

The Punjab Land Revenue (Special Charges) Rules, 1958

PUNJAB

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Rule

THE-PUNJAB-LAND-REVENUE-SPECIAL-CHARGES-RULES-1958 of 1958

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The Punjab Land Revenue (Special Charges) Rules, 1958Published vice Punjab Government notification No. 4513 (IV)60/2767, dated 18th/25th November, 1960

1. Short title .

- These rules may be called The Punjab Land Revenue (Special Charges) Rules, 1958.

2. Definitions .

- In these rule, unless there is anything repugnant in the subject or context, -(a)'Act' means the Punjab Land Revenue (Special Charges) Act, 1958;(b)' Form' means a form appended to these rules.

3. Information required from landowners .

(1)The information required by section 4 of the Act shall be given by a landowner referred to in that section in Form I.(2)The landowner shall, at the same time, give information on as many additional copies of the Form to the Patwari as there are Patwar circles in which his land is situated and shall also submit a Form giving the information to the Tehsildar having jurisdiction.

4. Manner in which entries in Form I are to be verified .

- On receiving Form I and the requisite number of copies, the Patwari shall retain one copy thereof and immediately forward the remaining copies to his Tahsildar for obtaining verification of the

entries made therein from other Patwaris.

5. Patwari's responsibility to furnish information regarding amount of land revenue and surcharge payable by a landowner in his circle .

(1) If a landowner holds land in more than one estate, the Patwaris of the estates, other than that where the landowner ordinarily resides or if he resides outside the State of Punjab, the Patwaris of the estates other than that where he holds largest amount of land, shall verify from their record the information given by such landowner in Form I Immediately on the receipt of Form I by them, other Patwaris shall verify the entries made therein from their record and furnish verified Forms I through their respective Tahsildars to the Patwari of the estate, where the landowner ordinarily resides and if he resides outside the State, to the Patwari of the estate where he holds largest amount of land showing the amount of fixed and fluctuating land revenue, surcharge, if any, [...] [Omitted by Punjab Government Notification N. 2029 Spl (II) 63/1404, dated the 12th June, 1963.] payable by the landowner in their jurisdiction during Rabi harvest of the agricultural year 1957-58. (2) Where any landowner liable to assessment of special charge does not furnish information in Form I, the Patwaris of the estates other than that where the landowner ordinarily resides shall furnish, through their Tahsildars, verified information as in subrule (1) in respect of the landowner in Form I to the Patwari of the estate where the landowner ordinarily resides. In case the landowner does not ordinarily reside in the State of Punjab, the verified information shall be furnished by all other Patwaris to the Patwari of the estate where he holds the largest amount of land.

6. Information for assessment of special charge to be supplied by the Patwari and Tahsildar to the Collector .

(1) On the basis of verified Form I received from all other Patwaris concerned, which will be enclosed in original with the consolidated list and on the basis of his own record in the case of these landowners, who do not own land elsewhere, the Patwari of the estate where the land-owner ordinarily resides and in case the landowner reside outside the State of Punjab the Patwari of the estate, where he holds the largest amount of land, as the case may be shall, prepare and submit to his Tahsildar a consolidated list in triplicate in Form II of all land-owners liable to payment of special charge in his circle. The amount of special charge payable by each landowner shall be carefully calculated according to the Schedule and entered in Form II by the Patwari. The Tahsildar of each tahsil shall submit to the assessing authority the consolidated lists in Form II along with the enclosures received from the Patwaris of his Tahsil. (2) The Assessing Authority of the district shall make assessment of the special charge and communicate his orders in that behalf to the Tahsildar concerned and the Tahsildar in turn shall communicate those orders to each Patwari.

7. In case of subsequent change in amount of land revenue, etc. information to be similarly supplied to the Assessing Authority .

(1) In case any landowner, on whom no special charge has been originally assessed in Rabi harvest of the agricultural year 1957-58, subsequently becomes liable to the payment of special charge or in

case any change occurs in the amount of land revenue including surcharge .[-] [Omitted by Punjab Government Notification No. 2029 Spl(II) 63/1404 dated 12.6.1963.] payable by a landowner already liable to the payment of special charge subsequent to the submission of Forms I and II as laid down in rules 5 and 6 in the first instance, the landowner shall furnish the information or the revised information, as the case may be, in Form I to the Patwari and Tahsildar having jurisdiction in the manner laid down in the preceding rules within the period specified in section 4 of the Act or within thirty days of the date on which he become liable to pay the revised special charge, as the case may be. The information shall pertain to Kharif and Rabi harvests of the agricultural year during which the change has become effective. The Patwari shall immediately on receipt of revised Forms I forward these Forms through his Tahsildar to the other Patwaris for verification. The other Patwaris shall verify the entries made therein from their record and forward the verified Forms I through their Tahsildars to the Patwari from whom these were received for verification.(2)Where any landowner does not furnish the required information in Form I under sub-rule (1), the Patwaris of the estates other than that where the landowner ordinarily resides, and in case he resides outside the State of Punjab, the Patwaris of the estates other than that where he holds largest amount of land, shall furnish through their Tahsildars sufficiently before the date fixed for the recovery of the land revenue demand for Rabi every year verified information in respect of him in Form I to the Patwari of the estate where the landowner ordinarily resides. In case the landowner does not ordinarily reside in the State the verified information shall be furnished to the Patwari of the estate where he holds the largest amount of land.(3)The Patwari, Kanungo and the Tahsil Revenue Officer of each circle shall be personally responsible for ensuring that the verified information in Form I in respect of landowner, who does not ordinarily reside in the estate or estates in their circles and who holds the largest amount of land in an estate outside their circles, is furnished in proper time through their Tahsildars to the Patwari of the estate where he holds the largest amount of land.(4)After the first assessment of special charge, the Patwari of the estate, where the landowner ordinarily resides, or in case of a non-resident landowner of the State of Punjab, where he holds the largest amount of land, as the case may be, shall forward Form II to his Tahsildar sufficiently before the date fixed for the recovery of land revenue demand for Rabi every year and the Tahsildar shall also submit consolidated Form II for the whole of the Tahsil to the Collector before the date fixed for the recovery of the land revenue demand for Rabi every year. The assessing authority of the district shall make assessment of the special charge and communicate his orders in that behalf to the Tahsildar concerned and the Tahsildar in turn shall communicate these orders to each Patwari sufficiently in advance of the date fixed for the recovery of the land revenue demand for Rabi every year so as to include the amount of special charge in the fard bachh for that harvest to be handed over to the lambardar.

8. Amount of Special charge once assessed to continue till revised assessment is made.

(1)The amount of special charge payable by a landowner shall be assessed by the assessing authority according to the scales given in the Schedule on the basis of the information received under rules 3, 4, 5, 6 and 7, in the first instance on the total amount of land revenue both fixed and fluctuating including surcharge as[-] [Omitted by Punjab Government Notification No. 2029-spl (II)-63/1404, dated the 12th June, 1963] payable by him in the Rabi harvest of the agricultural year

1957-58.(2)The full amount of annual special charge once assessed shall continue to be recovered till the previous assessment is revised or fresh assessment is made on the basis of the information received under rule 7.

9. Amount of special charge to be included in Government demand of land revenue with effect from the harvest from which it has been levied.

- The original Form II on which the assessing authority has passed orders with regard to assessment of special charge in the estate with the land revenue of which it will be recoverable, shall be retained in his office for record. Copy of this order shall be endorsed on relevant Form II which will be returned to the Tahsildars concerned. The Tahsildars in turn shall retain one copy of Form II along with its enclosures in their office for record and return the duplicate copy of Form II to the Patwaris concerned for further necessary action and record. The Patwari of the estate where the special charge is made recoverable by the assessing authority, shall include the amount thereof in Government demand of the estate with effect from the harvest from which the special charge has been levied. Immediately on receipt of the orders of the assessing authority, the Patwari shall publish the same by handing over a copy of the consolidated Form II to the Lambardar concerned. Where there is no Lambardar, publicity of the assessing authority's order will be made by hanging a copy outside of the office of the Patwari.

10. Payment to be made in annual or half-yearly instalments.

- Payment of the demand of special charge assessed under rules 6 to 8 shall be made in a single annual or two half yearly instalments, as may have already been fixed for payment of land revenue in the estate, where the special charge has been made payable.

11. Collection fee.

- For collecting charges relating to the special charge, in the shape of pachotra, the rules and measures under the Land Revenue Act, 1887, shall apply mutatis mutandis.

12. Revision.

(1)The Commissioner of the Division, in whose jurisdiction the landowner has been made liable to pay the special charge, shall be the prescribed authority for purposes of section 7 of the Act. Reasons on account of which the assessed amount of special charge requires revision shall be clearly stated in the application, which shall be accompanied by as many Forms I as there are Patwar circles in which the applicant's land is situated.(2)An application for revision shall be made within thirty days from the date on which a copy of the assessing authority's order is published under rule 9. Form I[See rule 3 of the Punjab Land Revenue (Special Charges) Rules, 1958, and section 4 of the Punjab Land Revenue (Special Charges) Act, 1958]Statement showing details of the total amount of land revenue and surcharge payable by a landowner in the Punjab for Kharif 19____ and Rabi 19____

Serial No.	Particulars of land owned/acquired	District	Tahsil	Estate with hadbast No.	Area held in the estate
1	2	3	4	5	
	Amount of Land revenue both fixed and fluctuating including surcharge if any [*] in each estate during Kharif and Rabi Harvests of the year in which this form is submitted	Grand total of land revenue both fixed and fluctuating including surcharge [*] payable by the land-owner annually in the whole of the State			Remarks
	Ordinary land revenue	Surcharge	[*]		Total
6		7	8	9	10 11

[*] Omitted by Punjab Government Notification No. 2029 Spl. (II) 63/1404, dated the 12th June, 1963. Place and date _____ Signature/Thumb-impression of the landowner Option of the landowner for paying the special charge. I want to pay the special charge with the land revenue of estate, _____ tehsil, _____ district, Signature/Thumb-impression of the landowner. Order :- Rs. _____ assessed as special charges to be paid with the land revenue of _____ Estate, _____ Tehsil, _____ District, with effect from Rabi 19____. Signature of Assessing Authority with seal of the Court, district. FORM II [See rule 6 of the Punjab Land Revenue (Special Charges) Rules, 1958] Consolidated list of landowners liable to payment of Special Charges in the Patwar's Circle _____ Tehsil _____ District _____, for Khariif and Rabi, 19____ (to be paid in the financial year 19____)