

Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Rules, 2011

HARYANA

India

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Rule

HARYANA-DHOLIDAR-BUTIMAR-BHONDEDAR-AND-MUQARARIDAR- of 2011

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Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Rules, 2011Published vide Notification No. S.O. 54/H.A.1/2011/S.1/2011, dated 16.06.2011Last Updated 12th December, 2019No. S.O. 54/H.A.1/2011/S.1/2011. - In exercise of the powers conferred by sub-section(1) read with sub-section (2) of section 13 of the Haryana Dholidar, Butimar. Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Act. 2010 (Act 1 of 2011). the Governor of Haryana hereby makes the following rules, namely:-

1. Short title and commencement.

(1)These rules may be called the Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Rules, 2011.(2)These rules shall come into force with effect from the date of their publication in the Official Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise required,-(a)"Act" means the Haryana Dholidar. Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Act, 2010 (Act 1 of 2010);(b)"Annexure" means Annexures annexed to these rules;(c)"section" means section of the Act.(2)Words and expression used in these rules and not defined but defined in the Act shall have the Slime meanings respectively assigned to them in the Act.

3. Application for vesting of proprietary rights.

(1)Dholidars. Butimars. Bhonedars or Muqaridar or their successorin- interest whose period of twenty years have been completed on the date of commencement of the Act, shall apply in Annexure-I to the Collector concerned within a period of six months from the date of commencement of these rules for vesting of proprietary rights.(2)Dholidars. Butimars, Bhonedars or Muqaridar or their successorin- interest whose period of twenty years have not been completed on the date of commencement of the Act, shall apply to the Collector concerned within a period of six months from the date of completion of twenty years for vesting of proprietary rights.(3)Dholidars, Butimars, Bhonedars or Muqaridar in occupation of the land in question shall prove their occupation from the entries of the revenue record.(4)On receipt of an application, the Collector shall examine the eligibility of the applicant and continuous occupation thereof, from the entries in the revenue record, as on the date of making an order, for vesting of proprietary rights:Provided that before passing an order for conferment of proprietary rights on the Dholidar, Butimar, Bhonedar or Muqaridar, the Collector shall afford an opportunity of hearing to the land owner concerned or his successors-in-interest, as the case may be.(5)If the owner of land is the Gram Panchayat or Shamilat Deh, an opportunity of being heard shall be provided to the Gram Panchayat concerned.(6)If the ownership of any plot or site or building within the Abadi Deh is claimed then the possession over the plot or site or building shall have to be proved by the Dholidar, Butimar, Bhonedar or Muqaridar, as the case may be, on the basis of house tax, ration card, telephone bill, water charges bill or any other relevant document.(7)No stamp duty shall be charged from such Dholidar, Butimar, Bhonedar or Muqaridar on account of conferment of proprietary rights.

4. Application for compensation.

(1)A landowner shall apply to the Collector concerned for payment of compensation in the proforma given in Annexure 2.(2)The compensation in respect of Shamilat land or Panchayat land shall be payable to the Gram Panchayat concerned.(3)The amount of award for compensation payable by the Dholidar, Butimar, Bhonedar or Muqaridar to the land owners or their successors in interest shall be paid through treasury.(4)The payment of amount of compensation shall be made by the Treasury Officer as indicated by the Collector from the amount of compensation received from Dholidar, Butimar, Bhonedar or Muqaridar.

5. Appeal.

(1)An appeal against the order of Collector may be filed in person or through a duly authorized agent.(2)A memorandum of appeal shall be accompanied by a copy of the order appealed against and shall indicate clearly the grounds of appeal.

6. Obtaining copies.

(1)An application for obtaining copies of the orders passed by the authorities under these rules shall

be made on payment of such fee as specified in rule 10.

7. Inspection of record.

- Any person interested may inspect the record relating to the conferment of proprietary rights or payment of compensation on payment of such fee as specified in rule 10.

8. Service of notice.

(1) Every notice made or issued under these rules shall be served by registered post with acknowledgement due. (2) A notice issued under these rules shall be effective only at the expiry of the period stated therein and such period shall not ordinarily be less than fifteen days in any case. (3) The service of a notice under sub-rule (1) shall be deemed to have been effected if the notice has been properly addressed and dispatched by registered post. (4) If by due diligence the address of the person concerned cannot be known, the notice shall be dispatched to him through the Collector concerned. (5) If a notice sent by post is returned undelivered or where the Collector or any other authority is satisfied that there are reasons to believe that the notice cannot be delivered in the ordinary course, the Collector or any other authority may direct that the notice may be served either ;-(i) by publication in a newspaper having circulation in the area in which the person concerned is known to have last resided or to have carried on business; or (ii) by affixing a copy of the same on the conspicuous place of the property, in relation to which the order or notice has been made or issued.

9. Register.

- The Collector shall enter all such orders of conferment of proprietary rights and payment of compensation in a proper register for permanent record.

10. Fee.

(1) The court fee of Twenty five rupees shall be leviable in case of appeal, revision, review and inspections. (2) All applications under these rules shall bear a court fee of five rupees. (3) All fee shall be paid by means of court fee stamps. Annexure 1 (See rule 3(1)) (Application from Dholidar, Butimar, Bhondedar or Muqararidar) Subject : Application for conferment of proprietary rights of land/plot/site/building situated in village..... Tehsil..... District..... Sir

1. The land measuringcomprised in Khasra No..... situated in villageis in occupation of the applicant(s) as Dholidar, Butirnar, Bhondedar or Muqararidar since(certified copies of the revenue records in support of the contents are enclosed.)

2. The owner of the land at initial stage was Sh S/o R/o village and now the following persons are the present owners of the land in question as per Jamabandi for the year (Certified copies of the Jamabandi are attached).

(i).....(ii).....

3. That as per provision of the HarYilnaDholidar, Butimar, Bhondedar or Muqararidar (Vesting of Proprietary Rights) Act, 2010, I/We claim for the conferment of proprietary rights in respect of the land/plot/site/building situated in village

4. That I/We are the successOr in the interest of Shri S/o who was Dholidar, Butirnar, Bhondedar or Muqararidar of the land/plot/site/building at the initial stage (documents in support of this contention attached).

5. That I/We are ready to make the payment of compensation in lieu of such conferment of proprietary rights at the rate of Rs.500 per acre as fixed by the State Government within two months from the date of orders to be passed in this regard.

6. That the proprietary rights of above said land/plot/site/building may be transferred in the name of applicant(s).

Thanking you.

Yours faithfully,

Place: Signature, name, parentage and address of all the applicants.

Date:

Annexure 2(See Rule 4(1))[Application from landowner(s)]Subject : Application for payment of compensation of land/plot/site/building situated in village Tehsil DistrictSir

1. The land measuring comprised in Khasra No situated in village was in occupation of Shri S/o as Dholidar, Butimar, Bhondedar or Muqararidar.

2. The owner of the land at initial stage was Shri S/o R/o village who was our father/grand father/forefather and now the following persons are the present owners of the land in question as per Jamabandi for the year (Certified copies of the Jamabandi are attached).

(i).....(ii).....

3. That as per provision of the Haryana Dholidar, Butimar, Bhondedar and Muqararidar (Vesting of Proprietary Rights) Act, 2010, the persons have been declared as power of the land by the Collector vide his orders dated (copy attached).

4. Hence the amount of compensation in respect of the land in question may be paid to us.

Thanking you.

Yours faithfully,

Place: Signature, name, parentage and address of all the applicants.

Date: