....

Sl. No.	No. of entry in the list	Name of the raiyat/ under-raiyat	Amount of compensation	Amount adjusted towards cost of consolidation	Amount payable in cash	Date of payment	Amount paid	Signature of the payee	Signature of the Consolidation Officer making payment
1	2	3	4	5	6	7	8	9	10

Consolidation Amin Asstt. Consolidation Officer Form XXXIII [See Rule 25] Proceeding Book Vill....., P.S. No. ...., P.S. .... Dist. ....

Date	Name of the members of consolidation committee who are present	Details of proceeding	Signature of the member
1	2	3	4

Form XXXIV [See Rule 25] Diary of Consolidation Amin/Asstt. Consolidation Officer Vill..... P.S. .... Dist. ....

Date	Place of night halt	Details of work done
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Signature of Officer.