

Rules Framed under the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950

MAHARASHTRA

India

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Rule

RULES-FRAMED-UNDER-THE-MADHYA-PRADESH-ABOLITION-OF-PR of 1950

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Rules Framed under the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 These rules have been framed in exercise of the powers conferred by Section 91 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951), and all other powers enabling in that behalf, [Rules framed under section 3(2) regarding clearance of forest land] [Published vide Notification No. 743-XII, dated 1st February, 1951.]

1.

An application by a proprietor for clearing land classed as forest land, waste land or scrub jungle in the records of rights of an estate, mahal, alienated village or alienated land shall be made to the Additional Deputy Commissioner of the area. The application shall clearly state the purpose for which the land is required.

2.

If, on receipt of the application, the Additional Deputy Commissioner considers that it is desirable in the public interest or in the interest of persons who, by custom or by virtue of any entry in the village administration paper, enjoy any right of user over such land to refuse permission, he may, for reasons to be recorded in writing, refuse such permission.

3.

Permission for clearing land for cultivation shall be granted if the following conditions are fulfilled - (i) the land is not within the radius of 15 miles from the limits of the municipal committee or notified area committee; (ii) the existing area under cultivation with the proprietor is insufficient for the needs of the proprietor; (iii) the land proposed to be brought under cultivation has a soil suitable for being cultivated and the circumstances of the proprietor are such that he would be able to cultivate the additional land.

4.

If the Additional Deputy Commissioner permits the clearing of land for cultivation, he shall specify in the permission the period within which the land after its clearance shall be brought under cultivation. [Rules regarding Assessment of Compensation (Chapter III of the Act)] [Published vide Notification No. 47-XXVIII, dated the 29th February, 1951.]

1. The statement of claim under sub-section (1) of section 12 of the Act, shall be filed in Form I of the Appendices to these rules within fifteen days from the date of vesting specified under section 3 of the Act.

2. The proprietor who derives income from big forests or village forest and who is assessed to income tax shall in support of his claim file along with the statement of claim, copies of the returns filed before the income tax authorities and the copies of the relevant orders of assessment on siwai income for the period for which he has been paying income tax.

3.

(1) The statement of claim shall be presented to the Compensation Officer of the area or to such other officer, if any, authorised in this behalf in writing by the Compensation Officer; (2) The statement may be presented in person or by an agent or by a legal practitioner duly authorised in writing in this behalf or sent by registered post.

4. The Compensation Officer shall fix a date of hearing and inform the applicant thereof. On the date of hearing or the date to which the hearing may be adjourned, the Compensation Officer shall proceed to determine the amount of compensation.

5. The Compensation Officer shall record a statement of compensation due to each proprietor in Form II and the details in Form III in respect of each village separately of property [vesting] [Substituted for the words 'which shall vest' vide correction slip No. 2 dated 3rd October, 1951.] in the State Government after acquising in lieu of the payment of compensation and shall supply a copy of the statement to the outgoing proprietor. The copy may be supplied either by tendering or delivering a copy thereof or sending such copy by post in a cover registered under the Indian Post Office Act, 1898, to a person to whom it is to be supplied or his authorised agent or, if the supply in the manner aforesaid cannot be made, by affixing a copy thereof at his last known place of residence or some place of public resort in the village in which the property is situated.

6. The application for review under section 15(3) of the Act shall be filed within 30 days of the date of which the statement of compensation is supplied to the proprietor affected by the acquisition.

Form I Statement of Claim [Rule 1 under section 12(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).] In the Court of the Compensation Officer at..... I..... s/o resident of..... Patwari Circle No..... Tahsil/Taluq..... District..... beg to submit a statement of claim for the assessment of compensation.

2. The following is a full statement of my properly of which I have been divested and which now vests in the State. The name of the lambardar/sadar lambardar of the village or a share in which is held by me is...

[Part I - Proprietary Rights] [Part I (B), (C), (D), (E), (F) and (G) need not be filled by co-sharers, if they are unable to file any account.] For use in Central Provinces (All villages held in Madhya Pradesh should be detailed.) Name of village Patti No..... Mahal No Settlement No..... Patwari Circle No..... Tahsil..... District..... (A) Names of proprietors and the extent of the share of each proprietor

Names of proprietors	Extent of share of each proprietor	Whether held jointly as an unpartitioned village or share
(1)	(2)	(3)

(B) The amount of gross income.

Aggregate of rents receivable from	Siwai income, i.e. income from various sources such as	Consent money on transfer of tenancy land-average annual income calculated at	Total
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tenants as recorded in the Jamabandi for the previous year	jalkar, banker, phalkar, hats, bazars, melas, grazing and village forest, calculated at two times the siwai income recorded in the current settlement	the rate permissible under section 6-A or section 12-A, as the case may be, of C.P. Tenancy Act, 1920, as recorded in the village papers for ten years preceding the agricultural year in which the date of vesting falls	
(1)	(2)	(3)	(4)
Rs.	Rs.	Rs.	Rs.

(C) The amount of expenditure

Sum assessed as land revenue on an estate or mahal in the previous agricultural year less that part of the rental value of home-farm land which bears the same proportion to the rental value as the amount of the land revenue assessed on the estate or mahal bears to the malguzari assets	Sums found payable during the previous agricultural year by a proprietor on account of cesses and focal rates on all lands in the estate or mahal other than lands comprised in his home-farm	Details of income tax paid in respect of the income received from big forest during the period of thirty agricultural years preceding the agricultural year in which the relevant date falls (a)	*Cost of management
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*Cost of management should be worked out at the rate of - (i) eight per cent, in the case of gross annual income not exceeding rupees two thousand in respect of mahals; (ii) ten per cent, in the case of gross annual income exceeding rupees two thousand in respect of mahals; (iii) ten per cent, in the case of gross annual income exceeding rupees two thousand but not exceeding rupees fifteen thousand in respect of estates; and (iv) fifteen per cent, in case of gross annual income exceeding rupees fifteen thousand in respect of estates.

Sum assessed as land revenue on estate or mahal	Land revenue on home-farm land	Net sum taken into account	Rate					Amount	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

(a) The details of the income tax paid during the 30 years are as follows :-

Year	Total income on which assessment made	Amount of income tax paid and rates	Income from the big forest included in column (2)	Remarks
(1)	(2)	(3)	(4)	(5)
Rs.	Rs.	Rs.	Rs.	

(D) The net annual income for ordinary proprietary rights

Net income on the basis of gross income minus expenditure [(B)-(C)]	Net income on the basis of 5 per cent, of the annual gross income if the net income in column (1) comes to less than 5 per cent, of the gross income
(1)	(2)
Rs.	Rs.

(E) In the case of a village where mineral rights vested previously in the proprietor under the Waste Lands Sales Rules, 1864.

Where a mine
has been
worked during
the 10 preceding
agricultural
years

Area of the village in acres	Gross income	Expenditure				
	Average income on account of royalties calculated on the basis of annual returns filed for assessment or cess income tax during the ten preceding agricultural years or any shorter period for which such returns have been filed	In case of mine worked by the proprietor directly, average annual gross income calculated as in column (2)	Total	Average income tax paid in respect of income in column (2)	95 per cent. of gross income determined as in column (3)	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

(F) Net income for mineral rights.

In villages in which mines have been worked	In villages in which mines have not been worked
Net income on the basis of gross income minus expenditure	Net income on the basis of 4 annas per acre of the entire area of the village if the amount in column (1) comes to less than the amount at 4 annas per acre
(1)	(2)
Rs.	Rs.
	(3)
	Rs.

(G) Net annual income and the amount of compensation payable by the State Government for
proprietary rights.

Net income for ordinary proprietary rights [Amount shown in column (1) or (2) of (D), whichever is greater]	Net income for mineral rights [Amount shown (a) in column (1) or (2), whichever is greater and (b) column (3) of (F)]	Total net income [columns (1) + (2)]	Amount of compensation [(3) + (10)]
(1)	(2)	(3)	(4)
Rs.	Rs.	Rs.	Rs.

For use in Berar Name of village..... Settlement

No. Taluqa..... District (A) Name of proprietors and the extent of the share of
each proprietor.

Name of proprietors Extent of the share of each proprietor

(1)

(2)

(B) The amount of gross annual income.

Aggregate of rents payable by tenants for lands other than home-farm land for agricultural year preceding the one in which the date of vesting falls	Average of income derived from village sites, grazing land and village forest during the ten agricultural years immediately preceding the agricultural year in which the date of vesting falls	Average of income from any other sources from which the superior holder legally derived income in exercise of his right as such during the ten agricultural years immediately preceding the agricultural year in which the date of vesting falls	Total [cols. (1) + (2) + (4)]	Source	Amount
(1)	(2)	(3)	(4)	(5)	(6)
					Rs.

(C) The amount of expenditure.

Sum assessed during the agricultural year in which the date of vesting falls on account of the land revenue in respect of lands other than home-farm land	Cesses or local rates and jagalia or mahar cess payable by the superior holder in respect of all lands other than home-farm land	Annual emoluments payable to patels and patwaris	One-tenth of amount paid as income tax on account of income from village forest during the ten immediately preceding agricultural year	*Cost of management	Total [cols. (1) + (2) + (3) + (4) + (6)]
(1)	(2)	(3)	(4)	(5)	(6)
Rate	Amount				
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

*Cost of management should be worked out at the rate -(i) 8 per cent, in the case of gross annual income not exceeding Rs. 2,000/-; (ii) 10 per cent, in the case of gross annual income exceeding Rs. 2,000/-; and (iii) 15 per cent, in case of gross annual income exceeding Rs. 15,000/-. (a) The details of the income tax paid during the ten years are as follows

Year	Total income on which assessment made	Amount of income tax paid and rates	Income from village forest included in column (2)	Remarks
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	

(D) Net amount income and the amount of compensation payable by Government

Net income on the basis of gross income minus expenditure	Net income on the basis of 5 per cent, of the annual gross income if	Amount of compensation amount in column (1)
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[(B)-(C)] the net income in column (1) comes or (2), whichever is greater to less than 5 per cent, of the gross income x 10

(1)	(2)	(3)
Rs.	Rs.	Rs.

For use in the Merged Territories Name of village Settlement No Tahsil District.....

Name of proprietors	Extent of the share of each proprietor
(1)	(2)

(B) The amount of gross income.

Aggregate of the assessment on all lands in the estate or mahal other than home-farm lands.	Siwai income, i.e. income from various sources such as jalkar, bankar, phalkar, hats, bazars, grazing income from village forests, etc. calculated at two times the siwai income recorded in the current settlement and if there was no settlement in any area, then the average annual income based on the average income from all sources from which such income could be legally derived for three years immediately preceding the agricultural year in which the date of vesting falls	Consent money on the transfer of tenancy and raiyati lands, the average annual income calculated at the rate permissible under clause 5 of the Central Provinces States Land Tenure Order, 1948, or the Makrai State Land Tenure Order, 1949, on transaction recorded in the village papers for three years or if no such village papers are maintained in any area, on transactions taking place during the three years immediately preceding the agricultural year in which the date of vesting falls	Total [cols. (1) + (2) + (3)]
	(1)	(2)	(3)
Rs.	Rs.	Rs.	Rs.

(C) The amount of expenditure.

Sum assessed as land revenue on the estate or mahal in the previous agricultural year less the assessments on the home-farm lands or where only a fraction of the sum assessed as land revenue on the estate or mahal is payable, such fraction of the sum assessed as land revenue on the estate or mahal in the previous agricultural year less proportionate fraction of	Sums found payable during the previous agricultural year by the proprietor on account of cesses and local rates on all lands in the estate or mahal other than lands comprised in the home-farm	Any expenditure which the proprietor is liable to incur on any duties imposed upon him as a proprietor under any instrument having the force of law in the local area	*Cost of management	Total [columns (1) + (2) + (3) + (4)]
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the assessment on the
home-farm land

Rate	Amount				
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

*Cost of management shall be worked out at the rate of-(i)8 per cent, in the case of gross annual income not exceeding Rs. 2.000/- in respect of mahals;(ii)10 per cent, in the case of gross annual income exceeding Rs. 2.000/- in respect of mahals;(iii)10 per cent, in the case of gross annual income exceeding Rs. 2,000/- but not exceeding Rs. 15,000/- in respect of estates; and(iv)15 per cent, in the case of gross annual income exceeding Rs. 15.000/- in respect of estates.(D)Net annual income and the amount of compensation payable by Government

Net annual income	Amount of compensation			
Net income on the basis of gross income minusexpenditure [(B)-(C)]	Net income on the basis of 5 per cent. of the annual gross income if the net income in column (1) comes to less than 5 per cent, of the gross income	Determined in accordance with rule 8 (2) of the rules in Schedule I of the Act	Determined in accordance with rule 9 of the rules in Schedule I of the Act.	
(1)	(2)	(3)	(4)	
Rs.	Rs.	Rs.	Rs.	

Part II – Additional Compensation Payable in Respect of Lands Lying in Municipal or Cantonment Area and Vesting in the State Under the Act

Details of land	Amount of compensation		
Khasra/Survey No.	Area	Assessment	Amount
(1)	(2)	(3)	(4)
	Acres	Rs.	Rs.

Part III – Amount Payable for Expenditure Incurred after the 11th March, 1949 on any Tank, Well or other Work Used for Irrigating Agricultural Land where Such Tank, Well or Work Vests in the State under

the Act

*Details of the work	Amount spent after 11th March, 1949		
(1)	(2)		
	Purpose on which the amount spent	Date	Amount
			Rs.

*(i) In case of a well, khasra/survey No. in which the well is situated should be mentioned in column (1). (ii) In case of a tank, khasra/survey No. in which the tank is situated and the area of the tank should be mentioned in column (1).

Part IV – Total Amount Of Compensation Payable By Government

Compensation for proprietary rights (vide Part I)	Additional compensation payable for lands lying in municipal or cantonment area (vide Part II)	Amount payable for works (vide Part III)	Total [columns (1) + (2) + (3)]
(1)	(2)	(3)	(4)
Rs.	Rs.	Rs.	Rs.

Part V – The Following is a Full Statement of Land Revenue, Cesses, Taccavi and other Government Dues Outstanding against me Severally or Jointly with others

Dues for the year Amount Rs.

1. Land revenue-Suspended arrears Unsuspended arrears
2. Cesses-Suspended arrears Unsuspended arrears
3. Taccavi-Not due Due-Suspended Unsuspended
4. Other Government dues, if any

Note. - I enclose the following documents : (i) Extract from the mutation register showing the proprietary rights held by me. (ii) Copies of returns filed with the Income tax Authorities and the copies of the orders of the income tax assessments. Dated..... Signature of the applicant Verified that the contents of parts of the application are true upon the personal knowledge and of those in parts..... upon information received and believed to be true by the undersigned. Declared at..... on..... Signature of applicant Address..... Form II Statement of Compensation Due [Rule 5 under section 13 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).] In the Court of the Revenue Officer at..... Revenue Case No. Major Head/Minor Head /Class

1. I determine that the compensation payable for the property acquired in the whole of the estate/mahal/alienated village shown in column (1) of Schedule I shall be as shown in column (5) of the said Schedule.

2. I further determine that the amount due to each claimant having interest in the estate/mahal/alienated village shall be as shown in Schedule II.

I

Amount of
compensation due

Name of estate/ mahal, with S. No. alienated village/ tahsil / taluqa and district	For proprietary rights under section 8(1) of the Act	Additional compensation payable for lands lying within the area of municipality or cantonment under section 8(3) of the Act.	Compensation payable in respect of any tank, well or other work under section 8(2) of the Act.	Total
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	Rs.

II

S. No.	Name of claimant and the extent of the share held by him	Amount
(1)	(2)	(3)
		Rs.

Dated.....(Seal of Court).....Compensation Officer Copy forwarded

to.....Dated.....Compensation Officer Note. -
Where superior and inferior proprietary rights exist, the proportion in which the proprietary profits are distributed should be entered in column (2) against the claimant. Form III [Statement showing details of land vesting in the State Government under Section 3(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1957 (I of 1950)] [Substituted vide Notification No. 431 -XXVHI, dated the 22nd June, 1951.] [Rule 5 under section 13(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands Act, 1950 (I of 1951).] In the Court of the Compensation Officer at..... Revenue Case No.....Major Head/Minor Head/Class.....I declare that in village Mahal No. ... Settlement No.....Patwari Circle No..... Tahsil/TaluqaDistrict.....The interest of the proprietor or any person having interest in such proprietary right through the proprietor in the property shown in the following Schedule shall vest in the State Government:

Schedule 3

Part I – A Details of Land (for use in Central Provinces)

Area held by absolute occupancy tenants	Area held by occupancy tenants	Area held by proprietor not included in home-farm	Area of village service holdings
(1)	(2)	(3)	(4)

Area of land other than sir held by any person from the proprietor on favourable terms for service rendered by him.	Area under grass, scrub, jungle and forest	Area under village sites, hats, bazars, melas, wells, tanks, ponds, water channels, rivers, nalas, pathways and other communal land	Other unoccupied land
(5)	(6)	(7)	(8)

Part I – B Details of Land (For use in Berar)

Area held by ante alienation tenants	Area held by permanent tenants	Area held by tenants of antiquity	Area under grazing and forest	Area under village sites, hats, bazars, melas, wells, tanks, ponds, water channels, nalas, rivers, pathways, and land assigned for village purposes	Other unoccupied land
(1)	(2)	(3)	(4)	(5)	(6)

Part I – C Details of Land (For use in Merged Territories)

Area held by tenants and raiyats	Area held by proprietor not included in home farm	Area of village service holdings	Area held by any person from the proprietor on favourable terms for service rendered	Area under grass, scrub, jungle, forest	Area under village sites, hats, bazars, melas, wells, tanks, ponds, water channels, nalas, rivers, pathways and other communal land	Other unoccupied land
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Part II – Details of Tank, well or any other work used for Irrigation Purposes and vesting in the State Government

Serial No.	Name of work	Details of area covered by the work	Khasra/Survey No.	Area	Remarks
(1)	(2)	(3)		(4)	(5)

(Seal of Court) Date..... Compensation Officer Copy forwarded to..... Compensation Officer [Rules regarding Determination of Debts (Chapter IV of the Act)] [Published vide Notification No. 48-XXVIII, dated 27th February, 1951.] [1. An application under sub-section (1) of sub-section (2) of section 19 shall be filed on or before the 15th August, 1951.] [Substituted vide Notification No. 550-XXVIII, dated the 20th July,

1951.]

2.

(1)An application under sub-section (1) of section 19 of the Act, by a proprietor, who is divested of proprietary rights under section 3, shall be made in Form I appended to these rules.(2)It shall be accompanied by as many true copies of the application on plain paper as there are creditors and one extra copy for the use of the Claims Officer.

3. The application may be presented in person or by an agent duly authorised in writing or by a legal practitioner duly authorised in this behalf.

4. On the receipt of an application under section 19 (1) of the Act, if the Claims Officer finds that any proceedings are pending in a Civil Court against the proprietor for the recovery of any amount in respect of a secured debt or claim shown in the application, he shall issue a notice in Form II appended to these rules to the Civil Court concerned.

5. The notice under sub-section (1) of section 21 of the Act shall be in Form III appended to these rules and shall be accompanied by a copy of the application made under section 19 of the Act.

Form IApplication[Rule 2 under section 19 of the Madhya Pradesh Abolition of the Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]In the Court of Claims Officer at.....Under sub-section (1) of section 19 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Alienated Lands) Act, 1950 (I of 1951), I.....son of resident of..... tahsil/taluqa district.....beg to apply for the determination of my debts between my creditors and myself.

2. I hereby declare that I earn my livelihood wholly or mainly from agriculture or from rents or lease money received from agricultural land.

3. The following is a full statement of all secured debts and claims against my property of which I have been divested and which has vested in the State :-

Serial No.	Name, residence and full address ofdebtor/debtors with names of sureties	Amount outstanding	Description of the secured debt with details ofthe case and Court where the civil suit, if any, is pending	Names and addresses of creditors
(1)	(2)	(3)	(4)	(5)

Note. - The applicant should give full particulars in column (2) whether (a) he alone is liable for debts the determination of which is sought, or (b) whether he with others owes the debts as co-executant of the bond as survey, and (c) in the case of decretal debts, the names of other debtors.

4. The following is a full statement of excluded debt outstanding against me severally or jointly with others

(i) Any liability in respect of any sum due to any society registered under the Co-operative Societies Act, 1912. (ii) Any liability in respect of maintenance whether under decree of Court or otherwise. (iii) Any liability due to a bank or a company. (iv) Any debt in respect of which an agreement has been registered under section 12 of the Central Provinces Debt Conciliation Act, 1933, or in respect of which a scheme for repayment has been framed under section 11 of the Central Provinces and Berar Relief of Indebtedness Act, 1939. (v) Any liability in respect of village profits or of land revenue arising between co-sharers and the lambardar or between lambardar and sadar lambardar or between superior and inferior proprietors or between proprietor and a thekedar or a farmer of proprietary rights or between the proprietor and a malik-makbuza or between co-sharers in izara and jagir villages. (vi) A mortgage claim against property in the hands of a subsequent transferee who has taken the transfer in order to satisfy the mortgage. (vii) Any liability arising between mortgagor and mortgagee in respect of land revenue of the mortgaged property which has been paid by the mortgagee on behalf of the mortgagor.

5. The statement of all my property of which I have been divested and which have vested in the State is as follows :-

Serial No.	Description of property	Name of village, tahsil / taluqa, and district	Total area or extent of share	Revenue payable	Remarks
1	2	3	4	5	6

6. I give below the details of my income during the two years immediately preceding the year in which the date of vesting falls :-

Year	Income from agricultural sources with particulars of lands from which derived	Income from other sources with particulars	Total income
1	2	3	4

Date..... 19..... Signature of the applicant Until intimated in writing otherwise, my address for purposes of notices of proceedings, etc., will be as follows

:-..... Verified that the contents of paragraphs of the application are true upon the personal knowledge of, and those in paragraphs upon information received and believed to be true by the undersigned. Declared at..... on..... Signature of the applicant Form II Notice to Civil Court [Rule 4 under section

20 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]To.....Notice is hereby given that an application has been made for the determination of the secured debts of , son of.. of village..... tahsil/taluqa district.. (Debtor), among which is a debt of Rs.....which the aforesaid debtor is said to be owing to(Creditor) for the recovery of which proceedings are pending before you, in Case No..... dated the..... day of19.....(Seal of Court).Signature of the Claims Officer.

Form IIINotice[Rule 5 under sections 20 and 21 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]To..... son of professionresidence.....tahsil/taluqa..... district.....Whereas son of....., of.....tahsil/taluqa.....,district.....debtor, has submitted an application under sub-section (1) of section 19 of the said Act for the determination of his secured debts and claims and whereas this Court has admitted the application, you, as one of the creditors to whom the said debtor is indebted, are hereby required to submit to this Court on or beforea statement in writing of all claims due to you from the aforesaid debtor.This statement shall be signed and verified in the manner prescribed by Order VI, rule 15 of the Code of Civil Procedure (V of 1908).

1. It shall be presented in person, by an agent, by a pleader or sent by registered post and every claim not so submitted shall, under sub-section (1) of section 22 of the Act, be deemed for all purposes and all occasions to have been discharged against such debtor.

2. You are also required on the date fixed for hearing of this case as noted below to produce the documents in your possession or control on which you base your claim and to furnish a full and true statement of accounts of all previous transactions between yourself and debtor leading to the claim and your accounts books and copies thereof, in any, in your possession or control. If such documents and statement are not produced at the said hearing, the Court may under sub-section (2) of section 22 of the Act, declare your claim to be discharged for all purposes and all occasions against the aforesaid debtor.

3. The hearing of the case is fixed for.....at 11 a. m. at when you should appear before the Court which shall require proof of the validity and subsisting character of the debt.

Dated.....the.....day of.....19.....(Seal of Court)Signature of the Claims Officer[Rules regarding payment of compensation (Chapter V of the Act)] [Published vide Notification No. 322-XXVIII, dated 30th April, 1952.]

1. The total amount of arrears of revenue, cesses and other Government dues recoverable under section 4(1)(d) shall, if any, be first deducted from the amount of compensation payable to a proprietor. The balance after such deduction shall be the net amount of compensation (hereinafter referred to as "the net amount") payable to the proprietor.

2. The net amount shall be paid in instalments not exceeding eight determined as follows :-

(1)if the net amount is less than hundred rupees, the whole of it shall be paid in one instalment;(2)if the net amount is more than hundred rupees, the first instalment shall be calculated by adding the following sums :(i)one hundred rupees;(ii)one-third of the amount arrived at after deducting one hundred rupees from the net amount; and(iii)the remainder arrived at by deducting from the net amount the total of the sums mentioned in sub-clauses (i) and (ii) and by dividing the balance by fifty;(3)the balance remaining over after deducting the amount of first, instalment determined under rule (2) from the net amount shall be paid as follows(i)if the balance is less than three hundred and fifty rupees, the amount shall be paid in equal instalments of rupees fifty until satisfied;(ii)if the balance is more than three hundred and fifty rupees, then it shall first be divided into seven instalments each being equal to fifty times the integral quotient obtained by dividing such balance by three hundred and fifty. The amount remaining, if any, shall be paid by adding rupees fifty to the amount of each instalment so determined commencing from the eighth instalment as far backwards as necessary.

3. The amount payable to Government shall be adjusted by book transfer by credit to the appropriate head of account and by debit to the dead "65. - Payment of Compensation to Landholders on the Abolition of Malguzari System". One copy of the chalan shall be filed with the compensation case, and another copy shall be forwarded to the Departmental Officer to whom credit has been given.

4. The amount of compensation remaining after adjustment of land revenue, cesses and other Government dues, shall be payable firstly to the creditors, if any, of the proprietor in accordance with the orders of the Claims Officer and then to the proprietor.

5. The date on which the compensation in whole or the first instalment thereof will be payable shall be the 1st May, 1952, and subsequent instalments shall be payable on the 1st May of succeeding years. In cases where the amount of compensation is not determined before the 1st May, 1952, the first payment of compensation shall be on the 1st of the month

following the date on which the amount of compensation is determined, and subsequent instalments shall be payable on the 1st May each year.

6. Interest at two and a half per centum per annum shall be paid on the total amount payable for the period from the date of vesting of the proprietary rights to the date of the first payment of compensation and thereafter on the balance of compensation each year. In calculating interest -

(i) any amount of compensation less than eight annas shall be disregarded, and eight annas or more shall be taken as a rupee; (ii) any amount of interest being less than six pies shall be ignored, and six pies or more shall be taken as one anna.

7. The amount of compensation shall be debited to the head "65.- Payment of Compensation to Landholders on the Abolition of Malguzari System" and interest to the head "22. - Interest on Debt and Other Obligations - Interest on Compensation to Malguzars".

8. If, in consequence of any proceedings under section 15(2) and (3) of Act, the quantum of compensation payable is revised, the instalments shall be refixed and payment made accordingly, any difference being paid through a supplementary voucher in Form A in accordance with the procedure prescribed in rule 9 of these rules. Where an excess payment has been made, the excess amount of compensation and interest paid shall be recovered out of any subsequent instalment by short drawal. Where, however, the excess amount has been paid in one instalment or where it cannot be recovered out of the subsequent instalments, it shall be recoverable as an arrear of land revenue if within one month from the date of the communication of the order in such proceedings the payee fails to refund the excess amount. The excess amount so recovered should be credited into the treasury under the following heads

(a) Amount recovered on account of excess compensation paid - "65. - Payment of Compensation to Landholders on the Abolition of Malguzari System - Deduct ? Receipt and Recoveries on Capital Account." (b) Amount recovered on account of excess interest paid - (i) If recovered during the same financial year - "22. - Interest on Debt and Other Obligations - 8. - Deduct - Excess Interest paid on Compensation to Malguzars". (ii) If recovered during other financial years - "XX. - Interest - Miscellaneous."

9. On receipt of the case under section 35 (1) and after ascertaining the amounts payable to the creditors under section 35(2) of the Act, the Deputy Commissioner shall follow the following procedure in paying the amount to a creditor of the proprietor or to a proprietor

(i) Where the amount is payable in instalment, a payment order shall be prepared in Form A and delivered to the payee. Entries shall be made simultaneously in Part II of the Register in Form C and initialled by the Deputy Commissioner. (ii) Where the amount is payable in instalments, the Deputy Commissioner shall prepare a payment order in Form B, showing the dates, on which the various instalments shall be paid and deliver it to the payee concerned. A payment order in Form A shall also be delivered to the payee for the amount payable as first instalment and subsequently on the production of the order in Form B on the date of payments, a payment order shall be prepared in Form A and delivered to him. The Deputy Commissioner shall make entry in Form B of the fact of having delivered the payment order in Form A and initial the entries and return it to the payee for record. The Deputy Commissioner shall, before delivering the order in Form A, make entries in Part II of the Register in form D and initial them. [(ii-a) Where the amount is payable jointly to proprietors or creditors who are members of a joint Hindu family and the individual share of each such person is not specified in Schedule II of the Statement in Form II prepared under rule 5 of the rules under section 13 or in the order of the Claims Officer under section 24. then notwithstanding that any of them is a minor, the karta of the family may, upon an application made in that behalf to the Deputy Commissioner signed by himself and the other major members of the family, and subject to the execution of an indemnity bond with one surety in Form J, be shown in the payment order in Form A as the payee on behalf of himself and all other members of the joint family.] [Inserted vide Notification No. 2377-XXVIII, dated the 25th November, 1953.] (iii) The order in Form A will be the authority for the payment of the amount from the treasury or sub-treasury, as the case may be, and will be presented to the Treasury Officer for payment. The payment shall be made only upon the personal claim of the payee concerned and to his personal receipt and not otherwise. At the written request or order of the payee the amount may be made payable to some well known banker or agent. The voucher shall ordinarily be made payable at the treasury or sub-treasury at the headquarters of the tahsil in which the property which was the subject-matter of the proprietary right vesting in the State is situated. (iv) If any payee, however, desires that the payment should be made at a treasury in another district, the Deputy Commissioner shall send a copy of the register in Form C or D, as the case may be the Deputy Commissioner of that district, and make entry to this effect in the register and initial it. The Deputy Commissioner of the latter district shall insert the copy of the register in Form C or D in the corresponding register of the tahsil in which the treasury at which payment is sought lies, and shall make payment as if the compensation was payable in respect of the property vesting in the State in that tahsil. (v) After payment, the voucher shall be forwarded by the Treasury Officer to the Accountant-General, Madhya Pradesh, with monthly accounts. (vi) If the payee does not appear to receive the payment order on the due date -(a) if the amount does not exceed Rs. 50 and if an address of the payee is known, it may be remitted by money-order less money-order-commission, the amount being drawn through the voucher in Form A by Transfer Credit to the Postal Department. The money-order receipt shall be affixed in column (6) of the Part II of the register in Form C or D, as the case may be, and entries initialled by the Deputy

Commissioner. The acknowledgement shall be affixed at the same place when received. If the money-order is returned unpaid, the amount shall be placed in Revenue Deposits by book-transfer and subsequent entries made in the register in Form C or D, as the case may be, and initialled by the Deputy Commissioner,(b)if the amount exceeds Rs. 50 or if the address of the payee is not known, or if any person entitled to a payment out of the compensation refuses to except the amount, it shall be placed in Revenue Deposits by book-transfer through the vouchers in Form A. Entries shall be made simultaneously in the register in Form C or D, as the case may be, and initialled by the Deputy Commissioner,(c)where the amount is placed in Revenue Deposits, the Deputy Commissioner shall give notice to the payee of such deposits specifying the treasury in which the deposit has been made.

10. When the payment order in Form A in respect of the amount payable in lump sum and in Form B in respect of the amount payable in instalments have been delivered and details have been entered in the registers in Form C or D, as the case may be, an entry to this effect shall be made in the order-sheet of the revenue case and the case deposited in the record-room. Further action to make the payment will be taken in accordance with the entries made in the register.

11.

(1)In the event of the death of proprietor or a creditor, his legal representative will be entitled to receive the amount, and it shall be paid to him.(2)[Where the legal representatives of a deceased proprietor or creditor are members of a joint Hindu family, the karta of the family may, on application made in that behalf to the Deputy Commissioner, and subject to the execution of an indemnity bond with one surety in Form K, receive payment of the amount on behalf of himself and the other legal representatives.] [Inserted vide Notification No. 2377-145 - XXVIII, dated the 25th November, 1953.]

12. Where a proprietor is a wakf, or endowment or a minor or a person suffering from legal disability or is a limited owner or the holder of life interest, the amount may be invested by the Deputy Commissioner in Government securities, treasury notes or in fixed deposits in the Imperial Bank of India or the Madhya Pradesh Cooperative Bank after obtaining Government's prior sanction in each case:

[Provided that a part of the amount may be paid by the Deputy Commissioner, -(i)to a wakf, trust or endowment in order to enable it to defray any expenses which may be necessary for the purpose of repairs to its buildings or the celebration of any periodical function;(ii)to the guardian of a minor for the purpose of enabling him to defray the expenses of -(a)the education or medical treatment of the minor;(b)the cultivation of the land allowed to remain with minor under the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951);(c)any other

legal necessity :Provided further that before sanctioning payment the Deputy Commissioner shall satisfy himself that the expenditure cannot be met from any other source of income available to the wakf, trust or endowment or minor, as the case may be.] [Added vide Notification No. 3854-365 - XXVIII, dated the 23rd October, 1954.]

13. As soon as entries in Part I of the Registers in Forms C and D for all the proprietors of the district have been completed, the Deputy Commissioner shall forward a statement in Form E to the Secretary to the Government of Madhya Pradesh, Revenue Department, and a copy thereof to the Accountant-General, Madhya Pradesh showing the details of the compensation that will be payable during the various years.

14. A monthly statement of payments in Form F, showing the amount of compensation and interest paid during the preceding month, shall be forwarded by the Deputy Commissioner by the 10th of the succeeding month to the Secretary to Government of Madhya Pradesh, Revenue Department.

15. The outstanding balance of compensation shown in the Registers in Forms C and D shall be periodically totalled and the totals compared with the figures of balance in the monthly statement of expenditure in Form F. The additions shall be made twice a year as soon as possible after the 31st March, and the 30th September, and they shall be worked out in a bound register in Form G. Whenever discrepancies are discovered, steps shall be taken by the Deputy Commissioner to remove them.

16. A statement in Form H showing the outstanding balance of compensation at the end of financial year shall, so long as the payments have not been made to all the proprietors, be forwarded by the 15th May by the Deputy Commissioner to (i) the Accountant-General, Madhya Pradesh, and (ii) the Secretary to Government, Madhya Pradesh, Revenue Department.

17. The Deputy Commissioner shall submit a statement in Form I to the Secretary to Government, Madhya Pradesh, Revenue Department, not later than 15th October, in each year, so long as the compensation to all the proprietors has not been paid, for making provision in the budget for the next year.

Form AOrder of Payment of Compensation and Interest[Under rule 9 (i) and (ii) of the rules framed under section 91 (2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates,

Mahals, Alienated Lands) Act, 1950 (I of 1951).] Court of the Deputy Commissioner..... Revenue Case No..... Major/Minor Head/Class..... Page No. of the Register in Form C or D..... To The Officer-in-Charge of..... Treasury/Sub-Treasury. Please pay the sum of Rs..... (in words.....) to Shri..... son of of mouza..... settlement No.... tahsil/ taluqa..... district..... on account of [compensation] [The words which are not required should be scored out to suit the nature of the compensation paid and in respect of payment of instalment, the number of instalments should be specified in the space left blank.] in full / instalment of compensation payable under section 13 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I to 1951), and interest thereon at 2 1/2 per cent, per annum. The expenditure is debitable to the heads noted below :-

Head	Amount
(1)	(2)
(i) "65. - Payment of Compensation to Landholders on the Abolition of Malguzari."	Rs.
(ii) "22. - Interest on Debt and Other Obligations - Interest on Compensation to Malguzars."	Total..

Date.....

Pay Rs. Deputy Commissioner

Date..... Officer-in-Charge of Treasury

I hereby acknowledge the receipt of the amount mentioned above. If in consequence of any proceeding under section 15(2) or 15(3) of the Act it is found that an excess payment has been made to me, I agree to the excess amount being recovered from me as an arrear of land revenue of within one month from the date of the communication of the order in such proceeding I fall to refund the excess. (Stamp) (if amount exceeds Rs. 20) Date..... Signature of Payee. Form B Order of Payment of Compensation [Under rule 9 (ii) of the rules framed under section 91 (2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1950).] Court of the Deputy Commissioner..... Revenue Case No..... Major/Minor Head/Class The sum of Rs..... (in words.....) payable to Shri son of of mouza, settlement No. tahsil/ taluqa district as compensation payable under section 13 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951), together with interest thereon at 2 1/2 per cent, per annum will be paid on the production of this order in instalments on the dates specified in Schedule appended hereto:-

Schedule 4

Page No. of the Register in Form D	Amount of compensation and interest and dates when payable	Date on which the payment-order in Form A delivered to the payee	Initials of the Deputy Commissioner for delivering the payment-order in Form A
Date on which payable	Amount of instalment		

Compensation	Interest	Total		
(1)	(2)	(3)	(4)	(5) (6) (7)
		Rs.	Rs.	Rs.

Date.....Deputy CommissionerForm CRegister of Payment of Compensation and Interest payable in lump sum[Vide rule 9(i) of the rules framed under section 91 (2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Part I – {

| -| Details of compensation payable| -| Name of proprietor, village settlement Number, and tahsil/ taluqa| Revenue Case No. of the Court of the Court of the Compensation Officer| Total amount of compensation| Amount of arrears of revenue cesses and other Government dues, if any, recoverable out of the compensation| -| (1)| (2)| (3)| (4)| -|| Rs.| Rs.}|

Balance of the amount remaining for payment of creditors and proprietors [column (3) - (4)]	Details of the amount payable to creditors and proprietors	Date on which payable	Initials of the Deputy Commissioner	
Person	Amount			
(5)	(6)	(7)	(8)	(9)
Rs.		Rs.		

Part II – {

| -| Details of payment made| -| Date on which payment made| Amount payable as compensation| Amount payable as interest| Total| Name and father's name of payee| Amount| Initials of the Deputy Commissioner| -| (1)| (2)| (3)| (4)| (5)| (6)| (7)| -|| Rs.| Rs.| Rs.}| Rs.}| }Note. - In filling in the details of payments made in Part II of the Register, the following instructions should be followed :- (i) If the amount is sent by money-order, the money-order receipt No. and date should be entered in column (6) below the amount remitted. (ii) If the amount is placed in revenue deposit, chalan No. and date should be entered in column (6) below the amount placed in revenue deposit. Form DRegister of Payment of Compensation and Interest payable in instalments[Vide rules framed under section 91(2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Part I – {

| -| Details of compensation payable| -| Name of proprietor, village settlement Number, and tahsil/ taluqa| Revenue Case No. of the Court of the Court of the Compensation Officer| Total amount of compensation| Amount of arrears of revenue cesses and other Government dues, if any, recoverable out of the compensation| -| (1)| (2)| (3)| (4)| -|| Rs.| Rs.}|

Balance of the amount remaining for payment of creditors and proprietors [column (3) – (4)] and instalments in which payable	Details of the amount payable to creditors and proprietors	Date on which payable	Initials of the Deputy Commissioner	
Person	Amount			
(5)	(6)	(7)	(8)	(9)
Rs.		Rs.		

Part II – {

| - | Details of payment made | - | Date on which payment made | Amount payable as compensation | Amount payable as interest | Total | Name and father's name of payee | Amount | Balance of compensation outstanding | Initials of the Deputy Commissioner | - | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | - | | Rs. | Rs. | Rs. | | Rs. | Rs. | | } Note. - In filling details of payment made in Part II of the Register, the following instructions should be followed : (i) If the amount is sent by money-order, the money-order receipt No. and date should be entered in column (6) below the amount remitted. (ii) If the amount is placed in revenue deposit, chalan No. and date shall be entered in column (6) below the amount placed in revenue deposit. Instructions for the preparation and maintenance of the Registers in Forms C and D

1. There shall be two registers for each tahsil -

(i) one in Form C for payment of amount of compensation payable in one instalment; and (ii) the other in Form D for the amount of compensation payable in instalments.

2. The register should be got bound and paged and the Deputy Commissioner shall make the following entry on the inside cover of the register and sign it:

"This register contains pages.....Deputy Commissioner".

3. One page will be allotted to each proprietor shown in Schedule II of the statement of compensation due.

4. The compensation shall be made payable on the 1st May, 1952 in cases in which the orders have already been passed. In other cases the first payment of compensation shall be on the 1st of the month following the date on which the amount of compensation is determined. For subsequent instalments, 1st May should be fixed as the date of payment.

5. Interest is payable at 2 ½ per centum per annum from the date of vesting of the proprietary rights to the date on which the payment falls due.

6. Part I of the Register shall be filled in at first, and Part II will be filled in when payment order in Form A is delivered to the payee.

7. In filling in the details of payment made in Part II of the Register, the following instructions should be followed

(i) If the amount is sent by money-order, the money-order receipt No. and date should be entered in column (6) below the amount remitted. (ii) If the amount is placed in revenue deposit, chalan No. and date should be entered in column (6) below the amount placed in revenue deposit.

8. When payment has been made to all the proprietors or other payees on their behalf whose name has been entered in the Registrar, it should be deposited in the record-room. The Register will be preserved permanently.

Form E Statement showing the Details of the Compensation payable in various years. [Vide rule 13 of the rules framed under section 91 (2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Name of the district	Year	Amount payable
(1)	(2)	(3)
		Rs.
		Total..

Dated Deputy Commissioner Copy forwarded to the Secretary to the Government of Madhya Pradesh, Revenue Department, Nagpur/Accountant-General, Madhya Pradesh, Nagpur, for information. Date..... Deputy Commissioner Form F Statement showing the Payments of Compensation and Interest payable for the month of..... [Vide rule 14 of the rules framed under section 61(2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Details of
payment

Head	Amount payable under the scheme	Amount paid up to the end of the previous month	Amount paid during the month	Progressive total of payments made to the end of the month	Balance outstanding at the end of the month [column (2) - (5)]
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Rs.

(i) "65 - Payment of Compensation to Landholders on the Abolition of Malguzari."

(ii) "22. - Interest on Debt and Other Obligations - Interest on compensation to Malguzars."

*Not to be filled in against interest. Date..... Date Deputy Commissioner To, The Secretary to Government, Madhya Pradesh, Revenue Department Nagpur. Form G Register for Totalling Outstanding Balance of Compensation payable [Vide rule 15 of the rules framed under section 91(2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Page No. of Register in Form C or D	Compensation outstanding at the end of March	Compensation outstanding at the end of September	Remarks
(1)	(2)	(3)	(4)
	Rs.	Rs.	

Note. - This Register will be retained for three years after completion. Form H Statement showing the Outstanding Balance of Compensation at the end of March..... [Vide rule 16 of the rules framed under section 91 (2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Name of district	Amount payable under the scheme	Amount paid at the end of the previous financial year	Amount paid during the financial year	Progressive total of compensation paid up to the end of the year	Balance outstanding at the end of the year
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Rs.

Date..... Deputy Commissioner Certified that the figures of the outstanding balance have been compared with the balance in the totalling register and that the figures agree. Date..... Deputy Commissioner To, The Accountant-General, Madhya Pradesh/Secretary to Government, Madhya Pradesh, Revenue Department Nagpur. Form I Statement showing the amount required for Payment as Compensation and Interest during the financial year..... for the..... district [Vide rule 17 of the rules framed under section 91(2)(b) and (h) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]

Head	Amount required	Remarks
(1)	(2)	(3)
	Rs.	

(i)

"65. - Payment of Compensation to Landholders on the Abolition of Malguzari."

- (ii) "22. - Interest on Debt and Other Obligations - Interests on Compensation to Malguzars"

Date.....Deputy Commissioner To, The Secretary to Government, Madhya Pradesh, Revenue Department, Nagpur. Form J This Deed of Indemnity is made this day of..... 196 between Shri son of..... in the tahsil of the district (hereinafter called the indemnifier which expression shall unless inconsistent with the subject or context include his heirs, executors, administrators, representatives and assigns) of the one part, and the Governor of Madhya Pradesh acting through the Deputy Commissioner..... (hereinafter called the Governor which expression shall include his successors in office) of the other part; Whereas the sum of Rs..... (.....) is payable to the joint Hindu family consisting of [.....] [Here give the name of all members of the family.] in respect of the acquisition of its proprietary rights in the Mahal(s)/Estate(s)/Alienated Village(s)/Land(s) described in the Schedule hereunder in the manner prescribed under the provisions of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951); And whereas the indemnifier represents himself to be the karta of the said joint Hindu family and has requested for the payment being made to him in his capacity as such karta; And whereas the Governor has agreed to make such payment to the indemnifier upon the condition of his entering into an indemnity bond with one surety; Now therefore this deed witnesses that in consideration of the Governor paying to the indemnifier the sum of Rs..... (.....) only (the receipt of which the indemnifier hereby acknowledges) as aforesaid the indemnifier hereby agrees always to indemnify and save harmless the Governor against all claims in respect of the payment of the amount of compensation as aforesaid and against all costs and expenses which may be incurred by the Governor in relation thereto.

2. Any sum recoverable from the indemnifier hereunder may be recovered from him as an arrear of land revenue.

Schedule 5

(Description of the Mahal/Estate/Alienated Lands) In witness whereof the parties hereto have signed hereunto on the date and year respectively mentioned against their signatures. Witnesses - (1)(2) Indemnifier Dated..... Witnesses - (1)(2) Deputy Commissioner on behalf of the Governor. Dated..... Whereas the Governor in order to secure the performance of the conditions above-mentioned has demanded security from the indemnifier, I (1) son of..... resident of..... surety on behalf of the indemnifier agree that in the event of the indemnifier failing to pay any sum falling due under this deed I shall pay the same to the Governor. I further agree that my heirs, executors, administrators, representatives and assigns due hereunder may be recovered as an arrear of land revenue. Witnesses - (1)(2) (Signature of surety) dated..... Form K This Deed of Indemnity is made this..... day of..... 196..... between Shri son of..... resident of in the tahsil of the district (hereinafter

called the indemnifier which expression shall unless inconsistent with the subject or context include his heirs, executors administrators, representatives and assigns) of the one part, and the Governor of Madhya Pradesh acting through the Deputy Commissioner(hereinafter called the Governor which expression shall include his successors in office) of the other part;Whereas a sum of Rs..... (.....) is payable to Shri..... son of in respect of the acquisition of his proprietary rights in the Mahal(s)/Estate(s)/Alienated Land(s)/Village(s) described in the Schedule hereunder in the manner prescribed under the provisions of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951);And whereas the said Shrison of..... died on the leaving behind him the following as heirs and successors :(1)(2)(3)(4)And whereas the aforesaid heirs of Shri are stated by the indemnifier to be members of a joint Hindu family and the indemnifier represents himself to be karta of the said joint Hindu family and has requested for payment being made to him in his capacity as such karta;And whereas the Governor has agreed to make such payment to the indemnifier upon the condition of his entering into an indemnity bond with one surety;Now therefore this deed witnesses that in condition of the Governor paying to the indemnifier the sum of Rs..... (.....) only (the receipt of which the indemnifier hereby acknowledges) as aforesaid the indemnifier hereby agrees always to indemnify and save harmless the Governor against all claims in respect of the payment of the amount of compensation as aforesaid and against all costs and expenses which may be incurred by the Governor in relation thereto.

2. Any sum recoverable from the indemnifier hereunder may be recovered from him as an arrear of land revenue.

Schedule 6

(Description of the Mahal/Estate/Alienated Lands)In witness whereof the parties hereto have signed hereunto on the date and year respectively mentioned against their signatures.Witnesses -(1)(2)IndemnifierDated.....Witnesses -(1)(2)Deputy Commissioner on behalf of the Governor.Dated.....Whereas the Governor in order to secure the performance of the conditions above-mentioned has demanded security from the indemnifier, I (1).....son of.....resident of....., surety on behalf of the indemnifier, agree that in the event of the indemnifier failing to pay any sum falling due under this deed I shall pay the same to the Governor. I further agree that my heirs, executors, administrators, representatives and assigns shall be bound for my liabilities hereunder. I also agree that any sum falling due hereunder may be recovered as an arrear of land revenue.Witnesses -(1)(2)(Signature of surety)dated.....[Rules Regarding Partition of Home-Farm (Chapter VI of the Act)] [Published vide Notification No. 49-XXVIII, dated 27th February, 1951.]

1. An application by a co-sharer for partition of his share in the sir, khudkasht or home-farm land, as the case may be, shall set out the following particulars :

(a)The name of the applicant;(b)The area of each field and the numbers borne by each of them in the village rent roll (jamabandi);(c)The rental valuation of the land;(d)The names of the co-sharers and the extent of their shares.

2. The application shall also be accompanied by a copy of entries in the village rent roll (jamabandi) for the preceding year pertaining to the end.

3. If the application involves the formation of a share of land of which the area will be less than ten acres, the Revenue Officer shall reject the application forthwith.

4. If the application is not rejected under rule 3, the Revenue Officer shall issue on payment of process-fees by the applicant in accordance with the provisions of section 23 of the C. P. Land Revenue Act, 1917 (II of 1917) notices in Form 'A' appended to these rules of the co-sharers requiring them to appear before him and state their objections, if any, on a day to be specified in the notice. He shall also cause a proclamation in Form 'B' appended to these rules to be published in accordance with the provisions of section 24 of the same Act, stating his intention to partition of the land. If from any cause a notice cannot be personally served on the co-sharers, the proclamation shall be deemed to be sufficient notice.

5. After hearing the applicant, co-sharers and any other persons who appear, the Revenue Officer may, after recording his reasons in writing, reject the application.

6. If the Revenue Officer does not reject the application he shall proceed after determining and recovering from the applicant the costs of making the partition, to effect the partition either personally or through such agency as he may appoint and shall apportion the land revenue of the land over the shares thus formed.

7. After partition has been completed, the Revenue Officer shall hear any objections which the parties may make and shall either amend or confirm the partition. The partition shall take effect from the commencement of the agricultural year next following the date of such amendment or confirmation.

Form ANotice[Rule 4 under section 91(2)(i) of Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).]Before at Case

No..... Major Head/Minor Head.....To..... son of.....resident of mouza.....tahsil district.....Whereas..... son of.....of mouza....., tahsil , district , has applied for partition of his share in the sir or/and khudkasht/ home-farm land specified below, and whereas it is proposed to partition the said land and the date of hearing has been fixed for..... 19 , at o'clock at..... you are hereby informed that you should appear either personally or through a pleader or agent on the date fixed and state your objections, if any, otherwise they will not be considered :Particulars of land.....Khasra No.....Area.....Rental valuation-Rs.
.....(Seal)Date.....19.....Revenue OfficerForm BProclamation[Rule 4 under section 91(1) (i) of Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (1 of 1951).Before at Case No..... Major Head/Minor Head.....Whereas son of of mouza tahsildistrict.....has applied for partition of his share in the sir or/and khudkasht/home-farm land specified below, and whereas it is proposed to partition the said land, and the date of hearing has been fixed for 196..., at.. .. o'clock at all persons who are interested in the said land are hereby informed that they should appear either personally or through a pleader or agent on the date fixed and state their objections, if any, otherwise they will not be consideredParticulars of the land.....Khasra No.....Area.....Rental valuation - Rs.....(Seal)Date.....19.....Revenue Officer[Rules regarding purchase of rights in trees] [Published vide Notification No. 51-XXV1II, dated 27th February, 1951.]

1. An application by a malik-makbuza shall specify the number and species of trees, the right in which he desires to purchase and the name of the person in whom such right vests. It shall be accompanied by a copy of the filed book (Khasra) pertaining to the plot of land or an extract copy of the Village Administration Paper, or any other document which purports to show the existing right in the trees.

2. The Revenue Officer shall on receiving the application cause notice to be served in accordance with the provisions of section 23 of the Central Provinces Land Revenue Act, 1917 (II of 1917), on the person in whom the right in trees vests, and after hearing such evidence as the parties may adduce and making such other enquiries as he thinks fit shall proceed to fix the value of the right.

3. On the value of the right being fixed under rule 2, the malik-makbuza shall within such period, not being less than one month, as may be ordered by the Revenue Officer, deposit in his office the sum so fixed. On such deposit being made, the Revenue Officer shall declare the malik-makbuza to have the same rights in trees as in the plot itself and shall put him in possession of the trees. If the malik-makbuza fails to make the deposit within the time fixed,

the application shall be dismissed.

[Rules regarding management of any village] [Published vide Notification No. 54-XXVIII, dated 27th February, 1951.]

1. Where the management of any village vesting in the State is entrusted to a Gram Panchayat, it shall perform its functions in accordance with directions as may be made under the Central Provinces and Berar Panchayats Act, 1946.

2. The State Government may authorise the Sarpanch or Deputy Sarpanch of such Gram Panchayat to exercise all or any of the powers exercisable by a mukaddam or a lambardar or a landlord under the Central Provinces Tenancy Act, 1920, or under the law in force in the merged territories and such powers shall be exercised by the authorised officers in such manner and subject to such directions as may be issued from time to time.

[Rules Regarding Procedure To Be Followed By The Mines Tribunal] [Published vide Notification No. 54-XXVIII, dated 27th February, 1951.]

1. The Mines Tribunal shall follow such procedure as is consistent with justice, equity and good conscience.

2. The Tribunal shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908, for the purposes of taking evidence on oath (which such Tribunal is hereby empowered to administer) and of enforcing the attendance of witnesses and compelling the production of documents and material objects, and the Tribunal shall be deemed to be a Civil Court for the purposes of section 195 and Chapter XXXV of the Code of Criminal Procedure, 1898.

3. The Tribunal shall follow in regard to the apportionment of costs the same principles as laid down in section 35 of the Code of Civil Procedure, 1908.

4.

(1) If any person other than a Government servant is appointed to be a member of the Tribunal he shall be entitled to such fees as the State Government may fix. (2) The fees fixed under sub-rule (1) shall be costs in the proceedings of the Tribunal. [Rules Regarding Rehabilitation Grant] [Published vide Notification No. 56-XXVIII, dated 27th February, 1951.]

- 1. An application for a rehabilitation grant under sub-section (1) of section 81 of the Act by a proprietor who is divested of proprietary rights under section 3 of the Act shall be made within 30 days from the date of vesting specified under the Act to the appropriate Revenue Officer in Form I appended to these rules.**
- 2. The application shall be made to the appropriate Revenue Officer within whose jurisdiction the property vesting in the State is situated. Where, however, the applicant held the property so vested within the jurisdiction of more than one such Revenue Officer, the application shall be made to only one of such Revenue Officer, within whose jurisdiction the applicant resides or in whose jurisdiction the larger part of his property is situated.**
- 3. Where the applications is in proper form and duly presented and the appropriate Revenue Officer is, after examining the application, satisfied that there is ground for entertaining the application, he shall fix a date for hearing thereof.**
- 4. On the date so specified or any other date to which the hearing may be adjourned, the appropriate Revenue Officer shall proceed to investigate and dispose of the claims or objection, if any, preferred.**
- 5. If the appropriate Revenue Officer finds that the applicant is entitled to the grant, he shall proceed to determine the amount of the grant in accordance with scale laid down in rule 2 of the rules in Schedule III of the Act and record an order specifying the amount of grant admissible to the applicant. He shall thereafter transmit the records of the case to the Deputy Commissioner.**
- 6. On receipt of the records, the Deputy Commissioner shall prepare in duplicate an order in Form II for the payment of the grant. One copy of the order shall be placed on the record and the order copy shall be handed over to the applicant. The copy of the order handed over to the applicant will be the authority for the payment of the grant from the treasury or sub-treasury, as the case may be.**

7. In the event of the death of an intermediary entitled to the rehabilitation grant under section 77(1) of the Act, his legal representatives will be entitled to receive it and will be paid the said grant.

Form I Application [Rule 1 under sub-section (1) of section 81 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951). In the Court of the Revenue Officer at..... Under sub-section (1) of section 81 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951), I,..... son of resident of..... Mahal No..... Patwari Circle No, tahsil/taluqa..... district..... beg to apply for the determination and payment of the rehabilitation grant.

2. I hereby declare that I earn my livelihood wholly or mainly from agriculture or from rents or lease money received from agricultural land and that the land revenue payable by me for my share in the estate or mahal together with the land revenue in respect of the home-farm land left with me immediately after the date of vesting and the land revenue or rent payable on other lands held by me anywhere in the State does not exceed sixty rupees. I further declare that no such application was or has been previously made and that I have not so far been paid any rehabilitation grant under the provisions of the Act.

3. The statement of all my property of which I have been divested and which has vested in the State is as follows:-

Serial No.	Name of village, tahsil/taluqa and district	Total area or extent of share	Revenue payable	Remarks
(1)	(2)	(3)	(4)	(5)
			Rs.	

4. The details of the land left with me in the State immediately after the date of vesting are given below:-

Serial No.	Description of land (home-farm, malik-makbuza or tenancy land)	Name of village, tahsil/taluqa and district	Land revenue or rent payable	Remarks
(1)	(2)	(3)	(4)	(5)
			Rs.	

5. I give below the details of my income during the two years immediately preceding the year in which the date of vesting falls :-

Year	Income from agricultural sources with	Income from other sources	Total
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	particularsof lands from which derived	with particulars	income
(1)	(2)	(3)	(4)
	Rs.	Rs.	Rs.

6. For the purpose of determining the rehabilitation grant, the aggregate sum payable by me is as given below :

Heads	Sum PayableRs.
(i) Land revenue payable for the proprietary share in the estate, mahal, alienated village or alienated land.	
(ii) Land revenue payable on the portion of home-farm land remaining with me.	
(iii) Land revenue or rent payable on any lands held by me in the State.	
Total.	

7. Extracts from the following documents are enclosed :-

(i) Mutation register showing the proprietary share held by me. (ii) Jamabandi or records of rights showing the home-farm land held by me. (iii) Jamabandi or records of rights showing other lands held by me. Dated..... Signature of the applicant Verified that the contents of paragraphs of application are true upon the personal knowledge and those in paragraphs..... upon information received and believed to be true by the undersigned. I am/am not a member of a Joint Hindu family. Declared at..... on..... Signature of the applicant. Form II Order Granting Rehabilitation Grant [Rule 6 under the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).] The sum of Rs in words (Rupees) is hereby granted to son of of village Patwari Circle No., tahsil/taluqa district....., as rehabilitation grant under section 77 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951).

2. The amount shall be payable on or after the.....

(Seal of Court)

Dated.....

Deputy Commissioner

Received the amount stated above

One-anna Stamp

Dated

Signature of the person to whom the grant is made.

[Rules] [Published vide Notification No. 71-XXVIII, dated 3rd March, 1951.]

1. On any application or document filed in any proceeding under the Act, court-fee shall, subject to any exemption granted under section 35 of that Act, be payable in accordance with the provisions of that Act.

2. Fees for the issue or execution of processes shall be paid as prescribed in the rules framed under clause (k)(iii) and clause (v) of sub-section (2) of section 227 of the Central Provinces Land Revenue Act, 1917 (II of 1917), or clause (a) of subsection (2) of section 194 of the Berar Land Revenue Code, 1928, as the case may be.

Note. - The State Government have under section 35 of the Court Fees Act, 1870 (VII of 1870), remitted court-fees payable on applications or documents filed in any proceedings under this Act by the proprietors entitled to compensation or rehabilitation grant (vide Law Department Notification No. 622-520-XVIII-B, dated the 9th March, 1951). [Rules for the Reservation of Land to Expropriators Recorded as "Bir, Chhota Ghas", etc., Vesting in the State Under the Act.] [Published vide Notification No. 777-XXVII1, dated 7th October, 1955,] [1. An ex-proprietor shall be entitled to apply for reservation of land for his use in accordance with the rules hereinafter laid down from out of such Bir land Chhota ghas, land etc., which prior to the vesting thereof in the State was reserved by him for the exclusive use of his cattle.

1.

-A. The land reserved under the rules shall in the Central Provinces be in the rights of an occupancy tenant, in the merged territories in the rights of a raiyat, and in the rights of an occupant.] [See Notification No. 1033-XXVIII, dated 22nd December, 1951.]

2. The area, which shall be reserved an ex-proprietor in a villager³ shall in the Central Provinces including merged territories not exceed 10 per cent of the total area of the home-farm of which he has become inalik-makbuza, occupancy tenant or raiyat and shall in Berar not exceed 10 per cent, of the total area of the land of the category specified in section 2(g)(3)(i) held by him on the date of vesting in that village under sections 38(1), 39(1), 40, 53(1), 54 or 68(1), as the case may be :

Provided that where the fixing of the area in accordance with the limit herein laid down involves the splitting up to a survey number or a khasra number and the Deputy Commissioner is of the opinion that the portion in excess cannot be suitably utilised by Government, the whole survey number or the khasra number may be so reserved.

3.

(1)An application for reservation of the rights of an occupancy tenant, a raiyat or an occupant, as the case may be, shall be made, in Form A appended to these rules, to the Deputy Commissioner through the Tahsildar or such other Revenue Officer as may be specified by the Deputy Commissioner in this behalf.(2)[The application under sub-rule (1) shall be made on or before the 31st December, 1954.] [Inserted vide Notification No. 2970-777-XXVIII, dated the 3rd July, 1954.]

4. On receipt of the application the Tahsildar or the Revenue Officer specified under rule 3, shall after such enquiries as may be considered necessary by him, for the purposes of ascertaining and satisfying of the correctness of the applicants' claim, forward the papers to the Deputy Commissioner.

5. The Tahsildar or the Revenue Officer specified under rule 3, shall for the purpose of enquiries under rule 4, issue a proclamations in Form B appended to these rules calling on persons interested to prefer objections, if any, against the reservation of rights of an occupancy tenant, a raiyat, or an occupant, as the case may be, in such land to the applicant.

6. If the Deputy Commissioner finds that there is no objection to the reservation of the rights claimed by the applicant, he shall proceed to determine the area of the land in which the rights of an occupancy tenant, a raiyat or an occupant, as the case may be, reserved to the applicant.

7. The Deputy Commissioner shall determine the rent or land revenue, as the case may be, on the land reserved to the applicant.

8. The reservation of the rights shall be certified by a patta in Form C appended to these rules.

Form A(Rule 3)Application for the reservation of the rights of an occupancy tenant/a raiyat/ an occupant in the grass land vesting in the State under Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951)ToThe Deputy Commissioner,.....Through-The Tahsildar/Revenue Officer specified under rule 3.Sir,I.....son of.....ex-proprietor of mouza.....Settlement No.....Patwari Circle No .. . Tahsil/Taluqa beg to state that the land described below recorded as "Bir" grass, "Chhota ghas" etc., was reserved by me for my exclusive use and it has vested in the State under section 4(l)(a) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951):-

Name of village	Name and father's name of the applicant	Date of land	Land revenue or rental valuation	
Khasra/ Survey No. of each field	Area			
(1)	(2)	(3)	(4)	(5)

An extract copy from the khasra for the year 1950-51 showing the lands referred to above is enclosed.

2. The details of land in the village under reference settled with me in malik-makbuza/occupancy/raiya/occupant's rights under section 38(I)/39(I)/40/54/68(I) of the Act are given below :-

Serial No.	Khasra/ Survey No. of each field	Area	Land revenue or rent fixed
(1)	(2)	(3)	(4)
		Acres	Rs.

3. I request that occupancy/raiya/occupant's rights may kindly be reserved to me in the land described below :-

Serial No.	Khasra/ Survey No. of each field	Area	Land revenue or rent valuation
(1)	(2)	(3)	(4)
		Acres	Rs.

Dated.....195.....Signature of the applicantVerified that the contents of paragraphs of the application are true upon the personal knowledge and those in paragraphs..... upon information received and believed to be true by the undersigned.Declared at on..... 195.....Signature of the applicantForm B(Rule 5)Proclamation under rule 5 of the rules framed under sub-section (1) of section 91 of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (1 of 1951)Court of the Tahsildar/Revenue Officer (specified under rule 3)Revenue Case No.....Major/Minor Head /Class.....of mouza..... Settlement No..... Patwari Circle No.....Tahsil/Taluqa has made an application under rule 3 of the rules framed under section 91(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951), for the reservation of the rights of an occupancy tenant/a raiyat/an occupant in respect of grass land described in the Schedule below.All persons interested are hereby informed that the undersigned will examine the application in his Court room ato'clock on the Any person who has any objection to prefer should do so then :-

Schedule 7

Name of village, Settlement No. and tahsil/taluqa	Khasra/ Survey No.	Details of land Area	Land revenue or rental valuation
(1)	(2)	(3)	(4)

Acres

Rs.

Seal of Court Dated 19..... Tahsildar/Revenue Officer Form C(Rule 8) Patta under rule 8 of the rules framed under section 91(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951) This is to certify that under rule 8 of the rules framed under section 91(1) of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (I of 1951), in Revenue Case No..... Major/Minor Head/Class..... of the Court of..... dated the. 195....., the rights of an occupancy tenant/a raiyat/an occupant have been reserved to son of resident of tahsil/taluqa..... district, in respect of the grass land situated in mouza, Settlement No....., Patwari Circle No..... tahsil/taluqadistrict.....as detailed below:-

Khasra/Survey No. Area Land revenue or rental valuation

(1) (2) (3)

Acres Rs.

Dated..... 19Deputy Commissioner

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[See Section 8(1)] Rules for the Determination of Compensation

1. In these rules the expression "previous agricultural year" means the agricultural year preceding the agricultural year in which the date of vesting falls.

2. 1. The gross income of an estate or mahal in the Central Provinces shall be calculated by adding the amount of income received by a proprietor under the following heads, namely :-

(a) the aggregate of the rents receivable from tenants in an estate or mahal, as recorded in the jamabandi for the previous agricultural year; (b) Siwai income, that is income from various sources such as jalkar, bankar, phalkar, hats, bazars, melas, grazing and village forest calculated at two times the Siwai income recorded in the current settlement; (c) consent money on transfer of tenancy lands-the average annual income calculated at the rate permissible under section 6-A or section 12-A, as the case may be, of the Central Provinces Tenancy Act, 1920, on transactions recorded in the village papers for ten years preceding the agricultural year in which the date of vesting falls.

2. The net income of an estate or mahal in the Central Provinces shall be calculated by deducting from the gross income the sums under the following heads, namely

(a) the sum assessed as land revenue on an estate or mahal in the previous agricultural year less that part of the rental value of home-farm land which bears the same proportion to the rental value as the amount of land revenue, assessed on the estate or mahal bears to the malguzari assets; (b) sums

found payable during the previous agricultural year by a proprietor on account of cesses and local rates on all lands in the estate or mahal other than lands comprised in his home-farm;(c)the average of the income tax paid in respect of the income received from big forest during the period of thirty agricultural years preceding the agricultural year in which the relevant date falls;(d)cost of management at the rate of-(i)eight per cent, in the case of gross annual income not exceeding rupees two thousand in respect of mahals;(ii)ten per cent, in the case of gross annual income exceeding rupees two thousand in respect of mahals;(iii)ten per cent, in the case of gross annual income exceeding rupees two thousand but not exceeding rupees fifteen thousand in respect of estates.