

The Maharashtra Land Revenue Khate-Pustika (Booklet) (Preparation, Issue and Maintenance) Rules, 1971

MAHARASHTRA

India

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Rule

THE-MAHARASHTRA-LAND-REVENUE-KHATE-PUSTIKA-BOOKLET-P of 1971

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The Maharashtra Land Revenue Khate-Pustika (Booklet) (Preparation, Issue and Maintenance) Rules, 1971 Published vide Notification No. Department No. UNF. 2267-(c)-R. (M.G.G., Part 4B, 1-4-1971, page 395) Department No. UNF. 2267-(c)-R. - In exercise of the powers conferred upon it by [clause (b)] [Amended by UNF. 2267 (c) - R (Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] of sub-section (2) of Section 328 read with Section 151 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966), and in supersession of all previous rules made in this behalf and [x x x] [Deleted by G.N. of 20.11.1973.] continued in force by virtue of the third proviso to Section 336 of the said Code, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section(1) of Section 329 of the said Code, namely:-

1. Short title.

- These rules may be called the Maharashtra Land Revenue Khate-Pustika (Booklet) (Preparation, Issue and Maintenance) Rules, 1971.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Code" means the Maharashtra Land Revenue Code, 1966;(b)"duplicate" means the duplicate of any original Khate-Pustika prepared and

supplied in place of the Khate-Pustika issued before in accordance with these rules;(c)"holder" means a holder of agricultural land referred to in Section 151 of the Code for whom a separate ledger account is maintained in the revenue accounts of the village in which such land is situated, and includes every co-sharer of a holding held jointly by the holder and such co-sharer.(d)"Form" means the Form to these rules.(e)"khate-pustika" or "pustika" means the booklet referred to in Section 151 of the Code supplied or to be supplied to a holder, containing a copy of the record of rights pertaining to and other information referred to in sub-section(4) of Section 151 of the Code in respect of his land, and includes a supplement supplied or to be supplied for containing such information;(f)"other items" means items recoverable in respect of any land by a Talathi under the Code and rules thereunder; but does not include land revenue in respect of such land;(g)"tagai" means any loan granted by Government and recoverable by a Talathi under any law for the time being in force.

3. Application for Khate-Pustika.

(1)A holder may make an application for a Khate-Pustika in Form 1 to the Talathi of the village in which his land is situated. [The application may be presented [xxx] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] to the Talathi at any place, such as his head-quarters, or sazal.](2)The application shall be [accompanied] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] by the price of the kahte-pustika [and the fees prescribed under Rule 11.] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.](3)The Talathi [shall give] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] an acknowledgement in Form 2 for the application received by him under sub-rule(1), and shall also give a receipt in Form 3 for the price of the khate-pustika received by him, and in Form 4 for the fees paid by the holder.

4. Preparation and issue of Khate-pustika.

(1)On receipt of an application under Rule 3, the Talathi shall, subject to the provisions of these rules, prepare the Khate-pustika as respect the [holding of the applicant] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] for the period commencing from the revenue year immediately preceding the date of the application to the date of the preparation of the booklet, and shall record in the booklet a certificate as provided in Rule 10.(2)The Khate-pustika [shall, inter alia, contain] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] the following particulars given in the village records, namely:-(a)demand and recovery of land revenue;(b)demand and recovery of tagai loans;(c)demand and recovery of other items;(d)survey number, sub-division and area of lands comprised in the holding; and(e)extract from the record of rights as respects each piece of land comprised in the holding together with the extract from the form of the revenue accounts of the village giving information as respects tenancy [**] [Deleted by G.N. of 20.11.1973.] and [sowing] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] of crops, relating to the land in the holding.(f)[demand and recovery of levy on foodgrains; [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.](g)demand and recovery of loans granted by any co-operative society, the State Bank of India or any nationalised bank.Explanation. - For the purpose of this sub-rule "nationalised

bank" means any of the banks specified in column 2 of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1969 (22 of 1969).](3)The Talathi shall prepare the booklet as provided in sub-rule (1), and issue it on payment of fee prescribed under Rule 11 to the applicant or his authorised agent within a period of [sixty days] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] from the date of receipt of the application.

5. Form and price of khate-pustika.

- The form the price of the khate-pustika shall be such as may, from time to time be determined by the State Government.

6. Talathi required to sign on joints of [certain] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] pages of pustika.

- Before filling in any khate-pustika the Talathi shall sign or affix the stamp of the village or saza, as the case may be, on the joints of every two consecutive pages of the pustika, [except these containing particulars referred to in clause(g) of sub-rule (2) of Rule 4] [Inserted by UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.].

7. Entries in pustika.

- Every entry [other than the entry showing particulars referred to in clause (g) of sub-rule 2 of Rule 4] [Inserted by UNF 2267-(c)-R. (Spl.) 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] in the pustika shall be made personally by the Talathi [**] [Deleted by G.N. of 20.11.1973.] from the records of the village. The Talathi shall be held responsible for the correctness of every entry [made by him] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] in the pustika.

8. Entries from record of rights.

- Only certified entries in the record of rights shall be entered in the khate-pustika [provided that, where the record of rights contains a pencil entry in accordance with Rule 13 of the Maharashtra Land Revenue Record of Rights and Registers (Preparation and Maintenance) Rules, 1971, a note about such entry along with the particulars about the mutations be entered in red ink in the Khate-pustika.] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.]

9. Serial number of [booklet] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.].

- Each khate-pustika shall bear on its cover a separate number as fixed by the State Government consisting of four separate figures, and each separated by a hyphen; the first figure shall represent the district; the second, the taluka; the third, the village; and the fourth, the number assigned to the

ledger account of the holder in the land revenue accounts of the village.

10. Certificate as respects entries.

- After filling the pustika or making new entries in it, the Talathi shall certify under his signature on the blank page kept for the purpose at the end of the pustika and affix stamp of the village or saza, as the case may be, to the [certificate] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.]. The [certificate shall be in the following terms] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] namely :- "The entries on the cover page of this booklet, the extracts from the record of rights and village accounts and all the other entries [made by me] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] for the period commencing on and ending on are made from the original records of the village; and I have personally seen and verified that they are in accordance with the information contained in these records.

Stamp Signature

Place Talathi

Date Full name

11. Fees of preparation and maintenance of Booklet.

- The holder shall pay the fees mentioned in column 3 of the Schedule hereto for the purpose mentioned in column 2 thereof.[Schedule] [Inserted by G.N. 8.7.1976.]

Serial No.	Purpose	Amount of fees
(1)	(2)	(3)
1.	The first preparation of pustika	Two rupees
2.	For making entries in khate-pustika up-to-date every year.	One rupee

12. [deleted] [Deleted by G.N. 7.11.1972.]

13. Maintenance of accounts.

- The Talathi shall keep and maintain in the records of the village and account of the amounts received by him on account of the cost of pustika and fees prescribed under [Rule 11] [Amended by UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] which are received by [Talathi] [Amended by UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] under Rule 3.

14. [Bringing Khate Pustika up-to-date. [Substituted by G.N. of 9.8.1979.]

(1)It shall be the duty of the Talathi to bring the Khate Pustika up to date every year by filling in additional information or carrying out changes in the entries in the Khate Pustika as may be found necessary.(2)For the purpose of bringing the Khate Pustika up to date, the holder may present year

in the month of August or December or the Talathi may himself call for the same from the holder.(3)On presentation of the Khate Pustika to the Talathi by a holder or on Talathis obtaining the Khate Pustika from the holder as the case may be, the Talathi shall acknowledge the receipt thereof in Form 5 and specify therein the date (being the date not later than thirty days from the date of receipt of the khate pustika) on which the Khate Pustika, as brought up to date will be returned on payment of the fees prescribed in rule 11. On payment of the fees, the Talathi shall give the holder or, as the case may be, his authorised agent a receipt in form 4 for the fees paid.]

15. Unauthorised entries and changes.

(1)No holder -(a)shall make any entry or changes in the pustika pertaining to his holding; and(b)shall allow any such entry or change being made by any person.[other than the person who is competent to make any such entry or change] [Substituted by G.N. of 8.7.1976.].(2)A khate-pustika containing unauthorised entries or changes, shall be withdrawn, and cancelled by the Talathi or by any other revenue officer authorised in this behalf by the Tahsildar, under his signature and date. A record of such cancellation together with reason therefor in brief may be kept separately in such manner as the Tahsildar may direct.

16. Issue of duplicate copy of khate-pustika.

(1)Where any pustika is torn, defaced or due to any other reason has become unfit for use or has been lost or cancelled, the holder may make an application in Form 6 to the Circle Inspector or Circle Officer together with the old pustika, if any, for the duplicate copy of the pustika.(2)The Circle Inspector or Circle Officer shall acknowledge such application in Form 7.(3)After holding necessary enquiries as regards the correctness of the information given in the application, the Circle Inspector or Circle Officer shall pass an order for the issue of the duplicate copy of the pustika to the applicant.(4)A copy of such order with the old pustika, if any, shall be sent to the Talathi for necessary action.(5)On receipt of the order passed under sub-rule(3), the Talathi shall issue the duplicate copy of pustika [which shall be marked "Duplicate" in red ink] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.] in accordance with the provisions of Rule 4 on payment of the price thereof and the fees by the applicant.

17. Issue of pustika to heirs of holder.

- [(1) It shall not be necessary to issue a new khate pustika to a person who becomes a holder by succession] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.].(2)On application made by the successor of a deceased holder, the Talathi shall, after making necessary enquiries, transfer the pustika standing in the name of the deceased holder to the name of his successor.(3)The application under sub-rule (2) shall be in Form 8 accompanied by the pustika which had been issued to the deceased holder.(4)The Talathi shall acknowledge the application and the pustika in Form 5.(5)Where the deceased holder has more than one successor and the holding is held jointly by them, each successor, being a joint holder, shall be entitled to obtain the pustika for the joint holding [according to the provisions of these rules] [UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.].

18.

[xxx] [Deleted by G.N. of 3.4.1973.] Form No. 1 [Vide Rule 3(1)] Application for obtaining Khate-Pustika To, The Talathi Village taluka District I am holder in village taluka and my holding No. is My holding consists of land bearing survey numbers including sub-divisions. I request that a khate-pustika, in respect of my holding, may please be issued to me. I am sending herewith Rs. paise Rupees (in words) paise as the price of the khate-pustika. My present full address is as follows :- Place Applicant's Signature/Thumb Holder impression Date Full name (For Official use only)

Signature of Talathi and date

Sr. No. of the khate-pustika ..

Khate-pustika prepared on ..

khate-pustika issued on ..

Name of the holder's agent if the khate-pustika is given to him.

Amount received by way of fees from the holder ..

Receipt No. and date ..

Form 2 [See Rule 3(3)] Acknowledgement for the application No. Received application, date from Shri holder in village taluka district for obtaining khate-pustika in respect of his land. The khate-pustika will be ready duly filled in on and will be issued on or after the date on production of this acknowledgement letter.

Place Signature

Date Talathi

Name

To, The Talathi, Village Taluka district

..... I have received the khate-pustika duly filled in respect of my land through Shri Place Signature or thumb impression of the holder Date Name Name of the person who actually

received the khate-pustika. Signature or thumb impression of the person who actually received

khate-pustika. Place Signature of the Talathi. Date Form No. 3 [See Rule 3(3)] Receipt for the price of

the booklet No. Received Rs. paise (in words) Rupees

..... paise only as the price of the

khate-pustika from Shri Place Signature

..... Talathi Name Date

..... Form No. 4 [See Rules 3(3) and 14(2)] Receipt for the fees Receipt No.

..... Received Rs. paise (in words) Rupees

..... paise only as the fee [for the first preparation] [Strike off

whichever is unnecessary.] of khate-pustika/ for bringing the khate-pustika up-to-date for the

period commencing on and ending on 19

fromShriPlaceSignatureDateTalathi[Form No. 5] [Substituted by G.N. of 8.7.1976.][See Rules 14(2) and 17 (4)]Acknowledgement receipt for khate-pustikaNo.Received from Shri of village taluka district the khate-pustika No. for effecting change in the name of the holder/ [for bringing it up-to-date] [Substituted by G.N. of 8.7.1976.] information.The khate-pustika will be ready on duly filled in and will be issued on or after that date on production of this acknowledgement letter.PlaceSignatureDateTalathiNamePlaceTo,The Talathi village taluka District Received khate-pustika No. in respect of my holding dully filled

Place

Signature or thumb impression of the holder

Date

Name of the holder

Name of the person who actuallyreceived
thekhate-pustika

Signature or thumb impression of the personwhoactually
received thekhate-pustika

Place

Date

Signature of theTalathi

Form No. 6[See Rule 16 (1)]Application for obtaining a duplicate copy of khate-pustikaToThe Circle Inspector/ Office, Circle Taluka DistrictSir,I, Shri, a holder in Village, Taluka, District, hereby apply for issue of duplicate copy of khate-pustika No. in respect of my holding.I furnish the information required in the statement below :-(1)Full name of the applicant/holder...(2)Khate-pustika No.(3)[Whether the khate-pustika is lost.] [Amended by UNF. 2267 (c) - R(Spl.), 7.9.1972; M.G.G., part IV-B, 26.10.1972, page 1797.](4)If the khate-pustika has become unfit for use, reasons for its becoming so.....The old khate-pustika is enclosed herewith.I solemnly affirm that the information given above is true. I am, therefore, to request you to pass necessary order for issue of a duplicate copy of my khate-pustika.PlaceSignature of the applicant holder.DateForm No. 7[See Rule 16(2)]Acknowledgement receipt for application made for obtaining a duplicate copy of the khate-pustikaReceived from Shri of Village taluka, district, an application, dated for issue of a duplicate copy of khate-pustika No.Place Signature of Circle Inspector/ Officer.Circle, TalukaDateForm No. 8[Vide Rule 17(3)]ToThe Talathi Village Taluka District Shri the holder in village taluka district died on and his holding [has to be entered] [Amended by UNF. 2267 (c) - R(Spl.), 19.6.1972; M.G.G., part IV-B, 6.7.1972, page 1245.] in my name as his heir.I am sending herewith his khate-pustika No. Please return the same after transferring it to my name.SignatureFull nameAddressPlace