

The Punjab Land Revenue Rules

HARYANA

India

The Punjab Land Revenue Rules

Rule THE-PUNJAB-LAND-REVENUE-RULES of 1888

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1. to 13 Omitted.

Village Headmen

14. Number of Headmen.

- (i) A sufficient number of headmen shall be appointed to every estate, and this number when once fixed shall not be increased except by the order of the Commissioner, nor be reduced except by the order of the Financial Commissioner. (ii) If an estate or a considerable portion thereof is owned by Government, the headmen may be appointed from among the tenants. In other estates he shall be appointed from among the landowners : [Provided that where the office of headmen has become vacant by the migration of the headmen to the Dominion of Pakistan the appointment may be made from among the allottees and the oustees from the Capital site at Chandigarh in accordance with Rule 19-A having regard to the other considerations in Rule 15(b), (c), (d) and (e).] [Proviso added by East Punjab Government Notification No. 211-R, dated 28th August, 1948), substituted by Punjab Government notification No. 2849-R, (CH)-53/1433, dated 14th July, 1954.] (iii) The lessee of the revenue or produce of an un-cultivated or forest estate owned by Government shall be during the currency of his lease the headmen thereof. (iv) [-] [Omitted by Haryana vide Notification dated 9.12.1971.].

15. Matters to be considered in first appointments.

- In all first appointments of headman, regard shall be had among other matters to -(a) his hereditary claims ; (b) Extent of property in the estate possessed by the candidate. (c) services

rendered to the State by himself or by his family ;(d)his personal influence, character, ability and freedom from indebtedness;(e)[the strength and importance of the community from which selection of a headmen is to be made ;] [Added by Punjab Government notification No. 1069-R, dated the 22nd October, 1945.](f)[services rendered by himself or by his family in the national movements to secure freedom of India.] [Added by Punjab Government notification No. 7881-R-53/1010, dated the 8th May, 1954.][In case of an ex-headman of an estate or Sub-division thereof in the territory now comprising the State of [Haryana] [Para added by Punjab Government notification No. 2849-(CH)-53/1433, dated the 14th July, 1954.] who had resigned or was dismissed on account of his participation in a national movement before partition and another headman was appointed in his place, the present incumbent of the post shall be removed irrespective of the provisions of rule 16 and the ex-headman would be appointed in his place if he has not rendered himself unfit for appointment for any of the reasons given in rule 16 except imprisonment for a political offence before 15th August, 1947. In case the ex-headman is no longer alive, a person of his family who would under the rules have been entitled to be headman if the resignation or dismissal had not intervened, would be appointed as headman. But when no such person exist there would be no need to remove the existing Lambardar.](g)Added vide Haryana Notification No. GSR11/PA17/1887/s.28/ Amd.(1)77 dated 18.1.1977 later omitted vide Haryana Notification No. GSR43/PA17/ 1887/s.28/Amd(2)77 dated 10.3.1977.

16. Dismissal of headmen.

- (i) A headman shall be dismissed when -(a)he is sentenced to imprisonment for one year or upwards or to any heavier sentence ; or(b)in an estate owned altogether or chiefly by Government he ceases to possess the interest which led to his appointment ; or(c)in any other estate he ceases to be a land-owner in the estate or sub-division of the estate in respect of which he holds office ; or(d)he has mortgaged his holding and has delivered possession to mortgagee ; but in special cases the Collector may with the Commissioner's sanction retain him in his office under such circumstances, if he can furnish adequate security for the payment of the revenue he has to collect and for the due discharge of his duties; or(e)his holding has been transferred under section 7 of the Land Revenue Act, or the assessment thereof has been annulled under section 73 of the same Act.(ii)A headman may be dismissed when -(a)criminal proceedings which have been taken against him show that he is unfit to be entrusted any longer with the duties of his office ; or(b)he is seriously embarrassed by debt, or if his unencumbered holding is so small as to disqualify him in the Collector's opinion for the responsibility attached to the office of headman ; or(c)owing to age or physical or mental incapacity, or absence from the estate, he is unable to discharge the duties of his office ; or(d)[there is reason to believe that he has taken part in, or concealed illicit distillation, or the smuggling of, cocaine, opium or charas] [The Financial Commissioner's notification No. 3096-R, dated the 21st December, 1932.] ;(e)[he takes part in any unconstitutional agitation against the Government or fails to give his active support to the Government in the maintenance of law and order.] [The Financial Commissioner's notification No. 3096-R., dated the 21st December, 1932.](f)he neglects to discharge his duties, or is otherwise shown to be incompetent;(g)Omitted vide Haryana Notification No. GSR43/PA17/1887/s.28/Amd(2) 77 dated 10.3.1977

17. Matters to be considered in appointment of successors.

- [(i) In an estate, or sub-division thereof, owned chiefly, or altogether by Government a successor to the office of headman shall be selected with due regard to all the considerations, other than hereditary claims, stated in Rule 15 :Provided that in such an estate, or sub-division thereof notified for the purpose by the Financial Commissioner, the selection shall, as far as possible, be made in the manner prescribed by sub-rule (ii) if a suitable heir is forthcoming.] [Substituted by Punjab Government notification No. 2105-R, dated the 19th October, 1937.](ii)In other estates the nearest eligible heir according to the rule of primogeniture shall be appointed unless some special custom of succession to the office be distinctly proved, but subject in every case to the following provisions :- (a)The claim of a collateral relation of the last incumbent to succeed shall not be admitted solely on the ground of inheritance, unless the claimant is a descendant in the male line of the paternal great-grand father of the last incumbent.(b)[Where a headman has been dismissed in accordance with the provisions of rule 16 the Collector may refuse to appoint any of his heirs] [Financial Commissioner's notification No. 3096-R, dated the 21st December, 1932.] :-(1)If the circumstances of the offences, dereliction of duty, or disqualification, for which the headman was dismissed make it probable that he would be unsuitable as a headman ;(2)If there is reason to believe that he has connived at the offence or dereliction of duty for which the headman has been dismissed ;(3)if any disqualification for which the headman has been dismissed attaches to him ;(4)if he may reasonably be supposed to be under the influence of the dismissed headman or his family to an undesirable extent.Note : - If a dismissed headman's heir is considered fit to succeed, regard shall be had to the property which he will inherit in like manners as if he had already inherited it.(c)The Collector may also refuse to appoint a person claiming as an heir on any ground which would necessitate or justify the dismissal of that person from the office of headman.(d)[* * * * *] [Clause (d) omitted by G.S.R 9/P.A. 17/87/s. 28/Amd. (9)/68 dated 11th January, 1968.].(iii)Failing the appointment of an heir, a successor to the office shall be appointed in the manner, and with regard to the considerations described in rule 15.(iv)Election shall not in any case be resorted to as aid in making appointments under this rule and rule 14.

18.

Omitted vide GSR 167 dated 23.7.1965.

19. Appointment of Revenue farmers and mortgagees as headmen.

- (i) Where an office becomes vacant in consequence of any proceedings taken for the recovery of an arrear of land-revenue under sections 71, 72, and 73 of the Land Revenue Act, the transferee, agent, or farmer who under those proceedings obtains possession of the land on which the arrears were due may in the discretion of the Collector, be appointed to the vacant office.(ii)Where a headman, who as land-owner is individually responsible for more than half the land-revenue of any estate or of the sub-division thereof in respect of which he holds office, has mortgaged his holding and has delivered possession thereof to the mortgagee, and the office of headman has become vacant in consequence thereof, the mortgagee may, at the discretion of the Collector, be appointed to the vacant office.(iii)On the termination of any such transfer, farm or attachment as is referred to in

sub-section (i), or on the release of any such mortgage as is referred in sub-section (ii), a headman appointed under this rule shall cease to hold office, and a new headman shall be appointed with reference to the considerations stated in rule 15.(iv)[He shall perform all duties prescribed in rule 20.] [Substituted vide Haryana Notification No GSR 112/PA17/1887/s.28/Amd/71 dated 6.10.1971.](v)[He shall either deposit cash security or furnish security by way of mortgage of immovable property owned by any other person in the village to the State Government equal to the amount by which the immovable property owned by him falls short of the land revenue recoverable by him.] [Substituted vide Haryana Notification No GSR 19/PA17/1887/s.28/Amd/71 dated 6.4.1984.](vi)[He shall be entitled to receive remuneration admissible to a head-man under rule 21.] [Substituted vide Haryana Notification No GSR 112/PA17/1887/s.28/Amd/71 dated 6.10.1971.]

19A.

- Notwithstanding anything contained in these rules where the office of headman has become vacant in consequence of the migration of the headman to the Dominion of Pakistan any refugee from West Punjab who has been allotted land in the village, (for an oustee who has been ousted from the Capital site at Chandigarh, and has been settled in the village) [Inserted by Punjab Government notification No. 2849-R-(CH)-53/1433 dated 14th July, 1954.] may at the discretion of the Collector be appointed headman temporarily provided the appointee furnishes sufficient security for the payment of Government dues, (with due regard to the consideration stated in rule 15(b), (c), 9d) and (e)] [Added by Punjab Government notification No. 2849-R-(CH)-53/1433 dated 14th July, 1954.]

19B. [Notwithstanding any thing to the contrary contained elsewhere in these rules, where the population of Harijans, or members of the Scheduled Castes including Christians, as ascertained at the last preceding census [-] [Added by Punjab Government notification No. 9057-R-55/2670, dated 6th August, 1956.] is 100 or more in an estate, there shall be appointed additional headman from amongst the Harijans or members of Scheduled Caste including Christians, subject to the following conditions :-

(i)In appointing the headman, regard shall be had among other matters, to -(a)services rendered to the State by himself or by his family ;(b)his personal influence, character, ability and freedom from indebtedness.(c)Clause (c) inserted vide Haryana Notification 18.1.1977 - omitted vide Haryana Notification No. GSR43/PA17/1887/s.28/Amd (2)77 dated 10.3.1977.(ii)[he shall be dismissed when he is sentenced to imprisonment for one year or upwards or to any heavier sentence.] [Substituted vide Haryana Notification No. GSR43/PA/17/1887/s.28/Amd (2)77 dated 10.3.1977.](iii)He may be dismissed when -(a)criminal proceedings which have been taken against him show that he is unfit to be entrusted any longer with the duties of his office ; or(b)he is seriously embarrassed by debt ;(c)owing to age or physical or mental incapacity or absence from the estate, he is unable to discharge the duties of his office ; or(d)there is reason to believe that he has taken part in or concealed illicit distillation, or the smuggling or cocaine, opium or charas ;(e)he takes part in any unconstitutional agitation against the Government or fails to give his active support to the Government in the maintenance of law and order ; or(f)he neglects to discharge his duties or is

otherwise shown to be incompetent.(iv)He shall perform all duties prescribed in rule 20 of these rules except those prescribed in clauses (i) to (iv) thereof.(v)[He shall either deposit cash security or furnish security by way of mortgage of immovable property owned by any other person in the village to the State Government equal to the amount by which the immovable property owned by him falls short of the land revenue recoverable by him.] [Substituted by Haryana Government Notification No. GSR 19/P.A.17/1887/S.28/84 dated 6.3.1984.][19C. (1) Notwithstanding anything to the contrary contained in these rules, where the population of members of Backward Classes in an estate is fifty or more, there shall be appointed one additional headman from amongst the members of Backward Classes for that estate.(2)The conditions specified in rule 19-B shall also be applicable to the appointment made under sub-rule (1).] [Inserted vide Haryana Notification No GSR 27/PA17/1887/s.28/Amd/71 dated 27.3.1987.]

20. Duties of headman.

- In addition to the duties imposed upon headman by law for any purpose, a headman shall

- (i)collect by due date all land-revenue and all sums, recoverable as land-revenue from the estate, or sub-division of an estate in which he holds office, and pay the same personally or by revenue money order or by remittance of currency notes through the post [or at places where treasury business is conducted by the Imperial Bank of India, by cheque on a local Bank] [Amended by Financial Commissioner's notification No. 721-523-B-13, dated 8th August, 1919.] at the place and time appointed in that behalf to the Revenue-officer or assignee empowered by Government to received it
- ;(ii)collect the rents and other income of the common land, and account for them to the persons entitled thereto
- ;(iii)acknowledge every payment received by him in the books of the land-owners and tenants
- ;(iv)defray joint expenses of the estate and render accounts thereof as may be duly required of him
- ;(v)[report to the tehsildar the death of any assignee of land-revenue or Government pensioner residing in the estate, or the marriage or re-marriage of a female drawing a family pension and residing in the estate ; or the absence of any such person for more than a year] [As amended by notification No. 605, dated 24th February, 1926.];
- (vi)report to the tehsildar all encroachments on roads [including village roads] [Inserted by Financial Commissioner's notification No. 4622-E, dated 14th November, 1932.] or on Government waste lands and injuries to, or appropriation of nazul property situated within the boundaries of the estate
- ;(vii)report any injury to Government buildings made over to his charge
- ;(viii)carry out, to the best of his ability, any orders that he may receive from the Collector requiring him to furnish information or to assist in providing on payment supplies or means of transport for troops or for officers of Government on duty
- ;(ix)assist in such manner as the Collector may from time to time direct at all crop inspections, recording of mutations, surveys, preparation of records of right, or other revenue business carried on within the limits of the estate
- ;(x)attend the summons of all authorities having jurisdiction in the estate, assist all officers of the Government in the execution of their public duties, supply, to the best of his ability any local information which those officers may require, and generally act for the land-owners, tenants and residents of the estate or sub-division of the estate in which he holds office in their relations with Government
- ;(xi)report to the patwari any outbreak of disease among animals [or human beings] [Inserted by Punjab Government notification No. 438-R, dated 13th March, 1947.].
- (xii)report to the patwari the deaths of any right-holders in their estates.
- (xiii)[report any breach or cut in a Government Irrigation canal or channel to the nearest canal officer, [-] [Added

by Punjab Government notification No. 1214-R, dated 22nd May, 1942.] or canal patwari.](xiv)[under the general or special directions of the Collector, assist by the use of his personal influence and otherwise all officers of Government and other persons, duly authorised by the Collector, in the collection and enrolment of recruits for military services whether combatant or non-combatant.] [Added by Punjab Government notification No. 4666-R-50/4799, dated 1st September, 1950.](xv)[render all possible assistance to the village postman, while passing the night in the village, in safeguarding the cash and other valuables that he carries.] [Added by Punjab Government notification No. 1557-E, dated 18th April, 1939.]

21. Remuneration of headmen.

- (i) The remuneration of a headman in an estate or sub-division of an estate owned chiefly or altogether by Government shall be such a portion of the village officer's cess or of the income accruing to Government from the estate, as may be sanctioned by the Financial Commissioner.(ii)In other estates the remuneration of a headman shall be the remuneration appointed when the land-revenue of the estate was last assessed.(iii)[In any case not provided for by sub- sections (i) and (ii) a headman shall receive a portion of the village officer's cess equal to 5%, of the land-revenue for the time being assessed on the estate or portion of the estate in which he holds office whether the assessment is leviable or not.] [As amended by Financial Commissioner's notification No. 441-202- 8944, dated 25th October, 1932.](iv)The Collector may at any time revise and alter the existing arrangements in an estate regarding the collection of the land-revenue by the different headman and the division of the remuneration between them. [-] [The words 'but his order shall not take effect until it has been confirmed by the Commissioner' omitted by Financial Commissioner's notification No. 1224-R, dated the 9th May, 1932.].Chief Headmen

22. Determination of office of Chief Headmen

- In an estate in which the appointment of a chief headman has been sanctioned by Government, the office shall be vacated as nearly as may be in the manner provided in the rules relating to headmen.

23. Duties of Chief Headmen.

- (i) In estates in which a chief headman has been appointed an order may, at the option of the officer by whom it is issued, be addressed either to the chief headman or to any headman who is by his office responsible for the execution thereof. And if the order is addressed to the chief headman he may, either execute it himself or refer to the responsible headman.(ii)In addition to his own duties as a headman, the chief headman shall be responsible for the due execution of their duties by other headman in the same estate.(iii)Nothing in sub-section (sub rule) ? (i) and (ii), shall be deemed to apply to the matters defined in clauses (i) to (iv) of Rule 20.

24. Remuneration of Chief Headman.

- The remuneration of the chief headman of an estate shall be -(i)the remuneration appointed in

respect of his office when the land revenue of the estate was last assessed;(ii)or failing any such special provision, a portion of the village officer's cess equal to one per cent of the land revenue collected from the estate;(iii)this remuneration shall be collected by the village headmen , and be paid by them to the chief headman.Rules applying to [-] [The words 'Zaildars, Inamdars' omitted vide GSR 12 dated 30.1.1965.] Headmen or Chief Headmen

25. Punishment.

- (i) Where a [-] [The words 'Zaildars, Inamdars' vide GSR 12 30.1.1965.], headman or Chief Headmen commits a breach of or neglects the duties imposed on him by these rules or by any other law for the time being in force, the Collector may by order direct -(a)that the emoluments of his office be withheld and forfeited to Government for a term not exceeding one year ; or(b)that he be suspended from office for a term not exceeding one year.(ii)In a case of suspension, a substitute shall or shall not be appointed as in the circumstances of the case the Collector shall deem necessary.

26. Appointment of substitutes for non-resident headmen.

- (i) Where an estate is owned by a non-resident land-owner he may nominate, for the Collector's approval, a substitute to discharge the duties of headman from among the residents in the estate. If the non-resident owner fails to nominate a fit person, the Collector may appoint a substitute from among the resident tenants.(ii)Where, in an estate owned by more land-owner than one, a non-resident headman is liable, either individually or as representative of other non- resident landowners, for more than half the land-revenue of the estate, a substitute for such headmen may be appointed from among either the resident land-owners or tenants. In making such appointment the Collector shall consult the wishes of the non-resident headmen.

27. Appointment of other substitutes and their position

- Where, by reason of old age, physical infirmity or absence from the circle or village with the permission of the Collector a [-] [The words 'Zaildar, inamdar' omitted by Punjab Notification dated 30.1.1965.] chief headman or, headman or, by reason of minority of other good cause, a headman is unable to perform the duties of his office in person a substitute may be appointed to discharge those duties. A substitute may also be appointed in accordance with the provisions of rule 7, to discharge the duties of [-] [The words 'Zaildar, inamdar' omitted by Punjab Notification dated 30.1.1965.] who is a minor, in the special circumstances, therein specified. A substitute appointed under this or the preceding rule or under rule 7 shall be deemed to be, and shall be equally with the person in whose behalf he is appointed the or village officer (as the case may be) appointed to the office, and the Collector may in each such case direct, from time to time, whether the duties of the office shall be performed by the substitute or the substantive holder or by both concurrently.

28. Determination of office of substitute.

- When the person on whose behalf the substitute was appointed vacates his office, the tenure of office by the substitute shall thereon abate.(ii)Saving as provided in sub-section (i) an order appointing a substitute shall remain in force until it is revoked, or until the substitute dies or is dismissed or resigns the appointment.

29. Rules governing appointment and removal of substitutes.

- (i) In appointing a substitute for a minor headman, the collector shall select any landowner resident in the village, or any resident tenant if the case falls under rule 14(ii).(ii)In making other substitute appointments under rule 27, the Collector shall consult the substantive holder of the office when he is capable of expressing his wishes in the matter. Any resident land-owner in the estate or circle, as the case may be, or any resident tenant in cases falling under rule 14(ii) shall be eligible for appointment as a substitute under this sub- section.(iii)In judging the fitness of a person for appointment as a substitute under this rule, regard shall be had to the property which he will inherit from the person he is intended to represent, in like manner as if he had already inherited it.(iv)A substitute may be removed at any time by the Collector either on his own motion, or except in the case of a substitute for minor headman at the request of the person for whom the substitute is acting, for any reason which would justify the removal of the substantive holder of the office or for any other reason which the Collector thinks sufficient.

30. Remuneration of substitution.

- (i) For special reason to be recorded in the order appointing a substitute the person in whose stead a substitute is appointed may be permitted to enjoy a portion not exceeding a moiety of the remuneration of the office.(ii)In the absence of any such order a substitute is entitled to the whole remuneration of the office.

30A. and 30B.

[-] [Rules 30-A and 30-B (relating to Himachal areas) omitted, vide GSR 58/PA/17/87/ Sections 17 and 28/Amd. (II)/ 80 dated 11-7-1980. Also omitted for Haryana.]

30C. and 30D.

[-] [Rules 30-C and 30-D (relating to areas now in Pakistan) omitted.]Estates and survey-marks

31. Demarcated areas of forest land, etc., owned by Government to be considered estates.

- All demarcated areas of uncultivated and forest land owned by Government are declared to be estates within the meaning of the Punjab Land Revenue Act, 1887.

32. Marks to be erected at angles on boundary of estate.

- At every angle on the boundary between two estates and at such other places on the boundary line as may be necessary for the convenient determination of the boundary of an estate, pillars of mud or stone shall be erected, not less than three feet in height.

33. Trijunction pillars.

- At every point where the boundaries of more than two estates meet a trijunction pillar of the following specification shall be erected :-Material. - A single block of stone, or masonry of stone or burnt brick with lime mortar ; if masonry, upper surface to be plastered with pakka lime plaster.Shape. - If a stone block, in length and breadth not less 18 inches and in depth not less than 3 feet. If masonry cubic, each edge of the cube, not less than three feet long.Position. - The lowest side of the pillar to be accurately bedded upon a levelled surface, and only half the pillar to be above ground.Procedure of Revenue-officers

34. Statements and pleadings to be brief.

- (i) The statements and pleadings made by or on behalf of parties to a revenue [proceeding] [Substituted for 'proceedings' vide Punjab Legislative Supplement Part III dated. 18-7-80 Page 291.], whether oral or written; shall be as brief as the nature of the case admits; and shall not be argumentative; but shall be confined as much as possible to a simple and concise narrative of the facts which the party by whom or on whose behalf the statement or pleading is made believes to be material to the case and which he either admits or believes that he will be able to prove.(ii)Verification of applications. - Every written application or statement filed by a party to a revenue proceeding shall be drawn up and verified in the manner provided by the Civil Procedure Code of written statements in suits.

35. Proceedings not to abate on death or marriage of party.

- The death of one of the parties to a revenue proceeding, or, in a proceeding to which a female is a party, her marriage shall not cause the proceeding to abate. And the Revenue-officer before whom the proceeding is held shall have power to make the successor-in-interest of the deceased person or of the married female a party thereto.

36. In fixing dates, etc., Revenue-officer to follow procedure of revenue court.

- In fixing dates for the hearing of parties and their witnesses, in adjourning proceedings, and in dismissing applications on default or for other sufficient reason, a Revenue-officer will, so far as the nature of the case may require or permit, be guided generally by the principles of the procedure for the time being in force in revenue courts.

37. Commissions

[-] [Words and figures 'Act V of 1908' omitted vide Punjab Legislative Supplement Part III dated 18-7-80 Page 291.]. - The provisions of sections 75-78 of the [Civil Procedure Code 1908] [Substituted for 'Civil Procedure Code' vide Punjab Legislative Supplement Part III dated 18-7-80 Page 291.] and of Schedule 1, Order XXVI, annexed to the said Code in respect of commissions shall apply in the case of proceedings before a Revenue-officer.

38. Expenses of witnesses.

- (i) A Revenue-officer may at his discretion award to a witness attending on summons a sum on account of his expenses not exceeding the sum to which the witness would have been entitled for a like attendance in a Civil Court.(ii)The sum so awarded shall be costs in the proceedings.

39. Record of other proceedings under section 34(4) of Land Revenue Act (mutations).

- In proceedings under section 34, sub-section (4), of the Land Revenue Act, no detailed record of the statements of parties and witnesses shall be made but the order of the Revenue-officer shall state briefly the persons examined by him, the facts to which they deposed; and the grounds of the order.

40. Record of other proceedings under Land Revenue Act and under Tenancy Act.

- In other proceedings, under the Land Revenue Act; not being proceedings under section 117; and in proceedings before a Revenue-officer under the Punjab Tenancy Act, the Revenue-officer shall make with his own hand a brief memorandum of the statements of parties and witnesses at the time when each statement is made.

41. Content of orders.

- In every proceeding in which an order is passed on the merits after inquiry, the Revenue-officer making the order shall also record a brief statement of the reasons on which it is founded.

42. Apportionment and recovery of costs.

(1)In proceedings in which costs have been incurred, the final order shall apportion the cost between the parties to the proceeding.(ii)Cost thus apportioned shall be recoverable by the Revenue-officer by attachment and sale of the movable property of the person liable for the same in the manner prescribed in section 70 of the Land Revenue Act.

43. Execution of orders of ejectment, etc.

- (i) Order of ejectment from; and delivery of possession of immovable property shall be enforced in the manner provided in the Code of Civil Procedure for the time being in force in respect of the execution of a decree whereby a civil court has adjudged ejectment from ; a delivery of possession of such property.(ii)And in the enforcing of these orders a Revenue-officer shall have all the powers in regard to contempts ; resistance and the like which a civil court may exercise in the execution of a decree of the description mentioned in sub-section (i).[44. Language of revenue offices. - The language of revenue offices at or below district level shall be -Hindi in Devnagri script in the Hindi Region and Punjabi in Gurmukhi script in the Punjabi Region; andEnglish and Urdu in Chandigarh Capital :Provided that the order or judgment; against which an appeal or revision lies under the law for the time being in force; may be written by the Presiding Officer in English.Explanation. - The expression 'Hindi Region' and 'Punjabi Region' shall have the meaning assigned to them in the Punjab Regional Committees Order, 1957] [Substituted for Rules 44, 45 and 46 vide GSR No. 130, dated 4th May, 1964.]Execution of Certain Orders of Civil and Criminal Courts through Revenue-officers[47. Appraisalment of value of produce before sale. - When the produce of any land has been attached in pursuance of an order for its attachment and sale addressed to the Collector by a Civil or Criminal Court, the Collector shall direct that an appraisalment of the attached produce be made by a Revenue-officer or by the kanungo of the circle in which the land is situated. The produce shall not be sold until the appraisalment has been approved by the Collector or by a Revenue-officer appointed in that behalf by the Collector.] [Financial Commissioner's notification No. 201, dated 18th August, 1965.]

48. Agency to be used in conducting sale.

- Sales of the produce of land shall be made by a Revenue-officer or by the field kanungo of the circle in which the land is situated. When the sale is made by the kanungo it shall be carried out in presence of a [--] [The words 'Zaildar, Inamdar' omitted by GSR No. 12, dated 30th January, 1965.] village headman appointed in that behalf by a Revenue-officer.The field kanungo shall be entitled to a commission of 5 per cent on the sale-proceeds.

49. Confirmation of sale.

- When produce sold by a kanungo consists of movable property, the purchase money shall not be received nor shall sale become absolute until the sale has been confirmed by the Collector, or by a Revenue-officer named by the Collector.

50. Date on which possession is to be given to decree-holder under orders of Civil Court.

- When an order of a civil court is sent to the Collector for the execution of a decree for the possession of land, the Collector shall give possession to the decree holder on the date specified in the decree or in the direction issued by the civil court executing the decree. If no date is specified in

the decree or by the civil court and the land, of which possession is to be given is in the cultivating possession of the judgement-debtor, the Collector shall at once refer to the civil court for instructions as to whether or not he is to delay execution until any crop, which may have been sown by the judgement debtor and is standing on the land, has been removed. Collection of Land Revenue

51. In absence of special order inferior landowners to be liable for the land revenue.

- Where there are superior and inferior landowners in the same estate or in the same holding, the inferior landowners shall, in the absence of any special order of the Financial Commissioner, to the contrary, be liable for the land revenue. [52. Place of payment and payment to assignee. - (i) land-revenue payable in cash shall be paid at the office of the tahsil to which the estate belongs except in the following case ;(a)Where the tahsil treasury at the district headquarters has been incorporated with the district treasury. In this case the payment shall be made into the district treasury, the Statement of the manner in which the sum paid is to be appropriated being first checked and attested by the tahsildar.(b)Where a special arrangement has been made with the sanction of the Deputy Commissioner, authorising any person under engagement to pay land-revenue to pay direct into the district treasury. In this case the payment shall be made as provided in clause (a).(c)Where the special permission of the Commissioner has been given authorising any person to pay land-revenue into the headquarters treasury of another district within his division or with the concurrence of the Commissioner concerned into the headquarters treasury of any district in another division of the Punjab.(d)Where the land-revenue is assigned, and the assignee has made arrangements satisfactory to the Collector for receiving such revenue at any place approved of by him on or within fifteen days after the dates fixed for the payment of the instalments of the Government demands. In this case the payment shall be made at the place so approved.(ii)If only part of the land-revenue of an estate has been assigned, the assignee shall not be permitted to appoint under this rule a place for payment of the land-revenue due to him other than a place in the estate.]

53. Places of appraisalment and payment where the amount payable is determined by appraisalment.

- (i) Where by the terms of the current assessment the land-revenue is payable in cash, but the amount to be paid at each harvest is determined by appraisalment of the produce, the appraisalment shall be made the Revenue-officer or other agent appointed by the Collector in this behalf at the place where the produce is grown, but the land-revenue determined to be due shall be paid at the place and in the manner provided under the last foregoing rule.(ii)Where in a case under this rule the land-revenue is assigned, the Collector may at his discretion permit the assignee to make the appraisalment.

54. Place of payment where land-revenue is payable in kind.

- (i) Where land- revenue is payable in kind, the produce shall be divided at the place where it is grown, in the presence of a Revenue-officer or agent appointed by the Collector to superintend the division, and the produce thus ascertained to be due as land-revenue shall be paid to that Revenue-officer or agent at the same place.(ii)Where in a case under this rule the land-revenue is assigned, the Collector may at his discretion authorise the assignee to make the division and to receive the land-revenue in person or through an agent.

55. (i) Assignees allowed to collect must receive payment from headmen.

- No order under the foregoing rules, by which arrangements made by an assignee for the receipt of assigned land-revenue payable in cash are approved, shall authorise the assignee to receive payment otherwise than from village headman empowered under these rules to collect the same from the landowners.(ii)Where assignee fails to collect the Collector will realise on his behalf. - If the land-revenue is not paid to the assignee by the date fixed for payment, the Collector of his own motion or on the application of the assignee may order, that it be paid to himself in the same manner and at the same place as is appointed for the payment of land-revenue due to Government in the same tahsil.

56. Order allowing assignee to realize direct may be cancelled by Collector.

- The Collector may at any time cancel an order made in favour of an assignee of land-revenue under rules 52, 53 or 54. And the land-revenue due to the assignee shall thereafter be paid or the produce be appraised or divided (as the case may be) in the same manner and at the same place as is appointed in respect of estates in the same tahsil of which the land-revenue is due to Government.

57. Assigned land-revenue kept in deposit.

- (i) land-revenue due to assignees, that is paid under the foregoing rules into a Government treasury, shall be held in deposit at the credit of the assignee, and shall be paid to him on his demand.(ii)Hakk-ul-tahsil. - A charge of 2 per cent for expenses of collection, or such other charges as may in any case have been prescribed, shall be deducted by the Collector from all such sums.

58. Special arrangements for payment into the district treasury conditional on punctuality.

- The continuance of such special arrangement as is referred to in the second exception to the rule 52 for payment of land-revenue direct into the district treasury shall depend on the punctual payment of the revenue, and on any arrear falling [due, the] [Substituted by Punjab for 'due to' vide Punjab Legislative Supplement Part III dated 18-7-80 Page 295.] Collector shall make an order cancelling that arrangement.Collection of Rates and Cesses

59. Number of instalments and amount.

- (i) Where the annual land-revenue of an estate is payable at one harvest, the demand of each year from that estate on account of rates and [cesses] [Substituted for 'ceases' by Punjab Legislative Supplement Part III dated 18-7-80 Page 295.] shall be paid at the same harvest.(ii)In all other cases the demand of each year from an estate on account of rates and cesses shall be paid in two instalments, viz, one at the Kharif harvest, and the other at the Rabi harvest, and each instalment shall bear the same proportion to the total demand of the year as the instalment or instalments of land-revenue due on the same estate for the same harvest bear to the total land revenue payable by the estate for the same year.

60. Rates and cesses to be paid along with first instalment of land revenue.

- Rates and cesses due at each harvest shall be payable on the date on which the first instalment of land-revenue due from the same estate on account of the same harvest is payable, and, except as by these rules is otherwise provided, at the revenue office appointed for the receipt of land-revenue due to Government in the same tahsil.

61. Rule in case of estates in which no land-revenue is payable.

- Where no land-revenue is payable by an estate, the rates and cesses due therefrom shall be payable by the same instalments and at the same dates by and at which the rates and cesses of the adjacent estates are payable. And the Collector shall by order determine the instalment and dates which are applicable under this rule.

62. Portion of rates and cesses not payable to Government.

- (i) A headman, when paying an instalment of rates and cesses as required by rule 60, shall be entitled to withhold -(a)any portion of the due demand which consists of produce in kind due to village officers holding office in the estate ;(b)the remuneration due to persons other than the patwari ;(c)the proceeds of any cess levied on account of village expenses.(ii)It shall be the duty of the headman to pay sums thus withheld to the persons entitled to the same.Process Fees[63. Charges for service of processes. - For the service of every writ of demand, warrant of arrest and warrant of attachment for the collection of Revenue under Chapters VI and VII of the Punjab Land Revenue Act, 1887 (Punjab Act 17 of 1887), a charge shall be made at the following rates] [Substituted vide Haryana Notification No. GSR 62/P.A.17/1887/S.155 and 156/90 dated 7.8.1990.] :- (1)for writ of demand [ten rupees] [Substituted for 'four rupees' vide Haryana Notification No. GSR 68/P.A.17/1887/S.155 and 156/96 dated 3.9.1996.].(2)for warrant of arrest [fifty rupees] [Substituted for 'fourteen rupees' vide Haryana Notification No. GSR 68/P.A.17/1887/S.155 and 156/96 dated 3.9.1996.].(3)for warrant of attachment [fifty rupees] [Substituted for 'twenty rupees' vide Haryana Notification No. GSR 68/P.A.17/1887/S.155 and 156/96 dated 3.9.1996.].Recovery of Arrears

64. Application of headmen for recovery of arrears from defaulters.

- (i) An application under section 97 of the Land Revenue Act shall state -(a)the name and description of the defaulter ;(b)the arrears of which recovery is desired ;(c)the circumstances which have made the application necessary.(ii)Any number of defaulters residing in the same estate may, at the discretion of the Revenue-officer to whom the application is made be included in the same application, but the arrear due from each defaulter shall be separately specified.

65. Defaulter to be summoned.

- (i) If the application is in due form and the arrear of which recovery is desired has not been due for more than six months, the Revenue-officer shall fix a date for the hearing of the case and shall serve a writ of demand on the defaulter together with a notice requiring him to appear on the date so fixed if the demand has not in the meantime been paid.(ii)If the arrear has been due for more than six months the application shall be rejected, unless the applicant satisfies the Revenue-officer that the delay in realizing the arrear is not due to his neglect. And if so satisfied, the Revenue-officer shall proceed as in sub-section (i).

66. Recovery of arrears from defaulters.

- On and after the date fixed for the attendance of the defaulter the Revenue-officer shall make an inquiry into the existence of the arrear, and if it is proved, he shall record an order stating the amount of the arrear and the person who is the defaulter and shall thereafter proceed to recover the same.

67. Bail of defaulters under detention.

- A defaulter who, under section 69(2) of the Land Revenue Act, is being kept under personal restraint may be allowed to be at large upon bail being given that he shall not absent himself from a place to be specified by the Revenue-officer ordering the restraint during certain hours until ten entire days have elapsed from the commencement of his detention, unless the arrear be sooner paid.

68. Circumstances under which a defaulter is liable to detention or imprisonment for arrears.

- No defaulter shall be detained under section 69 (2) of the Act or confined under section 69 (3) for an arrear unless it is due from himself or from a co-proprietor of whom he is the representative village headman ; nor shall any defaulter be imprisoned for an arrear due before he came into possession of office.

69. Order for detention issued by Assistant Collector 2nd grade to be reported to Collector.

- If in any case an Assistant Collector of the 2nd grade decides to keep a defaulter arrested by warrant under detention instead of causing him to be taken before the Collector, he shall without delay report his action to the Collector, for information, if the detention exceeds twenty-four hours.

70. Sale under section 75 or section 77 to be preceded by attachment.

- When it is proposed to sell an estate or holding or any other immovable property under section 75 or section 77 of the Act, such estate or holding or immovable property shall in the first place be attached in the manner prescribed in section 72.

71. [Inspection of records of Patwari and copies or extracts to be taken there form in his presence [Rule 71 Substituted by Haryana Notification No. G.S.R. 68/P.A.17/87/Ss. 155 and 156/96. dated 3.9.1996.]

] [As amended by Financial Commissioner's notification No. 361-42, dated, 12th March, 1921.] :-
The Patwari shall give to applicants certified extracts and enter in his diary a note of the inspection allowed and extracts given. The following charges shall be made :-

A-Copies of extracts from

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|--|--|
| (1) Jamabandi including extracts called for by Courts or officers in connection with the preparation of abstracts of fields. | Ten rupees per Khatauni holding upto five holdings and above that number five rupees for every additional holding. |
| (2) Inspection notes attached to Jamabandis | |
| (3) Fard Badar | |
| (4) Copy of pending mutation | Twenty five rupees per page. |
| (5) Interrogatories in pending mutations | |
| (6) Counterfoil of mutation sheets | |
| (7) Misal Haqiat | Ten rupees for Khatauni holding upto five holdings and above that number five rupees for every additional holding. |
| (8) Fard Haqiat consisting names of proprietors (or occupancy tenants), total number of field area, land revenue and rates and cesses. | A fixed charge of Rs. 2 per proprietor subject to the minimum of Rs. 10 and maximum of Rs. 200 |
| (9) List of Co-sharers of proprietary or occupancy holding. | Twenty-five rupees for each application. |
| (10) Genealogical trees of land holdings, occupancy tenants or Muquarridars. | Two rupees per word subject to a minimum of Rs. 10 and maximum of Rs. 50. |
| (11) Statement of wells and other sources of irrigation. | Ten rupees per well (chah). |

(12) List of pensions and assignments	Ten rupees per page per application.
(13) Wajibularz	
(a) Naqsha Haquq Jandratwala Panchaki	Ten rupees per application.
(b) Fard Bachh or Dhall Bachh assamiwar, and	Ten rupees for each application, provided that each application shall be limited to not more than two harvests. No fees being charged.
if	copies are required for recovery of arrears of land revenue.
(c) Demand statement (Canal)	Twenty-five rupees for each application
(14) Tariga Bachh	Ten rupees per page.
(15) Orders of Settlement Officers	Twenty five rupees.
(16) Khasra Girdawari including extracts from Khasra Girdawari called for the courts or Officers in connection with the preparation of five yearly abstracts of yields.	Two rupees for entries in a single volume relating to one field and one rupee for each entry thereafter subject to a minimum of Rs. 5 and thereafter in multiple of Rs. 5.
(17) Diaries	Ten rupees.
(18) Field Books	Ten rupees for first ten fields or less and five rupees for every additional five fields or part thereof.
(19) Statement of Grazing dues	Ten rupees for each application.
(20) Extracts from Chaukidars assessment list	No fee being charged if copies are required by Lambardars for recovery of arrears of grazing dues and Chaukidara tax.
(21) Statement contained in village note books.	Ten rupees per statement irrespective of years.
(22) Abstract of quinquennial average of mutations	Twenty five rupees per statement.
(23) Fard taqsim (list of allottees of colony land)	Fifty rupees per rectangle.
(24) Parcha books	Cost price of the book plus five rupees per khatauni holdings.
B - Inspections	
(25) Inspection of papers relating to one quadrannium including relevant entries of the mutation registers.	Fixed charge of twenty rupees for each inspection.
C - Preparation of Plants and Tracings	
(26) Tracing of Field map	Two rupees per field, upto 25 fields, subject to a minimum of Rs. 5 and Rs. 1 per field thereafter in multiple of Rs. 5.
(27) Tracing of tantima shajra	Two rupees per field upto 25 fields subject to minimum of Rs. 5 and Rs. 1 per field

thereafter in multiple of Rs. 5.

(28) Preparation of Plans called for by courts, or officers in connection with civil and revenue suits.

For the purpose of fee for copies of extracts from jamabandis in rent cases, the total number of Khatauni holdings should be taken into account irrespective of the fact whether they are cultivated by the owner himself or by the tenant or sub-tenant and in calculating the fee the number of khewat of which the extract are given may be ignored. Notes :- (1) For extract under serial number 1 or serial number 16 and plans under serial number 28 prepared in connection with the temporary alienation of land in charges shall be subject to a minimum of hundred rupees in a single case irrespective of fact whether the extracts are prepared from Jamabandi or Khasra Girdwari or both and whether or not they involved the preparation of a plan. (2) The full fee thus realised should be credited into the Government Treasury quarterly under the head "209 - Land Revenue Miscellaneous copying and inspection fees of Patwaris records." (3) Patwaris are forbidden to prepare and supply copies of extracts of paper not shown in the above table. (4) List of Co-shares shall not be prepared and supplied without the previous sanction of the Collectors unless required in connection with a Revenue, Civil or Criminal Cases. (5) In the case of Inspection of the Patwaris record by the Sub-Inspector of Cooperative Societies under serial number 25, the fee charged shall be ten rupees only and the whole amount shall be deposited into the Government Treasury. (6) In the case of Parcha books, the whole fee so recovered shall be credited into the Government Treasury.

71A. [(1) Any person wishing to obtain certified copies of revenue records from the patwaris by value payable post (VPP) may apply to the patwari for this purpose giving sufficient information to enable the patwari to make out the copy, provided a post office is located within the circle of the patwari. The application need not bear any court fee stamps. Only one application would suffice for any number of copies asked for. The patwari shall supply the required copies through Value Payable Post (VPP) within four days of the receipt of application and shall charge the following charges in addition to those already prescribed under the rules for preparing copies of revenue records :-

(i) Postage charges by weight for the packet containing copies of revenue records to be sent. (ii) Value Payable Post (VPP) charges. (iii) Registration fee. (iv) [Two rupees] as remuneration for inconvenience and extra work caused to him. (2) The charges mentioned at (i) to (iv) above will be deemed 'other charges' under section 98 (a) of the Punjab Land Revenue Act, 1887, and as such shall be recoverable as arrears of land-revenue when the packet containing copies of revenue records sent by value payable post is refused by an applicant.] [Rule 71-A, added by Punjab Government notification No. 664-R (CH) 54/1350, dated 6th July, 1954.]

72. Form of Jamabandi.

- The statements prescribed by clause (a) of sub-section (2) of section 31 of the Punjab Land Revenue Act shall be recorded in the form set forth below, to be known as the Jamabandi with such additions as the Financial Commissioners may prescribe from time to time for each district :-

1	2	3	4	5	6
Khewat Jamaband No.	Khatauni No.	Name of Patti or Taraf with name of Lambardar and revenue	Owner with description	Cultivator with description	Well or other means of irrigation
7	8	9	10	11	12
Field No.	Areas	Rent paid by cultivators, rate and amount	Share or measure of right and rule bachh	Demand with detail of revenue and cesses	Remarks

Notes. - (1) In column 4, the father's name, [the grand father's name] [Financial Commissioner's notification No. 737-R-53-3066, dated the 4th September, 1953.] [-] [The words 'tribe or castes, got or sub-tribe, if any,' omitted by ibid.] and residence of the owners shall be entered. (2) In column 5 the father's name, [the grand father's name] [Financial Commissioner's notification No. 737-R-53-3066, dated the 4th September, 1953.] [-] [The words 'tribe or castes, got or sub-tribe, if any,' omitted by ibid.] and residence and status (e.g., maurusi, ghair maurusi) of the cultivators, shall be entered. [The presumption of truth attaches to the entries so made only in respect of occupancy tenants ; and of lessees for a period of more than 20 years in estates outside a municipality or Cantonment ; and it is only in regard to such person that careful enquiry is necessary.] [Para added vide correction slip No. PLA-40, dated 8th September, 1938.] [72A. Entry regarding the occupancy tenants. - Where the proprietary rights in the land have accrued since 15th June, 1952, or the 18th August, 1963, to occupancy tenants and adna maliks, by virtue of section 3 (a) of the Punjab Occupancy Tenants (Vesting of Proprietary Rights) Act, 1952, or the Pepsu Occupancy Tenants (Vesting of Proprietary Rights) Act, 1954, as the case may be, and section 3(a) of the Punjab Abolition of Ala Malkiyat and Talukdari Rights Act, 1952, or the Pepsu Abolition of Ala Malkiyat Rights Act, 1954, as the case may be, necessary variations in proprietary rights, title and interest shall be given effect to in the records of rights or annual records by making such entries straightway without resorting to mutation proceedings. Similar procedure shall be observed in case of proprietary rights accruing to occupancy tenants in Shamilat lands after the expiry of a period of six months from 15th April, 1953, or the date of publication of Punjab Occupancy Tenants (Vesting of Proprietary Rights) Act, 1952, or from the date of their obtaining the occupancy rights, whichever is later, except in cases where an occupancy tenant has exercised the option under the proviso to section 3(a) of the Punjab Occupancy Tenants (Vesting of Proprietary Rights) Act, 1952, not to acquire a share in the Shamilat. However, in the case of proprietary rights accruing to occupancy tenants in Shamilat lands under the Pepsu Occupancy Tenants (Vesting of Proprietary Rights) Act, 1954, necessary variation will be recorded with effect from 18th August, 1953, when the President's Act was enforced in that State or from the date of obtaining occupancy rights. A reference to the relevant section of the Act under which these rights have been acquired shall be recorded in the

remarks column of the records of rights or the annual rights.] [Substituted vide Financial Commissioner's notification No. 2657-ARI (IV)59/2848, dated 6th July, 1959.][72B. - (1) Where the proprietary or other rights, title or interest in the evacuee property, as described in the Administration of Evacuee Property Act, 1950 (XXXI of 1950), have been acquired by the Central Government under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) (hereinafter referred to as the said Act), and have been transferred by that Government under section 10 of the said Act, or where any such rights have been transferred in payment of compensation under section 20 of the said Act, such transfer shall be given effect to in the Records of Rights or Annual Records, as the case may be, by making necessary entries on the basis of the Sanads issued under section 10 and section 20 of the said Act by the Central Government, without resort to mutation proceedings.(2)Similarly the name of the Central Government shall be recorded in the relevant column of the Records of Rights or Annual Records, as the case may be, without entering a mutation, in all those cases in which proprietary or other rights, title or interest have been acquired by the Central Government but not transferred as specified in sub-rule (1). The names of temporary allottees or lessees, as the case may be, shall be entered as such in the cultivator's column.Note. - A reference to the relevant sections of the Act and notifications issued thereunder, under which such rights, title or interest, have been acquired by the Central Government and necessary particulars of Sanads, conferring rights of ownership upon the allottees shall be recorded in the remarks column of the Records of Rights or Annual Record, as the case may be.(3)Rights of evacuee mortgagees or mortgagors of land owned by or in favour of non-evacuees shall continue to be recorded in the owner's or cultivator's column, as the case may be, in the name of the Custodian, till such rights are separated under the provisions of the Evacuee Interest (Separation) Act, 1951. After the rights have been separated by the Competent Officer between the Custodian of Evacuees Property and the non-evacuee right holders, the Custodian's separated share shall be recorded in the name of the Central Government, as laid down in sub-rule (2).(4)The names of Muslim properties held in trust for a public purpose of a religious or a charitable nature, shall be recorded in the owner's or cultivator's column, as the case may be, of the Record of Rights or Annual Records, and the words "under the Management of the Custodian" i.e., "Falan Mazhbi adara be ehtmam Custodian" (Urdu) shall be recorded along with the name of the institution without resort to mutation proceedings. In the cultivator's column the tenant's name shall be shown under the Custodian, i.e., "Kasht falan ghair Mauroosi zer taht Custodian." (Urdu).(5)The preparation of "Fard Taqsim Arazi Matrooqa" shall hereafter be discontinued.] [Rule 72-B, added by Financial Commissioner's notification No. 1781 R-58/201 (CH), dated the 28th January, 1959.]

73.

Cancelled.

74.

Cancelled.

75.

Cancelled.

76.

Cancelled.

77. Charges for service of process through post.

- In all cases in which processes are issued by post, the parties concerned shall be required to pay Talbana at the rate of thirty-one naye paise per head with a minimum of fifty naye paise.