

The Chota Nagpur Tenancy Act, 1908

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The Chota Nagpur Tenancy Rules, 1959Act 6 of 1908Under Section 264 of the Chota Nagpur Tenancy Act, 1908

Chapter I General

1. Regard to be had to instructions of the Board.

- In carrying out the following rules Revenue-officers shall have regard to the instructions of the Board of Revenue for the guidance of the Revenue-officers, so far as such instructions are inconsistent with the rules herein prescribed under the Chota Nagpur Tenancy Act, 1908.

2. Supervision and control by the Commissioner and the Board.

- Except where otherwise provided by law or by these rules, all proceedings and orders of Revenue-officers, passed in the discharge of any duty imposed upon them by or under this Act, shall be subject to the supervision and control of the Commissioner and the Board of Revenue, and the orders of each Revenue-officer under this Act shall be subject to the supervision and control of the Revenue-officers to whom he may be declared by the Board of Revenue to be, for the purpose of the Act, subordinate.

3. Service of notice where mode not prescribed by the Act or these rules.

- Where no other mode of service is prescribed by the Chota Nagpur Tenancy Act, 1908, or by any rules (other than this rule) made thereunder, service of a notice or summons, where it is addressed to one person, shall be effected in the following manner :- (a) by delivering the same to the person to whom it is directed, or to any adult member residing in the house of that person; (b) on failure of

such delivery, by posting the same on some conspicuous part of the house in which the said person usually resides; or by delivering it to a general agent of the person to whom it is directed; or to any person who has been appointed in that behalf; or (c) by sending a registered letter containing the notice or summons directed to the said person at his usual place of abode; or (d) if no such place of abode can be found and if the notice or summons cannot be served in any of modes hereinbefore mentioned, by posting the same at the landlord's office in the village, or at some conspicuous place on the land, to which the notice or summons relates. If it is addressed to a number of persons occupying or owning land in the same village, the notice will either be served in the manner prescribed above, or by proclamation and beat of drum, and by pasting it, in the presence of not less than two persons who should be residents of the village or, at least cultivating raiyats in it, in some conspicuous place in the village and also by fixing it up in the village office, if any, where the rent is usually paid.

Chapter II

Transfer and recovery of possession of their holdings by tenants and acquisition by landlords of their tenants' holdings

4. Restrictions on transfer of their rights by raiyats..

(1)For the purpose of these rules'-(a)"transfer" means a transfer in contravention of sub-section (1) of Section 46 of the Chota Nagpur Tenancy Act, 1908, and(b)"raiayat" means an occupancy-raiyat or a raiyat having khunt-katti rights, but does not include a member of a Bhuinhari family referred to in Section 48 of the said Act or a tenant of a ghatwari holding.(2)A transfer of his entire holding, or, with the Deputy Commissioner's consent of part of his holding, may be made by a raiyat to another person who is of the same tribe or caste as himself and resides in the same village or an adjoining village belonging to the same landlord, or, with the sanction of the Deputy Commissioner, to any person without limitation of residence who is closely related to the transferor raiyat.(3)No transfer by a raiyat of the Kolhan in the district of Singhbhum shall be made without the previous sanction of the Deputy Commissioner whose order in that behalf shall be final.(3-A) An application by a raiyat for the consent or sanction of the Deputy Commissioner to a transfer may be made to the Sub-divisional Officer. A Sub-divisional Officer receiving any such application shall, after making such enquiries as he thinks fit, forward the application with his recommendations thereon to the Deputy Commissioner for orders.(4)No transfer shall be valid unless made by a registered instrument.(5)When a Deputy Commissioner sanctions a transfer of land under these rules, his order shall not be taken to decide or affect any question relating to any customary right or right of inheritance.(6)[(i) The Deputy Commissioner receiving the application under clause (a) of sub-section (4A) of Section 46, after examining the documents, if any, which may be produced by or on behalf of his claim over the land, shall serve a notice on the transferee concerned calling upon him to appear either in person or through an agent duly authorised by him in this behalf in his Court at a time and on a date to be specified in the notice and to file a written statement, if any on the point or points arising in the matter. The Deputy Commissioner after giving a reasonable opportunity to the parties concerned of being heard and adducing evidence, if any, will determine whether the transfer was made in contravention of clause (a) of the second proviso to sub-section (1)

of Section 46 and thereupon pass order under clause (b) or clause (c) of sub-section (4-A) of Section 46, as the case may be.(ii)If the transferee fails to appear either in person or through his duly authorised agent on the date and time specified in the notice, or extended date, the Deputy Commissioner may proceed to decide the dispute ex parte.]

5. [Recovery of possession of their holdings by tenants under Sections 46(4),46(4A) and Section 73(3). [Substituted by GSR 1, dated 5.1.1972.]

(1)Whenever the Deputy Commissioner determines to put a raiyat into possession of his holding or a portion thereof under sub-section (4) of Section 46 of the Act, or to restore an occupancy -raiyat to possession of his holding or a portion thereof under sub-section (4A) of Section 46 or to restore an occupancy-raiyat to possession of his holding under sub-section (3) of Section 73, he shall issue a warrant to the Head Bailiff of his Court, directing him to cause possession of the holding or portion thereof to be given to the raiyat.(2)The substance of the warrant shall be proclaimed by a Bailiff of the said Court by beat of drum,-(a)in the village in which the land is situate, and also in some conspicuous places on the land itself, and(b)when the land is situated in more than one village, then in each such village separately.(3)Possession shall, if practicable, be given in the presence of the transferee or the landlord or his agent, as the case may be, whom it is intended to dispossess, and of two or more persons (one of whom shall, if possible, be the headman) of the village in which the land is situated and the Bailiff shall attach to his report the thumb-impression or signature of two such persons.

5A. Setting aside the consent and annulling the transfer of land by the Government under sub-section (5) of Section 49.

- On receipt of the application under sub-section (5) of Section 49 of the Act, the State Government shall serve a notice on the transferee concerned calling upon him to appear either in person or through an agent duly authorised by him in this behalf before the State Government at a time and on a date to be specified in the notice and to file a written statement, if any on the point or points arising in the matter. The State Government shall, after giving reasonable opportunity to the parties concerned of being heard and adducing evidence, if any, and considering the application of the transferor and the written statement of the transferee, if any, pass necessary orders under sub-section (5) of Section 49.] [Added by GSR 1, dated 5.1.1972.]

6. Acquisition by landlords of their tenant's holdings under Section 50(5) and replacement in possession under Section 71 a tenant unlawfully ejected.

(1)(a)Whenever the Deputy Commissioner determines, under sub-section (5) of Section 50 of the Act, to give possession of land to a landlord on the tenant refusing to accept payment therefor, or under Section 71 of the Act to replace in possession of his tenancy or a portion thereof, a tenant who has been ejected therefrom, in contravention of Section 68, he shall issue a warrant to the Head Bailiff of his Court, directing him to cause possession of the land or the tenancy or portion of tenancy to be given to the landlord or to the tenant, as the case may be.(b)If the area included in a

holding or a tenancy has been surveyed in the course of making a Government survey and record-of-rights, then the plot numbers of the lands consisting the holding or the tenancy or portion of tenancy shall be entered in the warrant.(2)The officer executing the warrant shall proclaim the substance thereof by beat of drum in places mentioned in clause (2) of Rule 5 above.(3)The said officer shall also affix a copy of the warrant to a tree standing in a conspicuous part of the land, or, if there is no suitable tree then to a pole firmly fixed in the ground in a conspicuous place and standing not less than eight feet above the ground.(4)The said officer shall, before giving possession, notify the substance of the warrant,-(a)to the tenant or the landlord, as the case may be, whom it is intended to dispossess, if he is residing in the village or can be found without unreasonable delay, or(b)if there be an agent of the tenant or of the landlord, as the case may be, in the village, then to such agent.(5)Immediately after possession, the said officer shall record, on the back of the warrant, the fact that he has given possession, and a description of the manner in which, and the persons in whose presence, possession was given.(6)He shall read the said record to two or more respectable and independent persons of the village, and shall ask them to witness the delivery of possession and to sign the record or affix their thumb-impressions to it, if correct, one of these persons should, if possible, be the headman of the village.(7)When possession is given of lands situate in different villages, the procedure prescribed by these rules shall be followed in each such village.(8)The said record shall then be forwarded without delay to the Deputy Commissioner who issued the warrant.

Chapter III

Service of notices, summonses and other processes and publication of notices

7. Service of notices, etc., other than warrants against the person of a judgement-debtor.

- The word "process", as used in these rules, means any notice, summons or other process issued under the Chota Nagpur Tenancy Act, 1908, other than a warrant against the person of a judgement-debtor.Note. - The forms of summons to defendants (Section 151), summons to witness (Section 168), warrant of execution against movable property of a judgement-debtor in execution of a decree for money (Section 185) are given in Appendix A (vide Forms 1 to 4).

8.

Every process shall be served personally on the person to whom it is addressed.

9.

Notwithstanding anything contained in Rule 8-(a)if the person to whom any process is addressed has an agent empowered to accept service, or placed in charge of the management of his zamindari business in connection with the landed-property to which the suit or proceeding, in which the process is issued, relates, service of such process on such agent shall be sufficient;(b)if the person to

whom any process is addressed cannot be found, and has no such agent as is referred to in clause (a), service of such process may be made on any adult male member of the family of such person who may be residing with him; and(c)if the person to whom any process is addressed is a Government servant or a servant of Railway Company or of a Local Authority, the Court may, at its discretion, send the process for service on any person to the head of the office in which he is employed, together with a copy. The copy shall be retained by the person to whom it is addressed, and the original shall be returned to the Court with a certificate of service.Explanation. - A servant is not a member of the family within the meaning of clause (a).

10.

Service of process shall be made by delivering or tendering copy thereof, signed by the officer under whose authority the process is issued, or by some officer appointed by him in this behalf.

11.

When the serving officer delivers or tenders a copy of a process to any person referred to in Rule 8 or Rule 9, he,-(a)shall require the signature of such person to an acknowledgement of service endorsed on the original process, or if such person be illiterate shall take his thumb-impression instead of a signature; and(b)shall require the signature of persons identifying the person on whom service was made, and the persons witnessing the delivery or tender of the process, to the said acknowledgement, or any of them be illiterate, take his thumb-impression instead of a signature.

12.

Whenever a process has been served under Rule 8 or Rule 9, the serving officer,-(a)shall endorse or annex, or cause to be endorsed or annexed, on or to the original process, a return stating the time when and the manner in which the process was served and the names and addresses of the persons (if any) who identified the person served and witnessed the delivery of tender of the process, and(b)shall require the signature of such identifiers and witnesses to the said return, or, if any, such identifier or witness be illiterate, shall take his thumb-impression instead of a signature.

13.

In either of the following cases, namely:-(a)if any person on whom a process is served refuses to sign the acknowledgement, or(b)if the serving officer, after using all due and reasonable diligence, cannot find the person to whom a process is addressed, and there is no such agent as is referred to in Rule 9 to accept service thereof on behalf of the addressee, and no adult male member of his family on whom service can be made,the serving officer shall affix a copy of the process on the outer door or some other conspicuous part of the house in which the person to whom the process is addressed ordinarily resides or carries on business or personally works for gain, or of his zamindari cutcherry or bhandar or farm-house (if any), and shall then return the original to the Court or officer by whom it was issued, with a report, endorsed thereon or annexed thereto, stating that he has so

affixed the copy, the circumstances under which he did so, and the name and address of the person (if any) by whom the house, cutcherry or bhandar or farm-house was identified and in whose presence the copy was affixed.

14.

When a process is returned under Rule 13, the Court or officer by whom it was issued shall, if the return under that rule has not been verified by the affidavit of the serving officer, and may, if it has been so verified, examine the serving officer on oath, or cause him to be so examined by another Court, touching his proceedings, and may make such further inquiry in the matter as the Court or officer thinks fit, and shall either declare that the process has been duly served or order such service as it or he thinks fit.

15.

(1)Where the Court or officer by whom a process was issued for service on any person is satisfied that there is reason to believe that such person is keeping out of the way for purpose of avoiding service, or that for any other reason the process cannot be served in the ordinary way, the Court or officer shall order the process to be served by affixing a copy thereof in some conspicuous place in the Court or in the office of such officer, as the case may be, and also upon some conspicuous part of the house (if any) in which the said person is known to have last resided or carried on business or personally worked for gain, or in such other manner as the Court thinks fit.(2)Service ordered under sub-rule (1) shall be as effectual as if it had been made on the said person personally.(3)Whenever service is ordered under sub-rule (1), the Court or officer shall fix such time for the appearance of the said person as the case may require.

16.

(1)A process may be sent, by the Court or officer by whom it is issued either by one of its or his officers or by post, to any other Court or officer having jurisdiction under the Chota Nagpur Tenancy Act, 1908, in the place of residence of the person on whom the process is to be served.(2)The Court or officer to whom a process is so sent shall, upon receipt thereof, proceed as if it had been issued by such Court or officer, and shall then return the process to the Court or officer by whom it was issued, together with the record (if any) made under this sub-rule.

17.

Notwithstanding anything contained in the foregoing rules, if the person to whom any process is addressed resides at a place in which the Chota Nagpur Tenancy Act, 1908, is not in force, the process shall be deemed to be fully served by properly addressing, prepaying and posting by registered post a letter containing the process, and to have been served at the time at which the letter would be delivered in the ordinary course of post.

18. Execution of warrants against the person of a judgement-debtor.

- Warrant issued under the Chota Nagpur Tenancy Act, 1908, against the person of a judgement-debtor, shall be executed in the same manner as similar warrants issued under the Code of Civil Procedure, 1908, (Act V of 1908). Note. - The form of the warrant (Section 185) is given in Appendix A (vide Form No. 5).

19. Publication of general notice under Section 51 (2).

- The general notice to tenants, referred to in sub-section (2) of Section 51, stating that the interest of the former landlord has passed to the transferee, shall be published by the transferee, -(1) by affixing it in the village office, or (2) by affixing it, in the presence of not less than two persons, in some conspicuous place on the land, and by proclaiming it to the tenants, by beat of drum, in every village to which the transfer extends: Provided that the transferee may, if he thinks fit, apply to the Court having jurisdiction to entertain a suit for arrears of rent of the land in question, to publish the said notice in either of the methods hereinbefore prescribed and the Court shall thereupon publish the notice accordingly on payment of the prescribed process fee.

20. Publication of the other general notices.

- A notice under the Act which is not required to be served personally [except notices issued under Section 51(2) as mentioned in the preceding rule] and addressed to the general body of residents in a village or hamlet or a group of villages shall be published, -(a) by affixing it, in the presence of at least two persons, at some conspicuous place in the village or hamlet or in each village of the group, as the case may be, and (b) by proclaiming it to the residents by beat of drum: Provided that the rule shall not apply in any case or class of cases to which the Court or officer by whom or by whose direction a notice is issued, declares, for reasons to be recorded in writing, that it is unsuitable.

21. Notice of a landlord's intention to enter on an abandoned holding under Section 73(2).

(1) Every notice of a landlord's intention to enter on an abandoned holding under sub-section (2) of Section 73 shall be prepared in duplicate, in Form No. 6 contained in Appendix A. The landlord may either present the notice in the Deputy Commissioner's office or sent it to the Deputy Commissioner by registered post. (2) The Deputy Commissioner shall cause the notice to be published as follows: -(a) one copy shall be published by beat of drum in the holding and then kept in the record, and (b) the other copy shall be published by beat of drum in the bustee, portion of the village to which the holding appertains, and shall then be affixed in the presence of not less than two witnesses to some dwelling-house, tree or other conspicuous object upon the holding. (3) The landlord shall pay to the Deputy Commissioner a fee of Rupee one and annas eight to cover the cost of such publication.

22. Payment of cost of serving processes.

- Rule 1 in Order XLVIII in the first schedule to the Code of Civil Procedure, 1908, shall apply to the payment of the cost of serving processes issued by a Deputy Commissioner or a Revenue-Officer under the Chota Nagpur Tenancy Act, 1908.

Chapter IV

Rent

23. Forms of application under Sections 28(1), 31(2) and 34(2).

- Applications for enhancement of rent under Section 27(1)(a), for assessing rent on excess area under Section 31(2) and for reduction of rent under Section 34(2) shall be in Form Nos. 7, 8 and 9, respectively, given in Appendix A. The rules for filling up these forms are given below for the respective forms.

24. Form of (i) Postal money-order, (ii) rent receipts (iii) declarations for deposit of rent, and (iv) decree of rent suit.

- The form of postal money-order for remittance of rent under Section 53(b), is given in Appendix A (vide Form No. 10). The Forms A and B of rent receipt under Section 54(2), Forms C-1, C-2, C-3, C-4 and C-5 of declarations for deposit of rent in Court under Section 56(1) and Form D of decree of rent suits to be used under the Act, are given in Appendix B. Under Section 54 of the Act, Form A of rent receipts shall be used in all Government estates, all estates under the management of the Court of Wards and all estates under the management of an officer appointed under the Chota Nagpur Encumbered Estates Act, 1876 (Act VI of 1876), with effect from the beginning of the Agricultural year March-April 1933 and Form B in all other areas in the Chota Nagpur Division with effect from the beginning of the Agricultural year (March-April, 1924).

25. Form of notice under Section 56(2).

- The notice of receipt of deposit of rent as required by sub-section 2 of Section 56 shall be in Form No. 11 contained in Appendix A.

26. Commutation of rent.

(1) An application under Section 61 for commutation of rent payable by an occupancy-raiyat must contain the following particulars,-(i)(a) when a record-of-rights has been prepared, the plot numbers, local names, quality, boundaries and area of each of the parcels of land constituting the holding, as entered in the record-of-rights; (b) when a record-of-rights has not been prepared, a statement of the parcels of land constituting the holding, the local name and boundaries of each parcel, the different qualities in each parcel, and the number of plots and the area of each different

quality in each parcel. Illustration to clause (b). - Name of tenant, Birsingh Munda :

	Acres		
1st parcel of land;	North-Sanre Munda	5 plots-Winter rice	3.13
Name-Pundidiri	South-Sanichar Uraon	4 plots-Autumn rice	1.49
Loyung	East-Bakast Malik	9 plots-Early rice	2.36
West-Thepa Munda			

Explanation to clause (b). - (i) The area must be given in acres and decimals when these are known, otherwise, in the measures locally prevalent; (ii) the existing rent (including, if they are legally renderable rakumats and begari) and the proposed inclusive money rent; (iii) the rates of money-rent payable by tenants for land of a similar description and with similar advantages in the vicinity; and (iv) the names and addresses of the rent-receivers of the holdings. (2) (1) The officer who inquires into the applications shall give notice to the opposite party of the date fixed for the hearing of the application and the date fixed for the local inquiry (if any). (2) A local inquiry shall be held, unless the application refers to an area for which a record-of-rights is under preparation or has recently been prepared, and unless such record-of-rights shows the classification of the land in sufficient detail for the purpose of commutation proceedings. (3) Where no record-of-rights exists, the said officer may require the lands to be measured and classified by competent agency. (4) After making the local inquiry (if any), and taking such evidence as may be tendered by the parties or as may be necessary for the disposal of the application, the said officer may determine the sum to be paid as money-rent. (3) (1) When several applications from one village are being inquired into simultaneously, it shall not suffice merely to fix general rates; but the incidence of such rates on each holding must be separately considered, and the rates must be modified, if necessary, according to the particular circumstances of each holding. (2) The rent fixed on each holding must be explained by the officer to both landlord and tenant. (4) When a record-of-rights is being made, any number of tenants, occupying land under the landlord, whose interest is recorded in the same khewat entry in the same village, may, with the consent of the said officer, make a joint application for commutation of produce rents, or may, with the like consent, be joined as defendants in the same proceedings on a similar application by the landlord : Provided that if at any time, it appears to the said officer that the question between any two of the parties, one of whom is so joined with others, cannot conveniently be jointly inquired into, he may order a separate inquiry to be held as to that question, or he may pass such order, for the joint or separate disposal of the application, as he may think fit.

Chapter V

Execution of Decrees and Orders of the Deputy Commissioners

27. Form of application for execution of decrees and orders.

- Applications referred to in Section 183 of the Act, for the execution of decrees or orders passed by a Deputy Commissioner under the Act, shall be made in the form prescribed by Rule 11, clause (2), and Rule 12 of Order XXI in the first schedule to the Code of Civil Procedure, 1908 (Act V of 1908), so far as they are applicable.

28. Court which will execute decrees or orders.

- A decree or order passed by a Deputy Commissioner may be executed either by himself or by his successor-in-office, or by any Court to which the Deputy Commissioner of the district transfers the application for execution. Explanation. - The expression "Deputy Commissioner of the district" means the actual Deputy Commissioner for the time being and does not include any officer empowered under clause (viii) of Section 3 of the Chota Nagpur Tenancy Act, 1908.

29. Sale-proceeds under Section 205(2); how to be dealt with.

- An officer executing a warrant for the sale of movable property under Sections 199 to 204 of the Act shall, subject to any special order of the Deputy Commissioner who issued the warrant, remit the surplus sale-proceeds, after deducting the cost referred to in sub-section (1) of Section 205, to the Deputy Commissioner who issued the warrant or in his absence, to the Deputy Commissioner of the District.

Chapter VI

The procedure to be followed by Revenue-Officers in regard to the Record-of-Rights and Settlement

30. Powers vested in Settlement and Assistant Settlement Officers.

- Every Revenue-officer appointed by the Local Government under the designation of "Settlement Officer" or "Assistant Settlement Officer" for the purpose of making record-of-rights and settlement of rents under Chapter XII, the commutation of praedial conditions under Chapter XIII, the record of landlord's privileged lands under Chapter XIV, the record of special rights under Chapter XV, where such operations are conducted simultaneously with the preparation of a record-of-rights under Chapter XII of the Act is hereby vested with, - (i) all the powers exercisable by Revenue or Civil Courts in the trial of suits; (ii) power to enter upon any land, and to survey, demarcate and make a map of the same; (iii) all the powers of an Assistant Superintendent of Survey and a Deputy Collector under the Bengal Survey Act, 1875; (iv) power to cut and thrash the crops on any land and weigh the produce, with a view to estimating the capabilities of the soil; and (v) power to take down evidence with his own hand in the English language in proceedings held under Section 61 or under Chapters XII, XIII, XIV or XV of the Chota Nagpur Tenancy Act, 1908 in which an appeal is allowed, in accordance with the procedure prescribed by the Code of Civil Procedure, 1908, for the trial of suits. Note 1. - All Deputy Collectors in the Chota Nagpur Division have been empowered to discharge the functions of a Revenue-Officer under Chapters XII and XIV of the Chota Nagpur Tenancy Act and have been appointed to be Assistant Settlement Officers. Note 2. - For the standard form of notification for the appointment of Assistant Settlement Officer, vide G.O. No. 4330 R.S. 67, dated the 16th April, 1926.

31.

The Settlement Officer shall keep the Deputy Commissioner and the Commissioner in whose jurisdiction operations under these rules are in progress informed of the nature and progress of the operations in such manner as the Board of Revenue may direct.

32. General notice: where to be served or published in an uninhabited village.

- In the case of an uninhabited village, any general notice to be served or publication to be made under the rules in this chapter may be served or made in any inhabited village contiguous to that village, or, if there be no inhabited village, contiguous to that village, in the inhabited village nearest to that village, or in the village, in which the tenants and occupants of the lands of the uninhabited village are believed by the Revenue-Officer to reside.

33. Procedure for Settlement.

- The procedure for settlement shall include-I. Demarcation of boundaries.II. Field measurement.III. Khanapuri i.e. preliminary preparation of the record.IV. Attestation of the record (including the commutation of produce rent and praedial conditions.)V. Publication of the draft record.VI. Disposal of objection under Sections 83 and 111 (6).VII. Settlement, if any, of fair rents, before final publication.VIII. Final publication of the record-of-rights.IX. Distribution of copies of the record-of-rights to parties interested.X. Settlement, if any, of fair rents, after final publication under Section 85.XI. The trial of suits under Sections 87,111 (8), 130 and 252.XII. Revision of any orders or decisions, as provided in Section 89.XIII. Correction of bona fide omissions or mistakes in the record-of-rights, as provided in Section 90.XIV. Deposit of settlement records with Deputy Commissioner.I. Demarcation of Boundaries

34. Demarcation of Village Boundaries.

- Where there is a dispute as to a village boundary, the Revenue-Officer shall decide the dispute in accordance with the provision of the Bengal Survey Act, 1875:Provided that where the survey is a revision survey based on cadastral boundaries the Settlement Officer may relay that boundary under Section 45, Act V (B.C.) of 1875, instead of determining it under Section 41, and may, either on application or of his own motion, after giving due notice to the parties concerned to appear and be heard in the matter, correct any bona fide mistake made in the previous survey.

35. Erection of boundary pillars.

- Boundary pillars of a permanent nature shall be erected at every point where the boundaries of three or more villages meet and may be erected wherever the Revenue-Officer considers it necessary to define by pillars the boundaries of estates or tenures or of lands which have been the subject of dispute.II. Field Measurement

36. Field maps.

- A field map of every village shall be prepared; it shall show the boundaries of every field separately held, or of such plot of land as the instructions of the Board of Revenue for giving effect to these rules may lay down.

37. Documents to be prepared in course of survey and preparation of record-of-rights.

- The following are the principal documents to be prepared in the course of a survey and the preparation of a record-of-rights under Chapter XII of the Chota Nagpur Tenancy Act, 1908:-

Village map. Parchas. Khatian.

Khasra. Khewat. Terij.

These and any other papers prescribed by the Board of Revenue shall be prepared in such manner as the Board may prescribe.

38. Record-of-rights.

- The record-of-rights, which shall be published under Section 83 of the Chota Nagpur Tenancy Act, 1908, shall be contained in the khewat and khatian, and such other papers as may be specified by general or special order of the Board of Revenue in the case of any local area. Boards' Instructions. - Where a separate record of the particulars specified in Section 81 (i) has been made in accordance with a notification under Section 80, the record of such particulars has been declared by the board to constitute part of the record-of-rights.

39. Proprietary Khewat and Khatian.

(a) The khewat shall show the character and extent of the interests of proprietors and tenure-holders, such of their interests as are of a raiyati nature being also recorded in the khatian. (b) The khatian shall show in detail for all the lands in the village, estate by estate, landlord by landlord, tenant by tenant and occupant by occupant, the lands included in each estate owned by each landlord and occupied by each tenant or occupant, with particulars of rent and area and of the incidents of each tenancy. Where a commutation of praedial conditions is being made under an order issued under Section 106, the commuted value of praedial conditions to which the tenant has been found liable, and, if any tenant is liable to any praedial conditions other than those to which the general body of tenants are liable or is not liable to all the praedial conditions to which the general body are liable, then the praedial condition to which such tenant is liable, shall be separately recorded in the khatian. (c) Lands cultivated or otherwise held direct by a proprietor or tenure-holder shall be shown in detail in the khatian, and shall be entered either as landlord's privileged land within the meaning of Section 118(a) of the Chota Nagpur Tenancy Act, or as land held by the proprietor or tenure-holder but not privileged land within the meaning of that section. (d) The khatian shall also show such other particulars as are required by the order passed under Section 80

to be recorded, unless a special paper is prescribed under Rule 37 or Rule 38 for the purpose of recording any such particulars.IV. Attestation of the Record.

40. Attestation.

(a)When the map, khasra, khewat and khatian for village, or such portions of them as are prepared at khanapuri, have been prepared in the manner prescribed by these rules and by instructions of the Board of Revenue consistent with them, the Revenue-Officer shall issue a notification, in the form contained in Schedule I, fixing a day, which shall be not less than a week from the date of publication of the notification, on which he will be present at some place to be specified at or near the village for the purpose of attesting and completing the record-of-rights in respect of all particulars specified in the above Rules 38 and 39.(b)The notification shall state that on the day so fixed, or on any other day to which the proceedings may be adjourned, the Revenue Officer will record rents and will decide all questions of status and claims to special rights or privileges in any lands and record existing rights of tenants or residents in regard to the jungle and waste lands of the village [(and commute and include in the cash rent of the holding the value of praedial condition in accordance with the rules)] [To be omitted where a commutation of praedial conditions is not being made.], and will receive application for the commutation of produce rent, and deal with objections relating to entries (other than entries made in accordance with decisions in khanapuri disputes) in the record or omissions, therefrom; and the notice shall require all parties interested in the subject-matter of the inquiry to attend at the time and place specified, with their parchas, and with such evidence as they have to offer in connection with the proceedings.(c)Such notification shall be published by proclamation and fixed up in the presence of not less than two persons in some conspicuous place in the village to which it refers.

41. Measures to procure attendance of parties.

- The Revenue-Officer may also, if he so deems fit, take such additional measures, under the powers conferred on him by Rule 30, as he may deem desirable to procure the attendance, at the place specified in the notification issued under Rule 40, of the occupants, under-raiyats, raiyats, tenure-holders, landlords and proprietors or their authorised agents.

42. Inquiry as to correctness of entries.

- On the date specified in the notification issued under Rule 40, or on any other date to which the proceedings may be adjourned, the entries which have been made in the khewat and in each khatian shall be read out in the presence of such of the interested parties as are in attendance. If the correctness of any entry other than an entry made in accordance with a decision in a Khanapuri dispute, is questioned, the Revenue-Officer shall dispose of the objection, after local inquiry or otherwise:Provided that if the correctness of a measurement be objected to, and a fresh measurement be demanded, or if a local inquiry is necessary to decide any objection, the Revenue-Officer may require the cost of such re-measurement or local inquiry to be deposited. If it appears from the result of the measurement or local inquiry for which costs have been deposited that the objection was not frivolous or groundless, it shall be open to the Revenue-Officer to refund

the costs, or any portion of the cost which he may think fit to refund.

43. Inquiry as to status of raiyats.

- The Revenue Officer shall inquire into any claim put forward for mundari khunt katti tenancies, and shall also ascertain which of the raiyats are raiyats having khunt-katti rights or settled raiyats or occupancy raiyats and shall record them as such. The Revenue-Officer shall ascertain what raiyats are non-occupancy raiyats, and to this end he shall be entitled to call upon the landlord or his agent to produce statement showing the names of raiyats alleged by him to be non-occupancy raiyats. On the production of such statement, he shall explain to those raiyats the provisions of Chapter IV of the Chota Nagpur Tenancy Act, 1908. If after such explanation a raiyat admits that he is a non-occupancy raiyat, and if the attestation officer is satisfied of the correctness of the admission, he shall record the raiyat as non-occupancy raiyat. If he does not admit himself to be a non-occupancy raiyat, the Revenue-Officer shall call on the landlord to prove the allegations made by him in regard to such a raiyat.

44. Inquiry as to the class of lands.

- The Revenue-Officer shall ascertain and record what lands are korkar and what lands are bhuinhari under the Chota Nagpur Tenures Act, 1869, and what lands are khunt katti.

45. Ascertainment and record of rent at present payable.

- The Revenue-Officer shall summarily ascertain the rent at present payable by the tenant, and record it in the appropriate column of the khatian as the rent payable in respect of land held by the tenant. In recording rents, the Revenue-Officer shall have regard to the provisions of the Chota Nagpur Tenancy Act, 1908, regarding enhancement of rent, and shall record only such rent as is legally payable. In order to carry out the instructions of this rule, the Revenue-Officer may, before proceeding to attest the records of the village, hold preliminary inquiry, at which he shall record briefly the deposition of the landlord or his agent and at least one tenant, and shall make such further inquiry as may be necessary, and shall record a finding upon the rates of rent prevailing in the village for each class of land.

46. Ascertainment and commutation of praedial conditions.

- Where a commutation of praedial conditions is being made under an order issued under Section 106, in the course of the preliminary inquiry into the rates of rent prevailing in the village, the Revenue-officer shall also ascertain the praedial conditions to which each class of tenants in the village is subject, and shall record a finding showing what praedial conditions, if any, are renderable by the general body of tenants, and their cash value, and shall prepare a statement in the form contained in Schedule II. The cash value of praedial conditions, as commuted by the Revenue-officer under Section 111 of the Chota Nagpur Tenancy Act, 1908 shall be recorded separately from the rent in the khatian and included in the total rent payable by raiyats. In the case of tenure-holders, the

commuted value of praedial conditions will be entered in the khewat. In ascertaining and commuting praedial conditions, the Revenue-Officer shall be guided by the provisions of Section 111 of the Chota Nagpur Tenancy Act, 1908 special regard being given to the proviso to Section 105(3). Any praedial conditions which are by custom or contract already payable in cash shall still be treated as subject to the proviso to Section 105(3) of the Chota Nagpur Tenancy Act, 1908.

47. Cesses and rights of pasturage, etc., mentioned in Section 100A.

- Cesses which are authorised by law shall be recorded separately from the rent in the khatian or, in the case of tenure-holders in the khewat, as will also the sums payable for the rights mentioned in Section 100A. No demand of any other kind shall be recorded in the khatian.

48. Rights specified in Section 81 (n).

- The Revenue-Officer shall, at the time of attestation, also record in a form prescribed by the Board, the rights, as specified in Section 81 (n) of the Chota Nagpur Tenancy Act, 1908 which are enjoyed by any class of persons according to established custom in each plot of jungle in the village, and the conditions under which such customary rights are enjoyed.

49. Rights and obligation of village headman.

- Where a notification under Section 127(b) of the Chota Nagpur Tenancy Act, 1908, has been issued, he shall also prepare a record of the rights and obligations of the village headman.

50. Proceeding on completion of attestation and publication of draft record.

- When the record-of-rights and of existing rents has been prepared and attested in the manner prescribed in Rules 40 to 49, and when the record has been arranged and corrected in accordance with the orders which the Revenue-Officer has passed, he shall record a proceeding in which he shall state that attestation of the records and commutation of praedial conditions, if any, have been completed and shall then cause the draft record-of-rights to be published in the village in the manner provided in Rule 52.

51. Commuted rent, if any, to be incorporated in the draft record.

- If applications for the commutation of produce rents are filed before the Revenue-Officer at the time of attestation, they may be disposed of either before draft publication or after draft publication, according to convenience. If they are disposed of before draft publication, the settled rents shall be incorporated in the settlement record before it is published in draft. V. Publication of the Draft Record

52. Publication of draft record and hearing of objections.

(a)After the record-of-rights has been prepared and attested, a notice of draft publication of the record, in form contained in Schedule III, shall be published in one or other of the following manners; either (1) by posting it up at the landlord's office in the village, and, in the presence of not less than two persons, in some other conspicuous place in the village or where the village is uninhabited, in the village in which most of the cultivators of the uninhabited village reside; or (2) by reading it out to camp, as soon as the records of the villagers assembled in the village have been attested by the Revenue-Officer. The date fixed for the commencement of draft publication shall be not less than one week from the date of publication of the notice; and draft publication shall not commence until the proceeding under Rule 50 has been recorded. (b)Draft publication shall be done by keeping the record open for public inspection under the supervision of the Revenue-Officer, or officer deputed by him, free of charge, for such period not being less than one month, and at such place as is specified in the notice. Objections made to any entry in or omission from the record, during the period of draft publication, shall be received and considered by the Revenue-officer. Objections shall, as far as practicable, be made in form contained in Schedule IV. VI. Disposal of Objections under Sections 83 and 111(6)

53. Disposal of objections.

- When an objection is made, before the expiry of the period of publication of the draft record prescribed under Rule 52, regarding the correctness of any entry, or as to the propriety of any omission, notice of the objection, in the form contained in Schedule V, shall be served on all persons whose interest may, in the opinion of the Revenue-Officer, be affected thereby, and they shall be called upon to attend at such time and place as the Revenue-Officer may fix for the disposal of the objection. If no person attends to contest the objection, and the Revenue-Officer is satisfied that the notice of objection has been duly served on all persons interested, the objection may be allowed and the records amended accordingly, or the person who made the objection may, if the Revenue-Officer thinks fit, be called upon to produce evidence in support of his objection. All such objections shall be dealt with summarily under such instructions as the Board of Revenue may prescribe. VII.

Settlement of Rents Before Final Publication

54. Procedure for settlement of rents in isolated or individual cases.

- When the Revenue-Officer settles fair rents in isolated or individual cases before final publication, under Section 85(3)(a) or (b), he shall follow mutatis mutandis the procedure laid down in Rules 59 to 64 below for the settlement of fair rents after final publication, and shall incorporate the settled rents in the record to be finally published under Rule 56.

55. Procedure for settlement of rents for whole villages or larger areas.

- When rents are settled before final publication, for whole villages or for larger areas the Revenue-officer shall adopt the following procedure :- (a) He shall first serve a notice on the village in

which settlement of rents is about to be made. The notice shall be in the form contained in Schedule VI, and shall set forth that on a date named and at a place named the Revenue-officer will settle fair rents in respect of all estates, tenures or holdings and for unsettled lands included in such village. Such notice shall be served at least one week previous to the date fixed for settlement of fair rents. When such notice has been served, it shall be held that all persons have been sufficiently warned of the date fixed: Provided that when in the course of proceedings, a Revenue-Officer proposes to alter an existing rent, and the parties have not attended in compliance with the general notice, the Revenue-Officer shall serve each person interested with a special notice, and the fair rent shall not be settled in the absence of such person until after due service of such special notice has been proved. (b) On the date fixed in the notice under clause (a), or any subsequent date to which the proceeding may be adjourned, the Revenue-officer shall proceed to settle rents in the manner prescribed in Rules 62(a) and 64. (c) The settlement of rent for any number of tenants occupying land under the same landlord, whose interest is recorded in the same khewat entry in the same village, may, upon the application of the parties or at the discretion of the Revenue-Officer, be disposed of in one proceeding provided that if at any time it appears to the Revenue-Officer that the question between any two of the parties of whom one is so joined with others, cannot conveniently be so jointly tried, he may order a separate trial to be held of that question, or he may pass order for the joint or separate disposal of the application as he may think fit. (d) When a fair rent has been settled under these rules, it shall be entered in the khatian as the rent payable in respect of the holding from the date prescribed by Section 97 of the Chota Nagpur Tenancy Act, 1908. (e) It shall not be necessary for a Revenue-Officer to draw up a separate decree with regard to the fair rent settled but the entry made in his decision or in the schedule attached thereto with regard to the fair rent settled shall be held to be a decree. VIII. Final Publication of the Record-of-Rights

56. Final publication of the record-of-rights.

- When all objections under Sections 83 and 111(6) of the Chota Nagpur Tenancy Act, 1908, have been disposed of as provided for in Rule 53 and when the draft records have been corrected in accordance with the orders passed, and when the rents, if any, settled under Section 85(3)(a) or (b) or under Section 61 of the Act have duly incorporated in the record, the Revenue-Officer shall finally frame the records and cause them to be published either, - (1) by notifying in the form contained in Schedule VII that their contents will be read out at a place on a date to be specified, not less than a week from the date of the publication of such notice, and by reading it out himself or causing it to be read at the appointed place on the date so specified in the presence of the parties or of as many of them as attend, a (2) by placing them for public inspection free of charge, during a period of not less than one month at such convenient places as he may determine. If this method be employed a proclamation shall previously be published in each village in the form contained in Schedule VIII informing the landlords and tenants of the place at which the final record of that village will be open to public inspection. A copy of the entries in any record prepared under Section 127 shall also be served upon all persons interested in these entries in the manner prescribed in Rule 3.

57. Report in local Government after final publication.

- When the record-of-rights of all villages in any local area has been finally published, the Revenue-Officer shall submit a report to the Local Government, containing such particulars as may be necessary in order to enable the Local Government to issue a notification under Section 84(2) of the Chota Nagpur Tenancy Act, 1908. IX. Distribution of copies of the Record-of-Rights to parties Interested

58. Distribution of copies of record-of-rights to parties interested.

(a) A copy of the record-of-rights as finally published, or an extract therefrom shall be made over to the landlord concerned, or where there are more landlords than one, to their common agent or common manager, or if there be no common agent or common manager, to such person among the landlords as the Revenue-Officer may think fit. The copy of extract shall bear a certificate, under the Revenue-Officer's signature and seal, that it is a copy of or extract from the record-of-rights as finally published. (b) An extract from the khatian relating to his tenancy shall be given to every tenant under the seal of the Revenue-Officer and under the signature of an officer duly authorised by the Revenue-Officer to give copies. (c) The cost of the preparation of copies of records, or of extracts therefrom, supplied to landlords and tenants under this rule, shall ordinarily be included in the cost of the survey and settlement and no separate charge shall be levied from the landlords and tenants in respect of such copies except by the orders of the Local Government. (d) If the Local Government so directs, copies of the maps shall be prepared and distributed to the landlords and tenants concerned. The cost of the preparation of the copies so distributed shall be included in such of the costs of the settlement as are recoverable from the landlords and tenants, and no separate charge shall be levied from them in respect thereof. X. The Settlement of Fair Rents After Final Publication

59. Settlement of fair rents under Sections 85(2)(i).

- When the landlord or tenant applies for a settlement of a fair rent, he shall be considered as plaintiff and the opposite party as defendant.

60. Notice of application.

- Notice, in the form contained in Schedule IX, shall be served on every person interested in the application, together with a copy of the application, or an extract therefrom, or a summary thereof, so far as the application concerns such person.

61. Joint application.

- With the consent of the Revenue-Officer, any number of tenants of the same status holding land under the same landlord, whose interest is recorded in the same khewat entry in the same village, may make a joint application for the settlement of rents, or may be joined as defendants in the same proceeding on a similar application by the landlord: Provided that if at any time it appears to the

Revenue-Officer that the question between any two of the parties, of whom one is so joined with others cannot conveniently be so jointly tried, he may order a separate trial to be held of that question, or he may pass such order for the joint or separate disposal of the application as he may think fit.

62. Inquiry and settlement of fair rents.

(a) On the date fixed for the settlement of fair rents, or subsequent date to which the proceedings are adjourned, the Revenue-Officer shall read aloud or cause to be read aloud in his presence the name of each tenant whose rent has to be settled, the area of his tenancy, and the existing rent, and shall then proceed to settle a fair rent under the provisions of Section 85 of the Chota Nagpur Tenancy Act, 1908. When the record has been read over as provided for above, the Revenue-Officer shall record all claims to enhancement or reduction of the existing rent and shall try and decide any issues which may be raised under Section 86 of the said Act. (b) Where a landlord or tenant does not attend, after due service of notice has been proved, the procedure may be ex parte. (c) Where a landlord or tenant appears, the Revenue-Officer shall record evidence in the manner prescribed in Section 164 of the said Act, and shall settle a fair and equitable rent. In important cases, the evidence shall be recorded at length. (d) When a fair rent has been settled under these rules, it shall be entered in the khatian as the rent payable in respect of the holding from the date prescribed by Section 97 of the said Act.

63. Entry of fair rent to be held to be a decree.

- It shall not be necessary for a Revenue-Officer to draw up a separate decree with regard to the fair rent settled, but the entry made in his decision or in the schedule attached thereto with regard to the fair rent settled shall be held to be a decree. The Revenue-Officer shall carefully scrutinize the individual entries in schedules where rents are settled for a number of tenants in joint proceedings, to ensure that injustice be not caused to individuals by the application of general rules.

64. Decision of issues under Section 86.

- When in the settlement of fair rents, issues are raised under Section 86 of the said Act, they shall be heard and decided before fair rents are settled. Proceedings under the said Section 86 shall be dealt with in all respects as suits between the parties. Such suits shall ordinarily be tried separately for each tenancy, unless the Revenue-Officer, for reasons to be recorded by him, considers that the suits affecting two or more tenancies may conveniently be tried together without prejudice to the parties concerned.

65. Settlement of fair rent under Section 85(2)(ii).

- The foregoing Rules 61 to 64 (both inclusive) shall apply mutatis mutandis to the settlement of fair rents under clause (ii) of sub-section (2) of Section 85 of the Chota Nagpur Tenancy Act, 1908: Provided that the Revenue-officer shall, after receiving such evidence as may be tendered by

the parties, of his own motion, make such further inquiries as may be necessary for the determination of a fair and equitable rent. Notwithstanding anything in any of the rules under the Chota Nagpur Tenancy Act, 1908, notice of a settlement of rent under clause (ii) of sub-section (2) of Section 85 of the said Act may be given by a general notice in the form contained in Schedule VI to the landlords and tenants concerned, and such general notice shall be served (a) by affixing a copy thereof at some conspicuous place in each village concerned, in the presence of at least two persons, whose signatures shall be taken on one copy of the notice, and (b) by proclaiming it in each village concerned by beat of drum. The cost of the proceedings shall be recoverable in such way as the Local Government may direct under Section 95 of the Act and the parties shall not be required to make any application for rent settlement or to pay any court or process fee for the initiation of proceedings. When the area under rent settlement is a Government estate or tenure, no Court or process fees shall be required from the Government at any stage of the proceedings. XI. The Trial of Suits under Sections 87, 111(8), 130 and 252 of the Act

66. Proceedings under Sections 87, 111(8), 130 or 252.

- Proceedings under Sections 87, 111 (8), 130 or 252 of the Chota Nagpur Tenancy Act, 1908, shall be dealt with in all respects as suits between the parties. The finally published record shall be corrected in accordance with the orders that may be passed in any such proceedings.

67. Procedure to be followed in proceedings under Sections 85, 86 or 94 and suits under Section 87.

- Revenue-officers shall, in all proceedings under Section 85, Section 86 or Section 94, and in all suits under Section 87, adopt the procedure laid down in Chapter XVI of the Act for the trial of suits so far as it may be applicable.

68. Application for transfer of cases to civil courts.

- An application for the transfer of cases to civil courts under the first proviso to sub-section (1) of Section 87 of the Act, may not, without the consent of the court be filed after the first date of hearing. XIV. Deposit of Settlement Records with the Deputy Commissioner

69. Deposit of settlement records.

- The finally published record, as completed under Rules 62 and 66, shall be made over to the Deputy Commissioner of the district, and shall bear a certificate, that it is the finally published record, under the Revenue-Officer's signature and seal. [Chapter VII] [Under Notification No. 2576 L.A. -25 dated 5th December, 1921, the court-fee leviable has been either reduced or remitted in respect of matters referred to in clauses (8), (30), (31), (32), (33), (34) and (38) of the notification.] General Scale of Fees

70. Fees for service of notice.

- For the service of every notice under the Chota Nagpur Tenancy Act, 1908, not being a notice issued by any Revenue or Civil Court (fees for serving which are regulated by the Court-fees Act, 1870), and not being provided for by any other rule made under the Chota Nagpur Tenancy Act, 1908, a process-fee of fifteen annas shall be levied if the notice be directed to one or more persons residing in the same village. Where such notices are directed to several persons resident in different villages, a fee of fifteen annas shall be levied for service in each village.

71. Charges for railway, boat, etc.

- In addition to the above fee, the actual charge which must be incurred, if it is necessary to travel by railway or boat, or to cross ferries, shall be levied from, and paid by the person at whose instance, the process is issued, before issue of the process. If a peon carries more than one process involving charges for railway fare, boat-hire, etc., the sum leviable shall be charged, in equal shares, upon all the processes so carried.

72. Demurrage for detention of peon.

- If a peon is detained at the place of service for more than 24 hours at the request of the person at whose instance the process was issued, or of his agent, such person or agent must then and there pay demurrage at the rate of 3 annas a day. Unless the demurrage is paid, the peon must decline to wait. No demurrage shall be charged if the delay was not due to the person requiring the process or to his agent.

Chapter VIII

Revision of Record

73. Revision of record.

- The rules in Chapter VI shall, so far as they are applicable, apply to every revision of settlement record mentioned in Section 98 of the Chota Nagpur Tenancy Act, 1908.

Chapter IX

Appeals

74.

(1) Appeals from the orders or decisions passed under the sections of the Act noted in Column 1 by the officers mentioned in Columns 2 and 3 of the subjoined table, shall lie to the officers mentioned in the third and fourth columns, respectively:-

Sections of the Act	Original court	First appellate Court	Second appellate Court
1	2	3	4
61, 85, 89 (revising the order or decision under Section 85 or Sections 86 and 111(8) [Settlement Officer/ Charge Officer] [Substituted by S.O. 714, dated 22.7.1985.]	Assistant Settlement Officer Commissioner.	[Settlement Officer/ Charge Officer] [Substituted by S.O. 714, dated 22.7.1985.],	Commissioner.

(2) Every such appeal must be preferred within 30 days from the date on which the order or decision appealed against was signed.

75. Appeals under Section 87(1).

(1) Appeals from decisions of Revenue-Officers under Section 87(1) shall lie to the Judicial Commissioner. (2) Every such appeal must be presented within 30 days from the date on which the decision appealed against was signed and delivered.

76. Appeals under Section 108.

(1) An appeal from any order of a Revenue-Officer made under Section 108 of the Act shall lie to the Deputy Commissioner of the district. (2) The petition of appeal must be presented within one month from the date of the final publication of the record under Section 108, sub-section (2). (3) From any decision of the Deputy Commissioner in appeal a second appeal shall lie to the Commissioner, whose decision shall be final. (4) Such second appeal must be preferred within one month from the date on which the decision in appeal was signed by the Deputy Commissioner. (5) Each Appellate Court shall clearly specify in its decision in the case of each tenant what entries (if any) in the record, as published by the Revenue-Officer, or as amended by the lower Appellate Court, as the case may be, are to be altered, and what alterations are to be made.

77. Appeals under Section 120.

(1) Appeals from decisions passed under Section 87 read with Section 120 by Revenue-Officers acting under Section 119 shall lie in the manner and to the officer prescribed by the rules made in respect of appeals from decisions passed under Section 85. (2) No appeal will lie from orders or decisions passed by a Revenue-Officer before final publication of the record.

78. Appeal under Section 121.

(1) Appeals from orders of Revenue-Officer acting under Section 121 shall lie, - (a) if the Revenue-Officer be a Deputy Commissioner - to the Commissioner and (b) in any other case - to the Deputy Commissioner. (2) When any such appeal has been heard by the Deputy Commissioner, a second appeal shall lie to the Commissioner. (3) The decision of the Commissioner on any appeal

referred to in this rule shall be final.(4)Every appeal referred to in this rule must be presented within thirty days from the date of the order appealed against.

79. Appeals under Section 130.

(1)Appeals from decisions of Revenue-Officers under Section 130, sub-section (1), shall lie to the Commissioner.(2)Every such appeal must be presented within thirty days from the date on which the decision appealed against was signed.

80. Appeals under Section 252.

(1)An appeal from any decision of a Revenue-Officer under Section 252 shall lie to the Commissioner of the Division.(2)The petition of appeal must be in writing, and must be accompanied by a certified copy of such decision and must be presented in the Court of the Commissioner of the division within thirty days from the date of the decision appealed against.

81.

The provisions of Sections 220 to 223 shall, as far as they may be applicable, apply to appeals referred to in Rules 74 to 80 above.

82. Appeal under the first proviso to Section 87(1).

- When an application for transfer of cases to civil court under the first proviso to sub-section (1) of Section 87 of the Act filed by a defendant to a suit is refused by the Revenue-officer, an appeal shall lie, if the Revenue-Officer is an Assistant Settlement Officer, to the Settlement Officer and if he is a Settlement Officer, to the Commissioner. If the Settlement Officer on appeal refuses to allow a transfer, a second appeal shall lie to the Commissioner.

Chapter X

The Chota Nagpur (Transfer and Korkar) Service of Notices and Transmission of Fees Rules

1. Contents and form of notice under Section 23-A(4). - A notice under sub-section (4) of Section 23-A shall,-

(i)if the landlord is not the Government or aWards, Trust or Encumbered Estate, contain as far as may be possible, the particulars given in Form I contained in the Appendix to these rules (Appendix C);Board's Instruction 1A list of the notices of the transfer and registration with the landlord's registration fee and the costs necessary for its transmission noted against each should be sent in duplicate in the form appended below by the Registration Office to the Deputy Commissioner's Office. A copy of the list should remain in the Deputy Commissioner's Office, for check and the other

should go back to the Registration office with a note of acknowledgement as a receipt.No.
.....FromName and designation-Date of despatch-To

The District OfficerSub-divisional Officer| of

The notices entered below and on the reverse are forwarded for service on the person concerned.

Signature of Registering
Officer.

Serial No. of notices Name of depositor Remarks.

I acknowledge that I have received the above notices.Date of acknowledgement,

Office of| District OfficerSub-divisional Officer| of

(ii)if the landlord is the Government or a Wards, Trust or Encumbered Estate, be served on the Deputy Commissioner or on the Manager, as the case may be as far as possible in Form 1 -A appended to these Rules (Appendix C).Board's Instruction 2When the Government is the landlord, it is unnecessary for Collector to forward the notice to himself by registered post. Similarly notices intended for the Manager of a Wards or Trust Estate, after they are received from the sub-registry offices, need not be forwarded to the Manager concerned by registered post.They should be sent through peons where the Manager's office is located at district headquarters or by ordinary post alongwith other official papers where it is not so situated.(Revenue Department letter No. 2896R-IIT-6/44, dated the 10th July, 1944).Board's Instruction 3(1)Money order coupons which are sent alongwith the notice should contain (a) the document number and the date of registration and (b) the name address of the executant and if there are more than one executant the name and address of the first executant should be noted followed by the words "and another" or "two others" and so on.(2)The number of document and the date of registration should also be noted on the top of the notices to enable the Subdivisional offices and the zamindars' offices to trace out which coupon relates to a particular notice. The clerk in charge of the registration office will be responsible for noting these particulars before the money order forms and notices are despatched to the Sub-divisional offices.

2. (a) In cases where the landlord is not the Government or a Wards, Trust or Encumbered Estate, the notice shall be served,-

(1)if there is a sole landlord, on such sole landlord,(2)if there are two or more joint landlords,-(i)if they have authorised an agent under Section 257, on such agent,(ii)if they have not authorised such an agent, on each joint landlord.(b)The notice shall be served by post and the service shall be deemed to be effected by properly addressing, pre-paying and posting by registered post a letter containing the notice and to have been effected at the time at which the letter would be delivered in the ordinary course of post.(Revenue Department's Notification No. 770R-IIT-6, dated the 18th February, 1944.)

3. Transmission of registration fee by money-order. - (1) In the case mentioned in sub-rule (a)(1) and (2)(i) of Rule 2, the registration fee shall be transmitted by money-order to the sole landlord or his agent, or to the

common agent, as the case may be, at the time when the notice is issued. On the coupon attached to the money-order there shall be noted the number and date of the notice which gives particulars of the registration fee to which the money-order relates. Fees payable to Government or to a Wards or a Trust or an Encumbered Estate, in respect of which a personal ledger is maintained in the Treasury, shall be transmitted by being credited direct in the Treasury accounts or in the personal ledger of the estate concerned, as the case may be.

(2) If, in cases where the amount of registration fee is transmitted by money-order, the sole landlord or his agent or the common agent refuses to accept payment of the registration fee, amount shall be kept in Revenue deposit in the Deputy Commissioner's Office.

4. Deposit of fee where there is refusal or no application. - (a)(i) In cases where the landlord is not the Government or a Wards, Trust or Encumbered Estate and the tenancy is held under a single landlord or under two or more landlords who have authorised an agent under Section 257, the process fee to be paid under subsection (3) of Section 23-A shall be fifteen annas inclusive of the cost of posting the notice referred to in sub-section (4) of Section 23-A of registering it under the Indian Post Office Act, 1898, and obtaining an acknowledgement of its receipt;

(ii) if any tenancy is held under two or more landlords who have not authorised an agent under Section 257, a process fee of fifteen annas shall be paid in respect of the original notice in Form 1 and a further process fee of six annas shall be paid in respect of each landlord or group of landlords having such an agent on whom the service of such notice is required by Rule 2.(b) When the tenancy is held under the Government or a Wards, Trust or Encumbered Estate, the process fee to be paid shall be ten annas. (Revenue Department Noti. No. 770-R.I.I.T.6, dated the 18th February, 1944).

5. Notice under Section 24A(1). - A notice under clause (b) of sub-section (1) of Section 24-A shall be in Form 2 contained in the Appendix and shall contain the particulars given in the said form and shall be served in the manner laid down in the rules published under Notification No. 175-T.R., dated the 22nd April, 1909.

6. Notice under Section 67-A (2). - A notice under sub-section (2) of Section 67-A shall be in Form 3 contained in the Appendix and shall contain the particulars given in the said form.

I

Notice of date of attestation of the records[See Rule 40]Notice to the proprietors, tenure-holders, raiyats, landlords, under-ra/yafsand occupants of-

Mauza Thana No. Pargana

Thana Taraf District

Take notice that under the powers vested in me by the Chota Nagpur Tenancy Act, 1908 (Act VI of 1908), and the rules made thereunder, I or an officer deputed on this behalf will be on the day of 19 at proceed to attest and complete the record-of-rights in the above-mentioned village, and on the same day will record rents and will decide all questions of status and claims to special rights or privileges in lands and will record existing rights of tenants or residents in regard to the jungle and waste lands of the village and will ascertain and commute the praedial conditions, if any, of tenants in the village, and will receive and dispose of applications for the commutation of produce rent and will deal with objections relating to entries (other than entries made in accordance with decisions in Khanapuri disputes) in the record or omissions therefrom.You are hereby required to attend before me with your purchas at the abovementioned time and place, or. at any other time or place to which the proceedings may be adjourned and to produce such evidence, written or oral, as you may have to offer on the subject-matter of the proceedings.Revenue Officer.

II

Form of Statement under Section 111, clause (1)[See Rule 46]Name of mauza.....Name of thana.....Thana No.....Name of LandlordNumber of Khewat Entry

Description of	frakumatandbegari.	Cash value.	Remarks
	(a)		Rakumat.
	(b)		Begari.

Revenue Officer.

Date

Draft published by me on Kanungo.

Countersigned on

Revenue Officer.

III

Notice for Draft Publication of the Record[See Rule 52]Notice to the proprietors, tenure-holders, landlords, raiyats, under-raiyats and occupants of-

Mauza Thana No. Pargana

Thana Taraf District

Take notice that the attested record of the above-mentioned village will be placed at.....for one month from..... and will be open to public inspection, free-of-charge, for the said period, during

which objections may be filed under Section 83 of the Chota Nagpur Tenancy Act. Revenue Officer

IV

Objections under Sections 83, 111(6)(a), 120 and 128 of the Chota Nagpur Tenancy Act[See Rule 52]

Mauza Thana No. Pargana

Thana Taraf District

Name of objector, with father's name, caste and address. Name, father's name, caste and addresses of person in whose khatian the entry objected to has been made, and number of khatian, if known. Contents of entry objected to, with details of objection. Number of khewat, khasra or khatian entry to which objection is taken. Statement of relief sought. Signature of objector, with date of filing

V

Notice fixing the date for hearing of an objection under Sections 83, 111(6), 120 and 128 of the Chota Nagpur Tenancy Act[See Rule 53] By order of the Settlement Officer at.....district.....Case No. of 19..

In the Court of.....

Objector Versus defendant

Notice to.....

Whereas an objection (copy of which is annexed) under section.....of the Chota Nagpur Tenancy Act, 1908, has been filed, and the date of its disposal has been fixed for the.....19.....; you are hereby informed that you should, on the day fixed, appear in this Court at.....at O'clock to produce any evidence you have. In case of your failing to appear at the time fixed, orders will be passed according to law. Date.....month.....19Revenue Officer

VI

Notice for Settlement of Fair Rents[See Rule 55(a)] Notice to the proprietors, tenure-holders, landlords, raiyats, under-raiyats and occupants of-

Mauza Thana No. Pargana

Thana Taraf District

Take notice that on.....at I shall proceed to fix fair rent in respect of all estates, tenure, or holdings and for unsettled lands in the above mentioned village. All persons interested or concerned are called upon to attend at the place named above on the date specified. Revenue Officer

VII

Notice for final publication of the Record(See Rule 56) Notice to the proprietors, tenure-holders, landlords, raiyats, under-ra/yafsand occupants of-

Mauza Thana No. Pargana

Thana Taraf District

Take notice that all objections under Sections 83, 111(6), 120 and 128 of the Chota Nagpur Tenancy Act, 1908, having been decided by the Revenue-Officer, the record of the above-mentioned village has been finally framed and will be published by the

contents being read out| in the villagein the village(A), thana(B)| on the 19

All persons interested are called upon to attend on that date.Revenue Officer.

VIII

Notice informing the place at which the final Record of a village will be open to Public Inspection[See Rule 56]Notice to the proprietors, tenure-holders, landlords, raiyats, under-ra/yafsand occupants of,-

Mauza Thana No. Pargana

Thana Taraf District

Take notice that all objections under Sections 83,111 (6), 120 and 128 of the Chota Nagpur Tenancy Act, 1908, having been decided by the Revenue-Officer the record of the above-named village has been finally framed and will remain open to inspection for all persons interested for a period of one month from the date of publication of this notice at (place).....during hours of all working days.On the expiration of the period, the record will be considered as finally published.

IX

Notice for service on persons interested in an application made by landlord or tenant for settlement of fair rents[See Rule 60]ToWhereas (here state name, description and address of applicant or applicants)

landlordstenants| have made an application, in which you are interested, for the settlement of a fair rent for

land in village; a copy of the application an extract or summary containing such parts of the applications as concern you hereby served on you, and you are hereby summoned to appear in this Court in person or by duly authorized agent at O'clock on the at for final disposal of the application. In default of your appearance on the day mentioned, the application will be heard and determined in your absence. You should bring or send by your agent on the day fixed any document or evidence on which you intend to rely.Revenue Officer.Appendix AForm No.

1Summons to defendant[See Section 151 and Note below Rule 7](Title)(Name, description and place of residence)ToWhereas.....has brought a claim against you for.....you are hereby summoned to appear in this Court in person [or by an agent who is acquainted with the facts of the case], on the.....day of.....19..... at.....O'clock in the..... noon to answer the claim; and you are directed to bring with you [or send by your agent] (here mention any document, in the possession of the defendant, of which the plaintiff demands inspection) of which the plaintiff demands inspection and all documents upon which you intend to rely in support of your defence. You will also bring [or send] your witnesses if they are willing to attend without issue of process.Take notice that, in default of your appearance on the date before mentioned the suit will be

heard and determined in your absence. Given under my hand and the seal of the Court this day of 19..... Deputy Commissioner. Note 1. - Should you apprehend that your witnesses or any of them will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce, on applying to the Court and on depositing the necessary expenses. Note 2. - If you admit the claim, you should pay the money into Court, together with the costs of the suit, to avoid execution of the decree which may be against your person or property, or both. Form No. 2 Summons to witness [See Section 168 and Note below Rule 7] (Title) (Name, description and place of residence) To Whereas your attendance is requested to on behalf of the in the above suit; you are hereby required (personally) to appear before this Court on the day of 19, at O'clock in the noon, and to bring with you (or to send to this Court) A sum of Rs. being your travelling and other expenses and subsistence allowance for one day, is herewith sent. If you fail to comply with this order without lawful excuse, you will be subject to the consequences of non-attendance laid down in Rule 12 in Order XVI in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908). Given under my hand and the seal of the Court this day of 19..... Deputy Commissioner. Note. - If you are summoned only to produce a document and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid. Form No. 3 Warrant of arrest of witness [See Section 265(d) and Note below Rule 7] (Title) To The Bailiff of the Court Whereas has been duly served with a summons to attend this Court but has failed to attend [absconds and keeps out of the way for the purpose of avoiding service of a summons]; you are hereby ordered to arrest and bring the said before the Court. You are further ordered to return this warrant on or before the day of 19 with an endorsement certifying the day on and the manner in which it has been executed, or the reasons why it has not been executed. Given under my hand and the seal of this Court this day of 19. Deputy Commissioner. Form No. 4 Warrant of execution against moveable property of a judgement-debtor in execution of a decree for money [See Section 185 and Note below Rule 7] (Title) To The Bailiff of the Court

Decree Principal
..... Interest Costs
..... Costs of
execution Further
interest Total

Whereas was ordered by decree of this Court, passed on the day of 19 in suit No. of 19 to pay to the plaintiff the sum of Rs. as noted on the margin; and whereasthe said sum of Rs. has not been paid : These are to command you to attach the moveable property of the said as set forth in the Schedule hereunto annexed (nor Which shall be Pointed out to you by the said Plaintiff decree-holder or his agent), and unless the said ... pays to you the said sum of Rs. together with Rs. the costs of this attachment, to hold the same until further orders from this Court.

You are further commanded to return this warrant on or before the day of 19 ... with an endorsement certifying the day on which and the manner in which it has been executed, or why it has not been executed. Given under my hand and the seal of the Court this day of 19. Deputy Commissioner

Schedule 10

Form No. 5 Warrant of execution against the person of judgement-debtor [See Section 185 and Note below Rule 18] (Title) To The Bailiff of the Court

Principal Cost Execution Total
Whereas..... was adjudged by a decree of this Court in suit No. of 19..., dated the..... day of..... 19..... to pay to the decree-holder..... the sum of Rs..... as noted in the margin; and whereas the said sum of Rs..... has not been paid to the said decree-holder in satisfaction of the said decree. These are to command you to arrest the Said judgement-debtor, and unless the said judgement-debtor pays to you the said sum of Rs..... together with Rs. for costs, to bring him before the Court, with all convenient speed. You are further commanded to return this warrant on or before the day of..... 19..... with an endorsement certifying the day..... on which and the manner in which it has been executed, or the reason why it has not been executed.

Given under my hand and the seal of the Court this day of 19 Deputy Commissioner. Form No. 6 Notice under Section 73(2) of Bengal Act VI of 1908 [See Rule 21] To The Deputy Commissioner of..... Whereas the holding mentioned in the Schedule below has hitherto been held by CD, son of EF, by caste..... resident of thana..... and has been voluntarily abandoned by him without notice to me, and without arranging for the payment of the rent thereof; I hereby notify that I have treated the holding as abandoned and that I am about to re-enter upon it accordingly. Signed GH, son of..... MN..... by caste..... resident of thana landlord. Date.....

Schedule 11

Name of village Name of thana Rent of holding

Serial No. of plot	Survey No. of plot (if known)	Boundaries of plot	No. of kiaris in plot	Whether upland or lowland
1		NSEW		
2		NSEW		

Signature of Landlord. Form No. 7 Application for enhancement of rent under Section 28(1)(a) of the Chota Nagpur Tenancy Act [See Rule 23]

Name of mauza..... Name of thana

Thana No. (if any)

Name, parentage, caste and residence of tenant of holding	Local name of field or parcel of land constituting the holding	Survey plot number	Boundaries	Nature of right	Class of land	Area in (1) acres and decimals or (2) bighas, kathas and dhurs or (3) local measure	Remarks

Name, parentage, caste and residence of tenant of holding	Local name of field or parcel of land in the possession of the tenant under colour of the tenancy	Survey plot number	Boundaries	Nature of right	Class of land	Area in (1) acres and decimals or (2) bighas, kathas and dhurs, or (3) local measure	Remarks
1	2	3	4	5	6	7	8
Rules							

1. Separate and distinct entries must be made in the foregoing form in respect of each field or parcel of land. For this purpose, a field or a parcel of land shall be deemed to be a plot or contiguous plots of the same class of land held in the same right and under the same landlord, by the same tenant, or by a group of tenants holding jointly in the same tenancy.

Illustration (a) - The land may consist of korkar, khuntkatti and ordinary raiyati lands. Each class must be shown separately. Illustration (b) - The khuntkatti lands may be of various classes, such as bahal, bad, kanali, tanr, gora, etc. Each of these sub-divisions must be shown separately.

2. Where a record-of-rights has been prepared, the details entered in the said form must be entered in exactly the same way as in the khatian of the record-of-rights, the serial number of the khatian, as shown in the record, being added in Column 1, after the name, etc. of the tenant.

3. Where no record-of-rights has been prepared, the columns of the said form must be filled in as follows :-

- Column 1 - Name of field or parcel of land, i.e., the name by which the field or parcel of land is locally known, or the name of the chakor sumain which it is situated.
- Column 2 - Survey plot number - This column must be left blank.
- Column 3 - Boundaries - In this column must be entered the names in full, of the cultivators of the fields or parcels of land situated on the boundaries.
- Column 4 - Nature of right - In the column must be entered the hakiat' or the inherent rights of the fields or parcels of land, e.g., bhuinhari mundari-khuntkatti, khuntkatti, korkar, rajhas, prajli raiyati, etc.
- Column 5 - Class of land - In this column must be entered the classification to the field or parcel of land as locally recognized, e.g., bera, bahal, kanali, chaura, bad, tanr, gora, danga, etc.
- Column 6 - Area - Where the area cannot be shown in acres and decimals, or in bighas, kathas and

7 dhurs, it must be given in therecognized local measures, e.g.,anna, powa, kat, man, hat, rekh,etc., and their subdivisions.

Column - Remarks-In this column note, whether the plot is held in excess of the area for which rent
8 has previously been paid.

At the foot-note the total area held in excess. Form No. 9 Application for reduction of rent under Section 34(2) of the Chota Nagpur Tenancy Act [See Rule 23] Name of mauza Name of thana Thana no (if any)

Name, parentage, cast and residence of tenant of holding	Local means of field or parcel of land in the possession of the tenant constituting the tenancy	Survey plot number	Boundaries	Nature of right	Class of land	Area in (1) acres and decimals or (2) bighas, khatas and dhurs, or (3) local measure	Remarks
1	2	3	4	5	6	7	8

Rules

1. Separate and distinct entries must be made in the foregoing form in respect of each field or parcel of land. For this purpose, a field or a parcel of land shall be deemed to be a plot or contiguous plots of the same class of land held in the same right and under the same landlord, by the same tenant, or by a group of tenants holding jointly in the same tenancy.

Illustration (a). - The land may consist of korkar, khuntkatti and ordinary raiyati lands. Each class must be shown separately. Illustration (b). - The khuntkatti lands may be of various classes, such as bahal, bad, kanali, tanr, gora etc. Each of these sub-divisions must be shown separately.

2. Where a record-of-rights has been prepared, the details entered in the said form must be entered in exactly the same way as in the khatian of the record-of-rights, the serial number of the khatian as shown in the record, being added in Column 1, after the name, etc. of the tenant.

3. Where no record-of-rights has been prepared, the columns of the said form must be filled in as follows :-

Column - Name of field or parcel of land, i.e., the name by which the field or parcel of land is
2. locally known, or the name of the chakor sumain which it is situated.

- Column 3. - Survey plot number.- This column must be left blank.
- Column 4. - Boundaries.- In this column must be entered the names in full, of the cultivators of the fields or parcels of land situated on the boundaries.
- Column 5. - Nature of right.- In this column must be entered the hakiat or the inherent rights of the fields or parcels of land e.g., bhunhari, mundari-khunkatti, khunkatti, korkar, rajhas, projali, raiyati, etc.
- Column 6. - Class of land.- In this column must be entered the classification of the field or parcel of land as locally recognized, e.g., bera, bahal, kanali, chaura, bad, tanr, gora, danga, etc.
- Column 7. - Area.- Where the area cannot be shown in acres and decimals, or in the bighas, kathas and dhurs, it must be given in the recognized local measures e.g., anna, powa, kat, man, hal, rekh, etc. and their subdivisions.
- Column 8. - Remarks.- In this Column note whether the plot is held in excess of the area for which rent has previously been paid.

At the foot-note the total area held in excess. Form No. 10 Rent 1(a) Rent money order [See Rule 24]

To

The postmaster,

S.O.

H.O.

.....Fold here.....

Signature of witness to be taken below when the payee is illiterate and in all cases when payment is made by a village postman or to a pardanashin woman on her own signature.

Received the sum specified on the reverse

Date.....

.....

.....

Signature of witness

Signature (in ink) of payee or thumb impression, if payee is illiterate
Paid by me,

{|

|||-| Oblong M.O. Stamp on payment| Round M.O. Stamp authorising payment|

Signature and designation of officer who paid the amount.|-|||

.....|-|

.....Fold here.....|-|| Received

the sum specified on the reverse on account of rent particularised there|-|

.....|||-| Signature of witness|| Signature in (in ink) of

Landlord or his Agent authorised in writing.|-|||

|-| Date-stamp of the office of payment|| Name-stamp of the office of issue.|-|
Foldhere.....|}Instructions
 for the remitter's guidance

1. The amount of a Rent Money-order may include rupees, annas and pies but not a fraction of a pie.

2. There must be a separate money-order for each tenure of holding. Rent for two tenures or holdings may not be sent by one money-order.

3. In the absence of special instruction from the landlord, the remitter should make the money-order payable at the place at which rent has previously been paid, and to the landlord himself or his agent, according as rent has previously been paid to the landlord or an agent.

4.

The limit of amount of a Rent money-order and the rates of commission are the same as for ordinary money-orders.

{|

|

||-| Month stamp| Oblong M.O. stamp of issue| A.O. stamp|-| No.| Rent.....Date.....||}
 Rs. a. p.

For (in words).....

.....

M.O. Clerk Issuing Postmaster

Remitter to fill up all entries below except the money-order number and the entries on the right side of the AcknowledgementAmount (in words)Name and address

of the payee (in full)Date.....Signature of

remitterACKNOWLEDGMENT. (Tenant's receipt) On postal service.No. RentName of

landlord.....Name of Estate or tenure.....Name

of Recorded Tenant.....Name of

Remitter.....Village in which tenure or holding is

situated.....Thana in which tenure or holding is situated.....Khatian No. of

Tenancy.....

Details of remittance: {|

Rent Local Cesses Miscellaneous

Principal Interest Principal Interest

|-| For*-Kist of Years+.....|-| For*-Kist of Years+.....|-| Total|}Total amount sent by this money-order Rs. a..... p..... (in words)

Coupon. To be retained by the payee Date-stamp of office of issue

Rent.....

.....SEALName of landlord.....Name of Estate or tenure.....Name of Recorded tenantName of Remitter.....Village in which tenure or holding is situated.....Village Thana in which tenure or holding is situated.....Khatian No. of Tenancy.....

Details of remittance: { |

Rent	Local Cesses	Miscellaneous
Principal	Interest	Principal Interest

|-| For*-Kist of Years+.....|-| For*-Kist of Years+.....|-| For*-Kist of Years+.....|-| Total|}Total amount sent by this money-order Rs. a..... p..... (in words)...

Signature and address of remitter

In words

In figures and words

Form No. 11Notice under Section 56(2) of the Chota Nagpur Tenancy Act, 1908(Bengal Act VI of 1908)[See Rule 25]In the Court of the Deputy Commissioner ofDatedToWith reference to the attached declaration, you are hereby informed that the sum of Rs.has been deposited in this Court and that the above sum will be paid to you or to your duly authorized agent upon application and upon your establishing your title to receive the rent. Take notice that if you have any further claim or demand to make against the depositor in respect of the rent of his holding, you must institute a suit ([or] [The words within brackets should be struck out when they are inapplicable.] make an application for certificate under Section 244) in Court for the establishment of such claim or demand within six calendar months from the date of receipt of this notice otherwise your claim will be forever barred. Deputy Commissioner.Appendix BForm AForm of Rent Receipt[See Rule 24]

Name of circle	Name of village with thana and thana no.	Name and father's name of tenant and residence.	Jamabandi number	Area paying cash rent	Area paying produce rent	Particulars as to calculation of produce rent
1	2	3	4	5	6	7
Annual demand of Tenancy and details of demand (arrear plus current) during the year				Annual	Arrears	Current
Demand on account of				Third year	Second year	Previous year
More than three years						

-	8	9	10	11 12 13
Rent (cash)Rent (produce)Cess[Interest] [No interest will be charged for arrears of rent in Government Estates, save on demands for which certificate has been issued.]Miscellaneous				
Total				
Details of payment				
Demand on account of	Arrears	Current	Advance	
More than three years	Third year	Second year	Previous year	
-	14	15	16	17 18 19
Rent (cash)Rent (produce)Cess[Interest] [No interest will be charged for arrears of rent in Government Estates, save on demands for which certificate has been issued.]Miscellaneous				
Total Paid				
Signature with date of Collecting Agent				

1. Grand total of the amount paid (in figures and words)

2. By whom paid

3. Total balance still due

Form BForm of Rent Receipt[See Rule 24]Rent Receipt (Tenant's portion)Name of the village.....Receipt.....No.....Tauzi No. Name of landlord.....Name of tenant.....Paying cash rentPaying produce rentArea of tenancy.....

-	Year	Cash rent	Local cess	Quantity of produce	Remarks (Here either mutarfa interest, etc.)
Annual demand		Rs. a. p.		Rs. a. p.	
Arrears of					
Totaldemand					
Details of payment					
Amount paid for-DittoDitto	Year	Kist			
Total paid					
By whom paid.....	Signature of landlord.....				
Date of payment.....	or his agent.....				

Note. - 1. When a tenant makes a payment on account of rent, he may declare the year or years and instalments to which he wishes the payment to be credited, and the payment shall be credited accordingly.

2. If he does not make any such declaration, the payment may be credited to the account of such year and instalment as the landlord thinks fit.

3. Arrear, current and advance payment should be shown separately under the details of payment thus :-

1307. (arrear).

1308. (current).

1309. (advance).

4. A separate receipt should be given for each separate tenure or holding.

5. A separate receipt must be given for each separate payment.

Form B
Form of Rent of Receipt [See rule 24]
Rent Receipt (Landlord's portion)
Name of the village
Receipt No. Tauzi No. Name of landlord Name of tenant
Paying cash
rent
Paying produce rent
Area of tenancy

Year	Cash rent	Local cess	Quantity of produce	Remarks (Here either mutarfa interest, etc.)
Annual demand				
Arrears of	Rs. a. p.		Rs. a. p.	

Total demand

Details of payment

Amount paid for-Ditto Ditto Year Kist

Total paid

By whom paid..... Signature of landlord.....

Date of payment..... or his agent.....

Note. - 1. When a tenant makes a payment on account of rent, he may declare the year or years and instalments to which he wishes the payment to be credited, and the payment shall be credited accordingly.

2. If he does not make any such declaration, the payment may be credited to the account of such year and instalment as the landlords thinks fit.

3. Arrear, current and advance payments should be shown separately under the details of payment thus:-

1307. (arrear).

1308. (current).

1309. (advance).

4. A separate receipt should be given for each separate tenure or holding.

5. A separate receipt must be given for each separate payment.

Form C-1 Declaration for deposit in Court of rent refused when tendered [See Rule 24]

I[.....] [Insert the name of the agent, if any.] agent of son of of village
thana.....do solemnly declare that I did| personally by my agent
[.....] [Strike out one or other.] on the day of..... tender payment to [.....] [Insert the
name of the agent, if any.] agent of..... at (his mal-cutcherry or) [being the] [Strike out, if
unnecessary.] place where the rent of the lands at
village..... thana held by| mehim| [under] [Strike out one or other.] the said is
usually payable, of the sum of Rupees....., as
and for the whole amount due from me on account of the rent of the said lands from the month of
..... to the month of, both inclusive, I further declare that the said [.....] [Insert the
name of the agent, if any.] agent of..... refused (to receive the said sum so tendered) (to give a
receipt in full forthwith for the same in the prescribed form) [And I] [Strike out one or other.] do
declare that to the best of my belief the sum of
Rupees so tendered, and which I now desire to deposit in Court, is the full amount which|
I owe he owes
[to the said] [Strike out one or other.] on account of the rent of the said lands from the month of
..... to the
month of both inclusive,| I owe he owes| [the said] [Strike out one or other.] no
further sum on account of the rent of the said lands.

Signed..... Dated the..... 19..... Form C-2 Declaration for deposit in Court of rent
refused when remitted [See Rule 24]

I[..... agent of] [Insert the name of the agent, if any.] son of of village
thana.....do solemnly declare that| I he
[did remit] [Strike out one or other.] by money-order the sum of Rupees..... as and for the whole
amount due from me/ him [on account of] [Strike out one or other.] the rent from the month of
..... to the month of, both inclusive, me of the lands held by [in village] [Strike out one or
other.] thana [..... agent of] [Insert the name of the agent, if any.]
..... resident of village thana the landlord of the aforesaid lands, I further
declare that the said [..... agent of] [Insert the name of the agent, if any.] refused
to receive the rent so remitted. And I do declare that to the best of my belief the sum of
Rupees.....

so remitted, and which I now desire to deposit in Court, is the full amount which| I owehe owes| [to the said] [Strike out one or other.]..... on account of the rent of the said lands from the month of to the month of both inclusive, and that| I owehe owes

[the said] [Strike out one or other.] no further sum on account of the rent of the said lands.SignedDated the 19Form C-3Declaration for deposit of rent in Court when previous tender refused or receipt therefore withheld[See Rule 24]

I[..... agent of] [Insert the name of the agent, if any.]..... son of of village thana.....do solemnly declare that| I amhe is

[tenant of the] [Strike out one or other.] lands in village thana the rent of which from month to month

..... of year was| tenderedremitted| [by me to] [Strike out one or other.][..... agent of] [Insert the name of the agent, if any.]the

landlord resident of, village thana, but [was refused] [Strike out one or other.] by him (no receipt, therefore, was granted by him) and I have, therefore, reason to believe that the said [(agent of the)] [Strike out one or other.] landlord will not be willing to receive the rent and to grant a receipt for it in the prescribed form. And I do declare that to the best of my belief the sum of Rupees so| tenderedremitted| [and which I] [Strike out one or other.]now desire to deposit in Court, is the full amount which| I owehe owes

[to the said] [Strike out one or other.] on account of the rent of the said lands from the month of to the month of both inclusive, and that

I owehe owes| [the said] [Strike out one or other.]no further sum on account of the rent of the said lands.

SignedDated the 19From C-4Declaration for deposit of rent in Court when payable to co-sharers jointly[See Rule 24]I [..... agent of] [Insert the name of the agent, if any.] son of, of village thana, do solemnly declare that the rent of the tenancy held by| mehim| [in village] [Strike out one or other.]....., thana is payable

to the co-sharers* jointly, and that| I amhe is| [unable to obtain the joint] [Strike out one or other.] receipt of the said co-sharers for the money, and that no person has been empowered to receive the rent on their behalf. And I do declare that to the best of my belief the sum of Rs. which I now desire to I owe deposit in the Court is the full

amount which| I owehe owes| [to the said] [Strike out one or other.]co-sharers on account of the rent of the said lands from the month of.....to the month of

both inclusive, and that| I owehe owes| [the said] [Strike out one or other.]co-sharers no further sum on he owes account of the rent of the said lands.

* Names of co-sharers and residenceSigned.....Dated the.....19Form C-5Declaration for deposit of rent in Court when doubt exists as to who is entitled to receive it[See Rule 24]I [..... agent of] [Insert the name of the agent, if any.] son of, of village thana do solemnly declare [a bona fide] [Strike out one or other.]

doubt as to who is entitled to receive the rent of the lands held by| mehim

in village.....thana and I do declare that the persons at present claiming the rent are And I do declare that to the best of my belief the sum of Rupees which I now desire to deposit in Court is the full amount due on account of rent of the said lands from the month of to the month of year

both inclusive, and that I owehe owes [no further sum] [Here enter the total of the sums entered in column 10 or 18 (as the case may be) of Schedule and column 19 of Schedule B.]on

account of the rent of the said lands.SignedDated the 19.....Form DDecree in Original suit[See Rule 24]In The Court ofRent Suit No. 19

...PlaintiffversusDefendant.Claim for Rs. aggregate on account of arrear of rent, and in respect of

tenureholdings| held by the defendant(s) inmauza....., pargana thana No.

District.....The suit coming on for final disposal [this day] [Here enter the date of judgement.]before.....in the presence of.....for the plaintiff and of.....for the defendant(s), it is

ordered [that the sum of Rs.] [Here enter the total of the sums entered in column 10 or 18 (as the case may be) of Schedule and column 19 of Schedule B.]as per Schedules A and B detailed

below be paid by the.....to the with future, interest thereon at the rate of...per cent per annum from this date to date of realisation as shown in Schedule B.Given under my hand and the seal of

this [Court this] [Here enter the date on which deacree is pronounced, date of signing it being entered under signature or in any other convenient or conspicuous place.] day of

19Presiding Officer.Notice To Take Back DocumentsThe parties in this case are hereby required to take as soon as this decree shall have become final, the documents filed by them and now in the

custody of the Court. If they fail to take them back, the documents will be destroyed without further notice after the lapse of time prescribed by the Board of Revenue.Presiding Officer.The 19

....

A of Costs Decreed

Name of
defendants,
against
whom or in For plaintiff
whose
favour
decreed

Stamp for plaint	Stamp far power to Pleader, Muktohtear or Agent	Process fee	Pleader Mukhtear's fee on Rs.	Stamp for petitions, etc.	Stamp for exhibits	Subsistence for witnesses	Commissioner's fee	Total	
1	2	3	4	5	6	7	8	9	10
	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.

For Defendants

Stamp for power to pleader, Mukhtear or Agent	Process-fee	Pleader or Mukhtear's fees on Rs.	Stamps for petitions, etc.	Stamps for exhibits	Subsistence for witnesses	Commissioner's fee	Total
11	12	13	14	15	16	17	18
Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.	Rs. a.p.

B of Claim Decead

Serial No. of defendant in the plaint Khewat	Name of defendant Khatian	Number of	Nature of rights of the defendant	
1	2	3	4	5

Claim

On account of year and kists	Cash rent	Cess	Produce rent, if any	Value of produce rent	Interest or damage	Total claim
6	7	8	9	10	11	12
	Rs a. p.	Rs a. p.	Mds. sr. ch.	Rs a. p.	Rs a. p.	Rs a. p.

Decree

On account of years and kists	Cash rent	Cess	Produce rent, if any	Value of produce rent	Interest or damage	Total decree	Rate of future interest	Remarks
13	14	15	16	17	18	19	20	21
Rs. a. p	Rs.a.p.	Rs. a. p	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p		

Appendix C Form 1 Notice under Section 23-A of the Chota Nagpur Tenancy Act, 1908 (Act VI of 1908) [See Rule 1 in Chapter X] To The Deputy Commissioner Of..... Let this notice be served on resident of. as required by sub-section (4) of Section 23-A of the Chota Nagpur Tenancy Act, 1908, A copy for each joint landlord is herewith forwarded. *The registration fee of Rs. money-order fee of Rs. and Rs. for serving the notice have been paid. Challan is appended. * (This sentence will be cut out when there is a single landlord or a common agent.) Registering Officer To

ResidentResidents| of

Take notice that the transfer of| occupancyportion of the occupancy| holding specified below, of which you are alleged to be the landlord has been registered and the registration fee of Rs. is being transmitted to you by postal money order. If you fail to accept payment of the sum, it will be kept in revenue deposit in the Deputy Commissioner's office. It will be paid to you or transferred to your revenue account on application.

Take notice that the transfer of| occupancyportion of the occupancy| holding as specified below, of which you are stated to be a joint landlord, has been registered, and that the registration fee of Rs. will be held in the Deputy Commissioner's office till applied for by you and your co-sharers, or some person authorised on your behalf to receive it. The amount stands to your credit and will be paid to you and your cosharers or transferred to your revenue account on application; or it will be sent by money-order to any person to whom you and your co-sharers may jointly desire it to be sent.

Name of tauzi number of estate.	Name of the landlord with khewat number	Name of village with thana number.	Name of thana	Khatian number	Number of plots transferred	Area of the plots transferred	Annual rent of the occupancy holding.....	Name, father's name and residence of the transferor of theoccupancy holding or portion thereof.	Name, father's name and residence of the transferee of theoccupancy holding or portion thereof.	N
1	2	3	4	5	6	7	8	9	10	11
							Rs.			

Ordered that this notice be served on the named| *landlordslandlord

Deputy Commissioner,Registering Officer.(To be struck out when there is a single landlord.)Reverse of the Form

Serial number of challan	Number of notice	Name of depositor	Name of the person on whom to be served	Details of each receipt with amount
1	2	3	4	5
				Rs. a. p.

Form 1-A[See Rule 1 (ii) in Chapter X][To be used only in case of Government or Wards or Trust or Encumbered Estates]Notice under Section 23-A of the Chota Nagpur Tenancy Act, 1908(Act VI of 1908)To

The Manager| Deputy Commissioner ofWardsTrustEncumbered| Estate

Please take notice that the transfer| Occupancyportion of the occupancy| holding specified

below which is included in the| WardsTrustEncumbered| Estate has been registered and the registration fee of

Rs. has been credited in the| treasury accountspersonal ledger and account of the estate| in the 19

Name of tauzi number of estate.	Name of the village with thana number	Name of thana	Khatian number	Number of plots transferred	Area of the plots transferred	Annual rent of the occupancy holding.....	Name, father's name and residence of the transferor of the holding or portion thereof.	Name, father's name and residence of the transferee of the holding or portion thereof.	Nature of transfer	Date reg of t tran
1	2	3	4	5	6	7	8	9	10	11
						Rs.				

Registering Officer.(Revenue Department Notification No. 1209-R, dated the 26th February, 1941)Form 2Notice under clause (b) of sub-section (1) of Section 24-A of the Chota Nagpur Tenancy Act[See Rule 5 in Chapter X]A.B. resident of.....Take notice that the holding specified below has been subject of partition-(a)by order of the Court of in case (here give the number of the case);(b)by agreement between(here state the names, father's name and addresses of the parties to the partition).Name of village with thana, thana number and district.....Khatian number or Jamabandi number.....Plot numbers.....Total area of the whole holding.....Take notice also that the rent has been distributed as follows, and that all parties to the partition are agreed as to this distribution of rent:-

Name of parties of the partition	Plot numbers falling to the shares of persons named in Column1	Area falling to the shares of persons mentioned in Column 1	Rent payable by persons mentioned in Column 1	Remarks
1	2	3	4	5

Signed C.D.....Resident of.....Form 3Notice under Section 67-a of the Chota Nagpur Tenancy Act, 1908[Act VI of 1908](To be submitted in duplicate)(See Rule 6 in Chapter X)ToThe Deputy Commissioner ofWhereas the land described in the schedule below has been converted into Korkar in accordance with the provisions of Section 64 of the Chota Nagpur Tenancy Act, 1908 (Act VI of 1908), by a raiyat named son of by caste resident of village thana and whereas a period of four years from the end of the agricultural year in which the first crop was harvested has expired, I hereby notify under sub-section (2) of Section 67-A of the said Act that I have assessed rent as detailed in the schedule below to be paid by the aforesaid raiyat in respect of the said land.Signed.....Village.....P.S. Zila

Schedule 14

Name of The village	Plot number to the area	Area of the Korkar	Boundaries rate of rent in the	Prevailing rate of rent in	Whether according to the	Amount of rent assessed	Date from which	Remarks
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The Chota Nagpur Tenancy Act, 1908

with thana and thana number in which theland is situated	which the land appertains	converted into korkar		village for third class riceland	the village for third class rice	custom of the village only one-half of the rate shown in Coloum 6, if payable		the assessed rent is payable	
1	2	3	4	4	5	7	8	9	10