

The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963

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Rule

THE-BIHAR-LAND-REFORMS-FIXATION-OF-CEILING-AREA-AND-ACQ of 1963

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The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963Published vide Notification No. 8449 L.R., dated 22nd August, 1963Notification No. 8449 L.R. the 22nd August, 1963. - In exercise of the powers conferred by Section 45 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act 12 of 1962), the Governor of Bihar is pleased to make the following Rules, the same having been previously published as required by sub-section (1) of the said section, namely :-

Chapter I

Short title, commencement of the Rules and definitions

1. Short title and commencement.

(1)These Rules may be called the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963.(2)They shall come in to force at once.

2. Definitions.

- In these Rules unless there is anything repugnant in the subject or context-(a)"the Act" means the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act 12 of 1962);(b)"Form" means a form set out in the Schedule to these Rules;(c)"Section" means a Section of the Act;(d)all words and expressions used in these Rules and not defined therein but

defined in the Act shall respectively have the same meaning as are assigned to them in the Act.

Chapter II

Procedure regarding personal service of notice or order

3. Mode of service of notice or order.

(1) Unless otherwise provided in the Act, any notice or order required to be served upon any person under the provisions of the Act shall be served by delivering or tendering a copy thereof duly signed and sealed, to the person on whom it is to be served or to his duly authorised agent or to his agent in charge of the land or part thereof to which the notice or order relates. (2) A copy of every such notice or order shall be affixed to the notice board of the office of the Collector, [Anchal Adhikari and Gram Panchayat] [Substituted by G.S.R. No. 5, dated 11.1.1981.] within whose jurisdiction the land or part thereof to which the notice or order relates is situated. (3) Where the person on whom the notice or order is to be served and his agent in charge of the land to which the notice or order relates cannot be found and also where such person has no agent empowered to accept service of notice or order on his behalf, service may be made on any adult male member of the family of such person residing with him. (4) Where the serving officer delivers or tenders a copy of the notice or order to the person to be served with such notice or order personally or to an agent or other person on his behalf, he shall require the signature of the person, to whom the copy is so delivered or tendered, to an acknowledgement of service to be endorsed on the original notice or order. (5) Where the person to be served with notice or order on his agent or such other person as aforesaid refuses to sign the acknowledgement, or where the serving officer, after using all due and reasonable diligence, cannot find the person to be served with the notice or order and there is no agent empowered to accept service of notice or order on his behalf, or any other person on whom service can be made, service may be made by affixing a copy of the notice or order to on the outer door or some other conspicuous part of the house in which the person to be served with the notice or order ordinarily resides or carries on business or personally works for gain or on the outer door of the office, if any, of the person to whom the notice or order relates. (6) The serving officer shall, in all cases in which the notice or order has been served under sub-rules (2), (3), (4) or (5) endorse or annex or cause to be endorsed or annexed on or to the original notice or order, a return stating the date on which and the manner in which the notice or order was served and the names of addresses of two persons witnessing the service. (7) (i) Notwithstanding anything contained in the foregoing sub-rules the Collector shall, in cases of service of notice or order under sub-rule (5) and may in other cases if he thinks fit order that the notice or order shall be served-(a) by sending a copy thereof, duly signed and sealed, by registered post with acknowledgement due, to the person on whom such notice or order is to be served; or (b) if the notice or order relates to any land, by affixing such notice or order to a conspicuous place on the land or the homestead where the land-holder ordinarily relates. (ii) In the case referred to in clause (a) the posting of the notice or order shall be sufficient proof of the service of such notice or order on the person concerned. (iii) In the case referred to in clause (b), a return by the serving officer stating the date of such service attested by two persons shall be sufficient proof of the service of notice or on the person concerned. (8) Where the person to be served with a notice or order under the Act is a minor or a person of unsound mind, the service shall be made in the

aforesaid manner on the guardian of such minor or person of unsound mind as the case may be.

4.

- [* * * * *] ['Rule 4' deleted by G.S.R. No. 46, dated 17.4.1972.]

Chapter III

Publication of notice, filing of return and penalty

5. [Publication of notice calling upon all land-holder of the State to submit returns under Section 6(1). [Substituted by G.S.R. No. 78, dated 16.5.1973.]

- The notice to be published by the State Government under sub-section (1) of Section 6 shall be in Form L.C.1.]

5A. [Publication of notice calling upon any land-holder or all landholders to submit return under sub-section 1 of Section 15A. [Inserted by S.O. 132-A, dated 14.11.1975.]

- The notice to be published by the State Government under sub-section (1) of Section 15-A shall be in Form L.C. - 1 A and the form of application offering to surrender land in excess of the ceiling area prescribed under Section 4 of the Act shall be in Form L.C.2A.]

6. [Place where the returns under Sections 6 or 8 shall be filed or information under Section 9 shall be given by or on behalf of the landholder. [Substituted by G.S.R. No. 5, dated 11.1.1981.]

(1) If the lands of a land-holder are situate within the jurisdiction of more than one Collector, the land-holder or his guardian, where the land-holder is a minor or a person of unsound mind, shall file in duplicate his return under Section 6 or information under Section 9 before the Collector within the limits of whose jurisdiction he ordinarily resides and shall also send a copy of the return to the Collector or Collectors of the area in which his remaining lands are situate intimating him or them the place where the original return has been filed and the district where the major portion of the land of the land-holder is situate. (2) The Collector receiving the original return and the Collector or Collectors receiving copies of the return shall, after getting the return duly verified under Rule 8, send all relevant papers and information about the lands of the land-holder to the Collector within whose jurisdiction the major portion of the lands are situate where all subsequent proceedings shall be taken. (3) If the land-holder has not filed his return in response to the notice under Section 6 and a notice to file return under Section 8 has been served upon him, the land-holder shall file his return before the Collector who has issued the notice and a copy of the return shall also be sent to the Collector within whose jurisdiction any portion of the land of the land-holder is situate.]

7. Notice to be served on the land-holder or his guardian under Section 8.

(1) The notice to be served by the Collector under sub-section (1) of Section 8 on the land-holder or his guardian, where the land-holder is a minor or person of unsound mind, shall be in Form L.C.3.(2) Before imposing any fine under sub-section (2) of Section 8, the Collector shall cause another notice to be served on the person concerned in Form L.C. 4 and give him a reasonable opportunity of being heard and adducing evidence, if any, and consider the same.

Chapter IV

Checking of return and information, preparation and publication of draft statement, final publication and certification thereof under Sections 10 and 11

8. Procedure under Section 10(1) regarding checking of information given by or on behalf of land-holder under Sections 6, 8, 9, or information obtained by Collector under Section 7.

(1) The Collector receiving the original returns under Sections 6 or 8 or the information under Section 9 and the Collectors receiving copies thereof under Rule 6 shall call upon the Anchal Adhikari/ Circle Officer/ Block Development Officer/ Project Executive Officer of the area concerned, in whose jurisdiction the lands are situate, to make verification and to send to him a report after verification and he shall comply with the requisition accordingly; and thereafter the same shall be further checked, and verified by the Collector having jurisdiction over the area concerned with reference to up-to-date rent receipt and other relevant revenue records including the records-of-right maintained by the Collector. The Collector before whom copies of returns or information have been filed, shall after such verification, transmit such reports to the Collectors within whose jurisdiction the major portion of the land of the land-holder is situate.(2) Wherever necessary, the Collector will examine any document which may be produced by or on behalf of the land-holder in support of his claim to the land.(3) The Collector may himself hold a local enquiry if he considers it necessary, or get such an enquiry made by any other officer not below the rank of Sub-Deputy Collector to verify the facts stated in the return or the information received.

9. Declaration of the land exempted from the operation of Section 5.

- [(1) After the information given by or on behalf of the land-holder under Sections 6, 8 or 9, or the information obtained under Section 7 has been checked and verified in the manner prescribed in Rule 8, the Collector shall, after giving the parties a reasonable opportunity of being heard and adducing evidence hold enquiry regarding the land in respect of which exemption from the operation of Section 5 have been claimed under items (i), (iv), (v), (vi), (vii) or (viii) of clause (b) of sub-section (1) or under item (i) or (ii) of clause (a) of sub-section (2) of Section 29 and thereupon-] [Substituted by G.S.R. No. 5 dated 11.1.1981.](i) in respect of exemption claimed under items (i), (vii)

or (viii) of clause (b) of sub-section (i) of Section 29, pass necessary orders, declaring the area and description of the land exempted under one or more of the said items;(ii)in respect of exemptions claimed under items (iv), (v) and (vi) of clause (b) of sub-section (1) or item (i) or (ii) of clause (a) of subsection (1) or item (i) or (ii) of clause (a) of sub-section (2) of Section 29 forward the evidence, if any, adduced before him and his enquiry report together with his recommendations in this regard to the Collector of the district who shall, after perusing the same and after giving the parties concerned a reasonable opportunity of being heard-(a)determine the area and description of the land which should be exempted under item (ii) of clause (a) of sub-section (2) of Section 29 and forward his recommendation in this regard to State Government;(b)forward his recommendation to the State Government in respect of exemption claimed under items (iv), (v) or (vi) of clause (b) of sub-section (1) or item (i) of clause (a) of sub-section (2) or Section 29:Provided that in respect of item (i) of sub-section (2) of Section 29 of the Act Collector shall not recommend exemption at the rate exceeding one acre for every ten thousand quintals or part thereof the annual requirement of sugarcane of the factory concerned as determined by the Cane Commissioner under the Bihar Sugarcane (Regulation of Supply and Purchase) Act, 1969 (Act VII of 1969) subject to maximum of one hundred acres.(2)While forwarding his recommendations to the State Government, the Collector of the district shall also send the evidence, if any, adduced before the Collector and the enquiry report and the recommendation of the Collector.(3)[On receipt of the recommendation from Collector of the district and the papers mentioned in sub-rule (2), and after considering the same, the State Government shall issue the necessary notification specifying the area and the description of the land exempted from the operation of Section 5 under items (iv), (v) or [(vi) of clause (b) of sub-section (1) or under item (i) or (ii) of clause (a) of subsection (2) of Section 29, and the period for which such exemption shall continue.] [Substituted by G.S.R. No. 46, dated 17.4.1972.]

10. Preparation of draft statement under sub

- section (1) of Section 10. - After the return of the information given by or on behalf of the land-holder under Sections 6, 8 or 9 or the information obtained under Section 7 has been checked and verified in the manner prescribed in Rule 8, and the lands exempted from the operation of Section 5 have been declared under Rule 9, the Collector shall cause a draft statement to be prepared in Form L.C. 5.

11. [Publication of the draft statement under Section 10(1). [Substituted by G.S.R. No. 5, dated 11.1.1981.]

(1)The draft statement in Form L.C. 5 together with a notice in Form L.C. 6 shall be published under sub-section (2) of Section 10 in the Official Gazette of the district and a copy thereof shall be served on the land-holder or land-holders concerned or on their guardian or guardians concerned, as the case may be, by registered post with acknowledgement due.(2)Copy of the draft statement and the notice is mentioned in sub-rule (1) shall also be affixed on the notice board of-(i)the office of the Collector,(ii)the office of the Anchal Adhikari,(iii)the office of the Gram Panchayat within whose jurisdiction the land or part thereof is situate.(3)Where the land of land-holder is situate in more than one district copy of the draft statement and notice as mentioned in sub-rule (1) shall also be

sent to the Collector of the district under whose jurisdiction the land is situate; who shall cause the said draft statement and notice to be affixed on the notice board of the office of the Anchal Adhikari and the office of the Gram Panchayat where the land or part thereof is situate.]

12. Certification and authentication of the statement finally published under Section 11.

(1) Copies of the statement as finally published shall be certified under sub-section (1) of Section 11 and authenticated under sub-section [(2)] [Substituted by G.S.R. No. 5, dated 11.1.1981.] of the said section by the Collector by signing every page thereof and by giving a certificate at the end that it is true copy of the statement as finally published and dating his signature thereunder in the following words-"Certified that this is a true copy of the statement finally published under sub-section (1) of Section 11 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962)."Collector under Bihar Act XII of 1962.Date-Place-(2)[Copy of the statement mentioned in sub-rule (1) shall be published in Official Gazette of the district and a copy thereof shall be served on the land-holder and land-holders concerned or on their guardian or guardians concerned as the case may be, by registered post with acknowledgement due.(3)Copy of the statement mentioned in sub-rule (1) shall be affixed on the notice board of-(i)the office of Collector,(ii)the office of Anchal Adhikari, and(iii)the office of the Gram Panchayat in whose jurisdiction the land or part thereof is situate.(4)Where the land of a land-holder is situated in more than one district copy of the statement mentioned in sub-rule (1) shall also be sent to the Collector of such other district where any portion of the land is situate, who shall cause the same to be affixed on the notice board of the Anchal Adhikari and the office of the Gram Panchayat where the land or part thereof is situate.(5)The Collector shall also send one copy of the statement mentioned in sub-rule (1), within seven days of its publication, to the Revenue and Land Reforms Department for information.] [Substituted by G.S.R. No. 5, dated 11.1.1981.]

Chapter V

Resumption of land by raiyat from under-raiyat and determination of compensation for improvement made by an under-raiyat vide Sections 12, 13 and 14

13. Procedure in case of resumption of land by a raiyat from his non occupancy under-raiyat.

(1) Notice under sub-section (1) of Section 13 by a raiyat to an under-raiyat, not having right of occupancy, shall be sent in Form L.C. 7, and a copy thereof shall also be sent by registered post with an acknowledgement due, by the raiyat to the Collector within whose jurisdiction the land desired to be resumed is situated.(2) Application by or on behalf, of the raiyat for ejection of under-raiyat under Section (2) of Section 13 shall be made in Form L.C. 8 by the raiyat or his guardian, if he is a minor or a person of unsound mind, to the Collector having jurisdiction over the area concerned.(3) The application shall bear a court-fee stamp of such value as may be payable for it

under the Court-fees Act, 1870 (Act VII of 1870) for the time being in force in the State of Bihar and shall be accompanied with the notice referred to in clause (ii) of sub-section (2) of Section 13 in Form L.C. 9 in triplicate separately in respect of each under-raiyat on whom the notice is to be served.

14. Application under Section 13(5) by the raiyat to eject the under-raiyat in case of latter's failure to put the raiyat in possession.

(1)The application referred to in sub-section (5) of Section 13 shall be made within a period of thirty days of the date from which the order of the Collector under subsection (4) of Section 13 takes effect:Provided that any such application may be permitted to be made at any time after the aforesaid period of thirty days if the Collector is satisfied that the applicant was prevented by sufficient cause from filing the application within such period.(2)On receipt of the application from the raiyat for ejecting the under-raiyat, the Collector shall issue a notice to the under-raiyat or his legal representatives to show cause by a date to be specified in the notice in Form L.C. 10 why such force as may be necessary shall not be used for putting the raiyat in possession.(3)If no cause is shown on or before the date specified in the notice or if the cause shown is, in the opinion of the Collector not satisfactory, and it appears to the Collector that the under-raiyat for his legal representative refused or failed to put the raiyat in possession of the land in accordance with the order of the Collector under Section 13(3) of the Act, he shall pass an order in writing, subject to the provisions of Section 14 directing the Nazir/the bailiff of the Court or any other person to deliver possession of the land to the raiyat and for that purpose may use such force as may be necessary.(4)The delivery of possession will be effected in the manner prescribed for the purpose in the Code of Civil Procedure, 1908 (Act V of 1908) and the warrant to the bailiff for giving possession of the land shall be in the Form L.C. 11.

15. Determination by the Collector of compensation payable by the raiyat for improvement made on the land by this ejected under-raiyat, under Section 14 (2).

(1)For the purpose of determining the amount of additional compensation to which under-raiyat is entitled under sub-section (2) of Section 14 for any improvement made by him of the land from which he is ejected, the Collector shall obtain from the under-raiyat a statement showing, besides the matter described in clause (ii) of the said-section, the following particulars, namely(a)period of the execution of the improvement work;(b)name/names of the person or persons who executed the work;(c)amount claimed as compensation.(2)On receipt of the statement the Collector shall issue a notice to the raiyat to appear before him either personally or through an agent duly authorised by him on a date to be specified in the notice and to show cause why the amount of compensation claimed by the under-raiyat should not be assessed for being paid by the raiyat.(3)If after due service of the notice cause is shown or no cause is shown the Collector shall, after giving an opportunity to the under-raiyat and raiyat, to be heard in the matter and/or adducing evidence, determine the compensation after taking into consideration the evidence adduced and the statement furnished under sub-rule (1).

16. Deposit of compensation by the raiyat under sub-section 14(3).

- After the Collector has determined the compensation in the manner laid down in Rule 15 the Collector shall pass an order in writing, directing the raiyat to deposit the entire amount of compensation in the Treasury/Sub-Treasury in one lump sum or in such instalment as the Collector may allow.(2)The amount deposited by the raiyat shall be retained by the Collector in the Treasury/Sub-Treasury in which it has been deposited and after the entire amount of compensation has been so deposited by the raiyat, the raiyat shall be permitted to resume the land under Section 12 read with Section 13 of the Act and after such resumption the entire amount of compensation as assessed by the Collector and deposited by the raiyat shall be paid to the under-raiyat.

17.

[* * *] [Rule 17 deleted by G.S.R. No. 46 dated 17.4.1972.]

Chapter VI

[Deleted vide G.S.R. No. 46 dated 17.4.1972]

Chapter VII

Restriction on Future Acquisition

18. Declaration in writing to be made and filed by the transferee under Section 16 (2) (i) of the Act.

- The declaration in writing to be made and filed by the transferee under item (1) of sub-section (2) of Section 16 before the registering authority under the Indian Registration Act, 1908 (XVI of 1908) shall be in Form L.C. 12.

19. Application by co-sharer or a raiyat of adjoining land for transfer of land under Section 16(3).

(1)Application by co-sharer or raiyat of adjoining land for transfer of land under Section 16(3) shall be in Form L.C. 13 and the purchase money together with a sum equal to ten percent thereof shall be deposited in the Treasury/Sub-treasury of the district within which the land transferred is situated.(2)A copy of the Challan, showing deposit of the amount under sub-rule (1) together with a copy of the registered deed, shall be filed along with the application in which also a statement to his effect shall be made.(3)A copy of the said application shall also be sent simultaneously by the applicant to the transferor and the transferee by registered post with acknowledgement due.(4)The Collector shall issue a notice to the transferor, the transferee and the applicant to appear before him on a date to be specified in the notice and after giving the parties concerned a reasonable opportunity of showing cause, if any, and of being heard, shall by an order in writing, either allow

the application in accordance with clause (iii) of sub-section (3) of Section 16, or reject it.(5)If the application is allowed under item (iii) of sub-section (3) of Section 16 and the transferee is directed by the Collector by any order to convey the land in favour of the applicant by executing and registering a document of transfer, the applicant shall be required to pay the registration fee.(6)Where the application is allowed and the transferee conveys the land in favour of the applicant under Section 16(3) (iii), the transferee shall be allowed to withdraw the money deposited by the applicant.

20. Terms and conditions for restoration of land to the transferor under Section 17(3)(b).

(1)Under clause (b) of sub-section (3) of Section 17, land shall be restored to the transferor on the term and condition that he shall pay the consideration money received in the transaction to the State Government in one lump or in such instalments covering a period of not more than five years may be allowed by the Collector.(2)In the event of default in paying the consideration money or any instalment thereof fixed under sub-rule (1), the entire outstanding amount may be realised at the discretion of the Collector as a public demand which shall be a first charge on the land.

21. Filing of return by the land-holder under Section 18 (1) in case of future acquisition by inheritance, bequest, gift or on alluvial action.

- The return to be filed by the land-holder under sub-section (1) of Section 18 shall be in Form L.C. 14.

Chapter VIII

Sub-Letting and surrender under Sections 19 and 20

22. Sub-letting.

- The information to be given by the raiyat under sub-section (1) of Section 20 shall be in Form L.C. 12 and shall be sent in duplicate, by registered post with an acknowledgement due to the Collector or the Executive Committee of the Gram Panchayat established under the Bihar Panchayat Raj Act, 1947 (Bihar Act VII of 1948) within the local limits of whose jurisdiction the land is situate or shall be submitted either personally by the raiyat or through an agent in the office of the Collector or the Executive Committee who shall grant a receipt in acknowledgement thereof:Provided that where a raiyat claims to sub-let under the proviso to Section 20 he shall also submit along with the information in Form L.C. 15 a certificate signed by any member of the Executive Committee of the Gram Panchayat or by any gazetted officer in support of such claim.

23. Application by raiyat under Section 20(4) for ejectment of sub-lessee.

- Application under sub-section (4) of Section 20 shall be made in Form L.C. 16 within a period of thirty days from the date of accrual of cause of action for ejectment under sub-section (3) of the Section.

24. Surrender of land by sub-lessee under Section 20(5) and subletting thereof by the Collector to another person.

(1) Application under subsection (5) of Section 20 by a sub-lessee who wishes to surrender the land sub-let to him under the said section shall be in Form in L.C. 17. (2) On receipt of such application, the Collector shall issue a notice to the raiyat concerned to appear before him in his court on a date to be specified in the notice to state whether he has any objection to the proposed surrender being allowed, and after considering the application of the sub-lessee and the objection of the raiyat, if any, he shall pass necessary orders. (3) When permission is given under sub-section (5) of Section 20, the Collector shall register the order in relevant columns of the register in Form L.C. 18. (4) In sub-letting the land on behalf of raiyat to another person for the remainder of the term of the original lease, the Collector shall, in consultation with the raiyat, have regard, as far as possible, to the order of preference laid down in sub-section (4) of Section 27 and shall pass an order, in writing, stating the name of the sub-lessee to whom the land is sub-let by him, the period for which it is sub-let and the rate of rent in kind/cash which shall be payable by the sub-lessee to the raiyat which shall not be higher than the previous rates except in cases where adequate reasons may exist.

Chapter IX

Acquisition of status of raiyat by under-raiyat on surplus land under Section 22.

25. Application by under-raiyat under sub-section 22(1) for being allowed to retain any surplus land.

(1) Application by an under-raiyat under sub-section (1) of Section 22 for being allowed to retain any surplus land in respect of which he is an under-raiyat shall be filed in Form L.C. 19 before the Collector within a period of three months with effect from the date on which the land is declared to be surplus land or within such further period as may be allowed by the Collector. (2) Where the application is allowed the under-raiyat shall pay to the State Government annually for a period of thirty years the amount specified in this behalf in Part IV of the Schedule to Act in Treasury or Sub-Treasury of the district in which surplus land is situated. (3) The under-raiyat can also make payment in one lump of all pending instalments which have not fallen due and in such a case a rebate of 10 per cent shall be allowed on the total of all such instalments. (4) Each instalment shall become payable on the 15th May and if it remains unpaid on that date, it shall be deemed to be an arrear instalment and shall be recoverable by the Collector as a public demand and shall carry interest at the rate of 6 per cent per annum.

Chapter X

Payment of Compensation.

26. Payment of compensation to a land-holder whose lands are situated within the jurisdiction of more than one Collector and the procedure regarding publication of compensation assessment roll under Section 23.

(1) if the lands of a land-holder which are acquired or deemed to be acquired under the Act are situated within the jurisdiction of more than one Collector, the assessment of compensation shall be made and the compensation assessment roll in respect of all such lands prepared in Form L.C. 20 by the Collector within whose jurisdiction the largest portion of the total area acquired or deemed to be acquired is situated. (2) Before finalising the draft roll the Collector shall give a reasonable opportunity to the land-holder or other persons concerned including the mortgagee or the charge holder to be heard and to place before him evidence, if any. He shall also record a brief summary of the evidence adduced, if any, and record his findings with reasons. (3) After draft compensation assessment roll has been prepared in the manner laid down in sub-rule (1) the Collector, with the approval of such authority as may be notified by the Government in this behalf, shall cause it to be published for a period of thirty days by affixing a copy thereof together with a public notice in Form L.C. 21 to the notice board of the office where the draft compensation assessment roll is prepared. (4) A copy of the draft assessment roll together with a copy of the public notice in Form L.C. 21 shall also be sent, by registered post with acknowledgement due, to the persons whose names appear in the draft assessment roll. (5) The records shall be kept in charge of the Collector who has prepared the roll and he shall give every reasonable facility to all persons concerned for inspecting the roll. (6) Any person interested in the compensation assessment roll may be allowed to take relevant extracts thereof and if any person asks for a copy of the roll it shall be issued on payment of the charges prescribed in the Bihar Records Manual, 1951. (7) The final publication of the draft compensation assessment roll under subsection (5) of Section 23 shall be made in the manner laid down in sub-rule (3), and such application under sub-section (6) of the said Section shall be made in the manner prescribed in sub-rules (3) and (4). (8) (a) When a compensation assessment roll has been finally published under sub-section (5) or sub-section (6) the Collector shall, within a period of 30 clear days from the date on which the roll is declared to have been finally published, endorse a certificate thereon stating the date of final publication thereof and shall date and subscribe the same in Form L.C. 22. (b) If after the final publication and certification, any bona fide mistake is detected, the Collector may correct it after giving the parties concerned a reasonable opportunity of showing cause why it should not be corrected and thereafter he may correct the mistake and republish the roll finally. (9) When one roll is prepared for an entire undivided Hindu family, specifying the share of and the amount of compensation payable to each member, the entire amount of compensation, representing in the aggregate the amounts payable to each member, may be sanctioned and paid by the Collector to the Karta or any adult member of the family, on behalf of all the co-sharers including minors or persons of unsound mind on his producing letters of authority from them or their guardian, as the case may be, empowering the karta or the adult member to receive payment in their behalf, after obtaining from such karta or adult member an indemnity bond in Form L.C. 23. (10) Where the payment of compensation is to be made to a minor or a person of

unsound mind, who is the solitary claimant to such payment, the payment shall be made to his guardian after obtaining from him an indemnity bond in Form L.C. 23.(11) If in the opinion of the Collector, a genuine dispute arises with regard to the interest of a land-holder in the land or a part thereof, acquired or deemed to be acquired by the State Government under the Act, or his right to receive the compensation, the Collector shall withhold payment of the compensation to the extent disputed until such time as the dispute is decided by him.

27. Claims of mortgagees or charge-holders on surplus land under Section 25(1).

- A claim by mortgagee or charge-holder under sub-section (1) of Section 25 shall be prepared by means of application in Form L.C. 24, verified by the applicant or his duly authorised agent in the manner prescribed for the implication of plaint under the Code of Civil Procedure, 1908 (Act V of 1908) and shall be filed in quadruplicate before the Collector in whose jurisdiction the land which is subject to mortgage or charge is situate.

28. Determination of the amount due to the mortgagee or the charge holder.

(1) On receipt of the statement of claim the Collector shall serve a notice in Form L.C. 25 on the land-holder concerned together with a copy of the statement of claim filed by the mortgagee or the charge-holder and call upon the land-holder to file a written statement within fifteen days of the service of the notice or such further time as the Collector may allow. (2) If the claim is admitted by the land-holder, the Collector shall pass an order in writing deciding the claim and recording the reasons for his decision. (3) When there are two or more mortgagees or charge-holders the Collector shall also settle the order in which each claimant is entitled to receive the amount due to him and, in so doing, he shall be guided by the appropriate provisions of the Transfer of Property Act, 1882 (Act IV of 1882). (4) If the claim is not admitted by the land-holder, the Collector shall give reasonable opportunities to both the parties for adducing evidence and of being heard and then proceed to determine the principle and the interest and decide the claim accordingly after recording the reasons therefor. (5) If the land-holder fails to submit his written statement without any just or reasonable ground within the period of 13 days of the service of the notice or such further time as the Collector may allow, the Collector may proceed to determine the claim ex-parte. (6) The Collector shall record a summary of the evidence tendered and briefly state the reasons for coming to a decision regarding the principle amount and the interest. (7) Save as is otherwise expressly provided in these Rules, the Collector shall, in hearing and disposing of the claim of a mortgagee or a charge-holder filed under sub-section (1) of Section 25, or of any objection which may be made in regard thereto, follow, as far as may be practicable, the same procedure as is provided in the Code of Civil Procedure, 1908 (Act V of 1908) for the hearing and disposal of suits.

29. Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds.

- Subject to Rules 30 and 31 the amount of compensation under Section 23 and terms of a Compensation Assessment Roll, as finally published, shall be paid in cash and/or negotiable and

transferable bond which shall be described as "Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds" (hereinafter referred to as "Bond").

30. Denomination of Bonds.

- The Bonds shall be issued in denomination of Rs. 50, Rs. 100, Rs. 200, Rs. 500, Rs. 1,000, Rs. 5,000, and Rs. 10,000.

31. Cash payments in case of (a) amount not covered by Bonds (b) amount of compensation not exceeding Rs. 50.

(1) Subject to sub-rule (2), all such amount as cannot be covered by Bonds shall be paid in cash. (2) Where the total amount of compensation payable to a land-holder does not exceed Rs. 50 it shall be paid in cash. (3) No interest is payable on cash payments under sub-rules (1) and (2). (4) The amount of compensation payable in cash under this Rule shall be rounded off to the nearest Naya Paisa.

32. Indent for Bonds, Form L.C.N.

(1) The Bonds shall be issued by the Public Debt Officer, Patna, on a requisition in Form L.C.N. (in triplicate) by the Collector or the Additional Collector of the District and this requisition shall subject to Rule 36 be prepared by the latter in consultation with the Collector of the area. At the same time the Collector or the Additional Collector of the district shall submit in duplicate to Government in the Revenue Department (Land Reforms Ceiling Section) an advice of such indent intimating (a) the indent number, (b) Anchal/ Subdivision/ District to which the indent relates, (c) the total number of Bonds and (d) the value of Bonds indented for. The Revenue Department will in due course, forward one copy of the advice to the Finance Department. (2) The Bonds shall be enfaced for payment of the equated instalments at such Treasury in the State of Bihar as may be indicated in the indent for the purpose and shall be transmitted by the Public Debt Office to such Treasury Officer: Provided that instalment on a Bond may be made payable at any Treasury or Sub-Treasury in the State of Bihar or at Public Debt Office, Patna on receipt of a request in this behalf. (3) Before submission of an indent, the Collector or Additional Collector of the district shall fill up Part I of Form LCN and sign and seal each copy after satisfying himself that the entries therein have been correctly made and shall also enter in words in his own handwriting the total value of the Bonds indented for, both in the original and the copies thereof. The original shall be retained in his office and pasted in a Guard File in order of issue, each page whereof shall be numbered. Each copy of the indent shall also bear the page numbers of the original. (4) While preparing an Indent for Bonds in Form LCN, the Collector or Additional Collector of the district shall exercise due care and caution to verify all the details, particularly, those given in Column 3 and Column 4 and satisfy himself that a land-holder who has once received a compensation, does not get it again and that the lands for which compensation has once been assessed, do not, by mistake or otherwise, find place in another compensation assessment case. (5) Register of Indents for Bonds, Form LCN (1). - The Collector of the district and Collector of the area under the Act shall maintain a

Register of Indents for Bonds in Form LCN (1) in which all such indents shall be entered.

33. Covering Schedule, Form LCN (1).

- The Public Debt Office, Patna shall on receipt of the indent, in triplicate, supply the Bonds indented for to the Treasury Officer concerned, together with a covering schedule, in duplicate in Form LCN (2). The Public Debt Office, shall simultaneously send an intimation of despatch of the consignment to the Treasury Officer separately. On receipt of the consignment, the Treasury Officer, shall, after proper verification of its contents retain one copy of the covering schedule in a Guard File in order of receipt and return the other copy immediately to the Public Debt Office, Patna, with an acknowledgement which shall be duly signed and sealed by him.(2)The Public Debt Office, Patna, shall also forward two copies of the said covering schedule to the Government of Bihar in the Finance Department who will send one copy to the Revenue Department (Land Reforms Ceiling Section) for information and record. Simultaneously Public Debt Office, Patna, shall forward one copy of the indent to the indenting Collector and the Collector of the area concerned after completing Part II of the indent. The indenting Collector as well as the Collector of the area will, on receipt of the copies of indent, each enter the particulars thereof in Columns 7 to 10 and put his signature in Column 11 of the Register of Indents for Bonds [Form LCN (1)] maintained by him.

34. Deposit of Bonds in Treasury.

- The Treasury Officer shall deposit the Bonds when received, in the Treasury under double lock and send an intimation of the receipt of the particular indent to the Collector. In case of non-compliance of an indent in full, the Collector will correspond in the matter with the Public Debt Office, Patna.(2)There should be an independent half-yearly physical verification of Bonds stocked in the Treasury either by the Collector of the district or the Additional Collector himself or by an Officer unconnected with the treasury to be nominated by the Collector of the district for the purpose. The date and result of verification indicating therein, the number of Bonds received and issued to the Collector of the area concerned and the balance still in the Treasury should be recorded under the signature of the verifying officer in the Stock and Issue Register prescribed under sub-rule (3) and reported, to the Government in the Finance Department and also to the Reserve Bank of India.(3)The Treasury Officer shall maintain a Stock and Issue Register of Bonds in Form LCN (16) containing an account of receipts, issues and balances. The closing balance should be struck on each day on which there is a receipt or issue, and should be signed by the Treasury Officer. The register should be kept along with the Bonds in the double lock.

35. Tendering payments of compensation in Bonds and/or in cash.

(1)On receipt of an intimation from the Treasury Officer about the receipt of the Bonds under Rule 34, the Collector shall tender payment of the amount of compensation to the compensation-holder in Bonds and/or in cash as prescribed in Rules 30 and 31 except in the case referred to in Rule 39.(2)Notice to compensation-holder, Form LCN (3)-Cash payment Order, Form LCN (4)-Register of payment of compensation in Bonds Cash, Form LCN (5) - Advice List of Cash Payment Order issued for payment Form LCN (6) - Form LCN (7). - The Collector shall issue a notice in Form LCN

(3) to the (compensation-holder directing him to take delivery of the Bond and/or to receive payment of the amount payable in cash on a specified date either in person or through his duly authorised agent and shall, on the specified date deliver to the compensation-holder or his duly authorised agent the Bonds and/or a Cash Payment Order in Form LCN (4) which shall subject to Rule 36, cover the amount payable in cash. But before making such delivery of the Bonds and/or the Cash Payment Order, the Collector shall enter the particulars in Columns 1 to 11 of the Register of Payment of Compensation in Bonds/Cash in Form LCN (5) after satisfying himself that the Cash Payment Order has been duly filled in, signed and sealed. The compensation-holder or his agent who shall be duly identified before the Collector shall acknowledge receipt of the Bonds and/or the Cash Payment Order shall also put his signature or left thumb impression (in case of illiterate persons) in Column 12 of the said Register. The Collector shall then attest the entries by putting his dated signature in Column 13 of the said Register. At the same time, the Collector shall send to the Treasury Officer concerned an Advice List in Form LCN (6) in a sealed cover, addressed to the Treasury Officer by name either for arranging payment from his Treasury or at the Sub-Treasury subordinate to his Treasury showing, both in the foil and counterfoil, the details of the Cash Payment Order issued by him to a compensation-holder. The Treasury Officer, who shall be supplied in advance with the specimen signature of the Collector shall, after verification of the signature of the Collector on the Advice List with the specimen in his possession keep such Advice Lists in a Guard File. On presentation of a Cash Payment Order for payment, the Treasury Officer shall verify its content with the Advice List, and pass an order for payment only after such verification has been made and on such verification, the contents of the Cash Payment Order have been found to be correct. The Treasury Officer shall note the particulars of such payment in Register of Cash Payment Order in Form LCN (7) as well as in the portion of the Advice List and return the lower portion of the Advice List to the Collector concerned after noting therein the Treasury voucher number and date of payment. Form LCN (17). - The Treasury Officer should also be informed by a letter prescribed in Form LCN (17) of the delivery of the Bonds which are enfaced for payment at his Treasury or the Sub-Treasury subordinate to his Treasury, after such Bonds are actually made over to the compensation holders. The amount of compensation payable to a mortgagee or charge-holder shall be determined and payment in Cash/Bonds in the manner indicated in these Rules read with Section 25 : Provided that payment of the amount due shall first be made to the mortgagee or the charge-holder and that the balance, if any, remaining after such payment shall be paid to the compensation-holder. (3) Requisition for Bonds, Form LCN (8)-Register in Form LCN (16). - The Collector shall personally draw from the Treasury the Bonds for issue on a requisition of Bonds in Form LCN (8) and shall put his signature in Column 10 of the Treasury Stock and Issue Register in Form LCN (16) in token of acknowledgement of receipt. Each such requisition shall relate only to the Bonds to be issued on a specified date according to the notice under sub-rule (2). The Collector will be personally responsible for sale, custody of the Bonds while in his possession. (4) If the notice under sub-rule (2) has been duly served in accordance with the provisions of Rule 3 and the compensation-holder so noticed does not appears in person or through his duly authorised agent to take delivery of the Bonds and/or the Cash Payment Order on the specified date, the Collector shall deposit the Bonds and/or the Cash Payment Order with the Collector of the district. Provided that subject to sub-rules (7) and (10), the Collector of the district may, on an application, deliver the Bonds and/or the Cash Payment Order to the compensation-holder or his duly authorised agent within a period of three complete years from the date fixed for delivery. The Collector of the district

should give an acknowledgement to the Collector of the area for the Bonds and Cash Payment Orders deposited with him and keep those Bonds and Payment Orders in a sealed receptacle in his name in the strong room of the Treasury.(5)Covering Schedule, Form LCN (9) - Guard File of covering Schedule, Form LCN (9). - The Collector shall forward the undelivered Bonds and/or Cash Payment Order soon after the specified date to the Collector of the district for deposit with a covering schedule, in duplicate in Form LCN (9) after making an entry in Column 14 of the Register of Payment of Compensation in Bonds/Cash in Form LCN (5). When an acknowledgement in the duplicate copy of the covering schedule is received from the Collector or the Additional Collector of the district, the Collector under the Act shall fill up Column 15 and put his own dated signature in Column 16 of the said Register. He will then retain the covering schedule containing the Collector's acknowledgement in a Guard File.(6)Register of undelivered Bonds and Cash Payment Orders, Form LCN (10). - The Collector of the district shall maintain a Register of undelivered Bonds and Cash Payment Orders, Form LCN (10) showing the particulars relating to the undelivered Bonds and/or Cash Payment Order received by him from the Collector under the Act of area for deposit. There should be a half yearly verification of such undelivered Bonds and Cash Payment Orders by a Gazetted Officer to be nominated by the Collector of the district for the purpose.(7)Covering Schedule, Form LCN (11)-Guard File of covering schedule, Form LCN (11). - If any Bonds are not delivered within a period of three years under the proviso to sub-rule (4) the Collector of the district shall return them to the Public Debt Office, Patna for deposit with a covering schedule, in duplicate in Form LCN (II). The Collector shall at the same time, make an entry in Column 16 of his Register in Form LCN (10). One copy of the covering schedule will be retained by the Public Debt Office, Patna and the other copy returned immediately to the Collector with an acknowledgement of receipt. On receipt of such acknowledgement the Collector shall make an entry to this effect in Column 17 of the said Register, and shall retain the covering schedule containing such acknowledgement in a Guard file.(8)Till the undelivered bonds are returned to the Public Debt Office, Patna, they shall be kept in a double lock of the District Treasury.(9)Monthly statement of payment of compensation in Cash, Form LCN (12). - The Collector shall prepare a monthly statement of Payment of Compensation in Cash in Form LCN (12) on the basis of the Treasury advices in Form LCN (6) and furnish it to the Collector of the district not later than the 7th day of the following month. The Collector of the district shall prepare a consolidated statement in the same form for the district in duplicate and send both the copies to the Treasury Officer for verification. The Treasury Officer shall verify the figures from his Register and note the verified amount in both the copies of the monthly statement under his dated signature and return them to the Collector. The Collector shall then transmit one copy to the Divisional Commissioner and one copy to the Revenue Department (Land Reforms Ceiling Section) latest by the 20th day of the month following the month to which the statement relates. In case there is any discrepancy between the Treasury and the Departmental figures, the Collector of the district shall institute an enquiry at once and report the result to the Divisional Commissioner and to Government in the Revenue Department (Land Reforms Ceiling Section) at an early date.(10)Revalidation of Cash Payment Orders. - A Cash Payment Order not cashed for more than three months from the date of issue shall cease to be cashable unless, on an application by the holder of the Cash Payment Order it is countersigned and revalidated for payment by the Collector.(11)Advice List of Cancelled Cash Payment Orders, Form LCN (13). - When the Collector of the district returns any undelivered Bonds to the Public Debt Office, Patna on expiry of three years, under sub-rule (7) he shall at the same time, cancel the

corresponding Cash Payment Orders, if any lying undelivered with him and return them after cancellation to the Collector of the area concerned after filling in Column 18 of the Register in Form LCN (10) together with an Advice List in Form LCN (13) in duplicate. The Collector under the Act of the area concerned shall file such orders with the relevant case records after making a note to this effect in the remarks column of the Register in Form LCN (7) and shall then maintain one copy of the Advice List in a Guard File and return the other copy to the Collector with an acknowledgement of receipt. On receipt of such acknowledgement, the Collector will fill in Column 19 and put his signature in Column 20 of his Register in Form LCN (10). (12) Issue of fresh Cash Payment Order in the event of loss, destruction or mutilation of the original. - In cases of loss, destruction or mutilation of the original cash payment order, the holder may apply to Collector for issue until after the expiry of six months from the date of issue of the original order and also until after a non-payment certificate has been obtained from the Treasury Office. The Collector shall note the fact of issue of a Fresh Cash Payment Order in the remarks column of the Register in Form LCN (5) under his dated signature. (13) Date of issue of Bonds - The date of issue of the Bonds by the Public Debt Office, Patna mentioned in the Bonds, shall be taken as the date of issue for payment of instalments and for crediting the value of the bonds to ["N-Public Debt, etc."] [See now new Head of Account.] by contra-debit to appropriate head, on the basis of monthly returns showing the date wise issue of bonds received by the Accountant-General, Bihar from the Public Debt Office, Patna during a month. The Revenue Department (Land Reforms Ceiling Section) will send by the 10th day of the month following the month to which the statement relates, through the Finance-Department to the Accountant-General, Bihar a consolidated date wise statement of Bonds issued by the Reserve Bank of India on receipt of information from the Public Debt Office during a month to ensure correct adjustment of the value of Bonds in Government accounts. (14) Actual delivery of Bond. - The Collector shall furnish in Form LCN (21) to Government in the Revenue Department (Land Reforms Ceiling Section) by the end of the following week a weekly statement showing the total value of bonds actually delivered during the preceding week in payment of compensation by the Collector together with the dates of delivery of such Bonds. The Revenue Department will compile a monthly statement for the whole State in the same form and forward the same to the Finance Department and a copy thereof will be sent simultaneously to the Accountant-General Bihar.

36. Deduction under the proviso to Section 24 etc.

- When any deduction from the amount of compensation are to be made on account of arrears of rent and cesses under the proviso to Section 24, or any other State Government dues outstanding against the compensation-holder, which under the provision of any law for the time being in force can be deducted from the amount of compensation the Collector shall, by an order in writing, direct the deduction of all sums from the amount of compensation in the Compensation Assessment Roll and the indenting for Bonds and/or to prepare Cash Payment Order only for the balance left out of the amount of the compensation after such deduction. Before the Bonds are indented for and/or Cash Payment Orders are prepared the Collector shall make enquiry with regard to the Government dues to be adjusted and the charge or mortgage holders to whom compensation is payable under Section 25. He shall record a certificate in the compensation record indicating-(a) the nature and extent of Government dues adjusted, (b) the nature and extent to which compensation should be paid to charge or mortgage holder under Section 25.

37. Payment of equated annual instalments of the principal and the interest of Bonds.

(1)The Bonds shall be payable in thirty equated annual instalments representing the principal and the interest at 2 ½ percent per annum with effect from the date of issue to the person named therein or his duly authorised agent or transferee.(2)The equated annual instalment representing the principal and the interest on a Bond shall be payable on presentation of the Bond at Treasury/Sub-Treasury in the State of Bihar, at which the Bond is enfaced for payment of such instalment. The payee concerned shall give a proper receipt, for such payment in Form LCN (14) and the particulars thereof be entered in a register of payment in Form L.C.N. (15).(3)Register of Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds enforced for payment of equated annual instalments representing principal and interest at the Treasury District Form LCN (15-A) - For the purpose of recording enfacements, the Treasury/ Sub-Treasury Officer will also maintain a separate register, viz, Register of Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds enfaced for payments of annual instalments at the Treasury District in Form LCN (15-A). This Register should have the appropriate quality of paper and cover to enable it to be preserved for thirty years and should be a well bound register with machine numbered page. As and when vouchers in Form LCN (14) are passed by the Treasury Officer for making payments of annual instalments, entries shall be made by him in the relative annual instalments column under his initials which shall be dated by him.(4)Before making payment of any instalment and interest to a compensation land-holder, his duly authorised agent or a transferee, the Treasury/Sub-Treasury Officer shall satisfy himself that the requirements laid down in the Government Securities Manual (Third Edition) as regards payment of interest have been fully complied with.(5)In order to prevent erroneous payment of instalment of Bonds not enfaced for payment at the particular Treasury specified in the bond, special care should be exercised in the maintenance of register in Form LCN (15-A). When a bond is transferred for payment to another Treasury, the Treasury Officer will at once note that fact in Column 12 of the register in Form LCN (15-A) and shall not thereafter pay any instalment of such Bonds.

38. Procedure when the Bond is lost, stolen, etc.

- Save as provided in these Rules, the Bonds shall be subject to the provisions of the Public Debt Act, 1944, and the Public Debt (Compensation) Bonds Rules, 1954.

39. Amount of Compensation to a mortgagee or a charge-holder.

(1)The Collector referring the claim to the Civil Court under clause (1) of sub-section (2) of Section 25 shall forward the bonds, together with copies of the Challan to the Collector of the district with a letter in Form LCN (18). On receipt of the bonds and the challan by the Collector they will be entered in his office in "register of bonds and cash payment to the mortgagee or the charge-holder" in Form LCN (19). The Bonds and challan will then be kept in the double lock of the Treasury where the same Register LCN (19) shall also be maintained. This Register will be kept along with the bonds and challan in the double lock. There should be a half-yearly verification of the bonds and challan by

a Gazetted Officer to be nominated by the Collector of the district for the purpose.(2)On a decision of the claim by the Civil Court, compensation in equated instalments in Bonds/cash shall then be made according to Rule 37 by the Collector when required on a Requisition for Bonds and/or challans in Form LCN (20).

40. Register of adjustment in Form LCN (22).

(1)For the purpose of ensuring adjustment of the dues referred to in Rule 36, each Collector of the area concerned shall prepare and maintain a Register of adjustments in Form LCN (22) showing land-holder-wise, particulars of the land-holders interest as well as the various dues to be adjusted. This register should be kept up-to-date by ensuring that all dues, which are to be recovered are duly entered in the register.(2)The Collector shall make such enquiries as may be necessary for ascertaining the dues to be adjusted before payment is actually made.

41. Thana-wise index of applications for compensation in Form LCN (23).

- The Collector in charge of the register in Form LCN (22) shall also maintain a thana-wise (police-station) index of the names of land-holders to whom compensation is payable in Form LCN (23) which shall be used by him as a crosscheck against any double payment when any sanctioning authority sends any records to him for report regarding any particular claim to the payment of compensation.

Chapter XI

Disposal of surplus land under Section 27

42.

[Omitted by G.S.R. 94, dated 16.9.1971.]

43.

[Omitted by G.S.R. 94, dated 16.9.1971.]

44. Settlement of land with individual.

- [(1) (i) Settlement of land under sub-section (1) [or sub-section 1(a)] [Substituted by G.S.R. 71, dated 29.5.1973.] of Section 27 shall be made by Collector in order of preference indicated in the said sub-section in consultation with the Block and Anchal Advisory Committee, as the case may be.(ii)An appeal against an order of settlement of land passed by a Collector shall lie to the Additional Collector or the Collector of the district and a revision to the Commissioner of Division whose order therein shall be final.][The Collector making the settlement under sub-rule (1) shall grant a parwana to settlee containing the relevant particulars with regard to the location and

description of the land settled and rent fixed and it shall also contain a condition that the land so settled shall be heritable but not transferable.] [Substituted by G.S.R. 5, dated 11.1.1981.]

44A. [[Added by G.S.R. 71, dated 29.5.1973.]

The land acquired or deemed to be acquired from Sugar Factories under the provisions of sub-clause (1) of clause (a) of sub-section (2) of Section 29 shall be managed by the Collector in such manner as the Government may direct from time to time.]

Chapter XII

Acquisition of Land from land holder holding more than one acre

45.

(1) On the publication of the notification under sub-section (1) of Section 28, the Collector shall issue a general order in Form LC 26 which shall, besides being published in the manner prescribed in sub-section (3) of Section 6, shall also be published by sending a copy thereof by registered post with acknowledgement due to the land-holder or land-holders who may be owning land in the area notified but may be residing outside such area. (2) The land holder shall submit a return in Form LC 27 in triplicate to the Collector within a period of ninety days with effect from the date of publication of the general order in the manner prescribed in sub-section (1) of Section 6, or in case of land-holder residing outside such area from the date of receipt of the notice of registered post.

46. Checking of information.

- The information given by or on behalf of the land holder under sub-section (2) or clause (i) of sub-section (5) or the information obtained by the Collector under sub-section (4) of Section 28, shall be checked in the manner prescribed in Rule 8.

47. Publication of the draft statement under Section 28 (6) of the Act.

- The draft statement to be published by the Collector under sub-section (6) of Section 28 of the Act shall also contain, besides the area and description of the land which the land holder has offered to surrender the area and description of the land if any, which he has donated to the Bhoodan Yagna Committee established under the Bhoodan Yagna Act, 1954 (Bihar Act XXII of 1954) or to Acharya Vinoba Bhave for the purpose of the Bhoodan movement on or after the twenty fifth day of December, 1960 and the provision of Rules 10, 11 and 12 shall as far as may be, apply to such statement.

Chapter XIII

Miscellaneous

48.

[x x x] [Omitted by G.S.R. 5 dated 11.8.1981.]

49. Procedure for disposal of appeal under the Act [Sub-section (2) of Section 30].

- The procedure to be followed by the Appellate Authority in disposing of appeals under the Act, shall, so far as may be practicable, be the same as provided for civil appeals under Order XLI of the Code of Civil Procedure, 1908 [Act V of 1908],

50. Mode of service of the order of Collector under Section 35.

- The order which the Collector may make, in writing, under Section 35 of the Act, shall be served in the manner laid down in Rule 3.

51. Decision of a dispute for which no specific provision in the Act has been made (Section 37).

(1) If any dispute arises under the Act or the rules made thereunder for which no specific provision has been made in the Act, the dispute shall be decided by the Collector in the following manner: (i) He shall serve a notice on the party or parties concerned calling upon them to appear before him either by themselves or through an agent duly authorised by them in this behalf in this Court at a time and on a date specified in a notice and to file a written statement, if any, on the point or points arising in the matter relating to the dispute and after giving them a reasonable opportunity of being heard, and adducing evidence, if any, shall decide the dispute, by an order in writing, together with his reason thereof. (ii) If the party or parties fail to appear either by themselves or through their duly authorised agents on the date specified in the notice, or on extended date he may proceed to decide the dispute ex-parte. (2) The Collector may require the parties concerned or their agent to produce such documents or to furnish by affidavit or otherwise, such information relating to the subject matter in dispute and either himself hold or get through any officer subordinate to him such enquiry held as he may consider necessary. (3) If the Collector finds that he has no jurisdiction under the Act, to decide the dispute he shall for reasons to be recorded in writing refer the parties concerned to the proper Court, who may have jurisdiction to decide the dispute.

51A. [Procedure under clause (i) of sub-section (1) of Section 38. [Substituted by G.S.R., 5 dated 11.1.1981.]

(1) In case of summary acquisition under clause (i) of sub-section (1) of Section 38 the Collector shall send a notice in Form L.C. 28 to the person or persons concerned to show cause within thirty days of the receipt of the notice. (2) The notice mentioned in sub-rule (1) shall be sent to the person or persons concerned by registered post with acknowledgement due which shall be conclusive evidence of the service of the notice. (3) The notice mentioned in sub-rule (1) shall also be published in the Official Gazette of the district.]

52. Prescribed authority under Section 39.

- Each of the Appellate Authority prescribed in Rule 49 shall be the prescribed authority also within the meaning of Section 39.

53. Court Fees (vide Section 41.)

- Every application, memorandum of appeal or application for revision under the Act shall bear court fee stamp of such value as may be payable for it under the Court Fees Act, 1870 (Act VII of 1870) for the time being in force in the State of Bihar.

54. Supervision and control by the Collector of the district, the Commissioner of the division, the Board of Revenue and the State Government.

- Except as otherwise provided by law or by the Act or these Rules, all proceedings and orders of the Collector passed in the discharge of any duty imposed upon them by or under the Act or these Rules, shall be subject to the supervision and control of the Collector of the district, the Divisional Commissioner, the Board of Revenue and the State Government.

55. [Procedure for substitution of legal representative in case of death of the land-holder. [Substituted by Notification No. G.S.R. 5, dated 11.1.1981.]

- The application for the substitution of legal representative under Section 45-C shall be filed in Form L.C. 29 within thirty days of the landholder by the legal representative of the deceased land-holder. (2) On receipt of the application under sub-rule (1), the Collector or the appropriate authority shall substitute the name of the legal representative and proceed with the case. (3) Where no application is received within the period prescribed under sub-rule (1), the Collector or the appropriate authority shall proceed to substitute the name of the legal representative on his own motion. (4) Where a question arises as to whether any person is or is not the legal representative of the deceased land-holder, such question shall be determined by the Collector or the appropriate authority.] The Schedule [Form L.C. 1] [Substituted by G.S.R., 5 dated 11.1.1981.] Public Notice Form of the public notice to be published under sub-section (1) of Section 6 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) by the State Government calling upon the land-holder holding land in excess of the ceiling are any where in the State to submit a return containing particulars of land held by them. [See Rule 5 (1)] Notice is hereby publicly given under sub-section (1) of Section 6 of the Bihar Land Reforms (Fixation of

Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) as amended by the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1972 to all land holders in all districts of the State holding land anywhere in the State of Bihar in excess of the ceiling area, to submit within thirty days of this date, the day of 200 a return to the Collector of the District in which they ordinarily reside in the Form L.C. 2. If the land-holder is a minor or a person of unsound mind the return required above shall be submitted by his guardian. Notice is hereby further given that if the land-holder or where the land holder is a minor or person of unsound mind, his guardian, fails to submit the return without sufficient cause within the period specified above, he shall render himself liable to fine which may extend to five hundred rupees. Signature and designation of the Officer signing the notice Form L.C. 1-A. Public Notice Form of the Public Notice to be published under sub-section (1) of Section 15A of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) by the State Government calling upon the land-holders holding land in excess of the ceiling area anywhere in the State and willing to surrender their surplus land voluntarily to submit a return containing particulars of land held by them. Notice is hereby publicly given under sub-section (1) of Section 15A of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) to Shri son/daughter/wife of resident of village P.S. Anchal Sub-division District /all landholders in all district of the State holding land anywhere in the State of Bihar in excess of the Ceiling Area to submit within days of the publication of this notice, a return to the Collector of the district in which he/ they ordinary resides in Form L.C. 2A. If the land-holder is minor or a person of unsound mind the return required above shall be submitted by the guardian. By order of the Governor of Bihar, Signature and designation of the officer signing the notice. [Form L.C. 2] [Substituted by G.S.R. 71 dated 29.5.1973.] [See Rule 5(2)] Form of return to be submitted by the land-holder holding land in excess of the ceiling area in pursuance of the notice under Section 6 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To The Collector of District Station. Sir, Whereas a public notice has been published under Section 6 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) by the State Government, calling upon all landholders holding land anywhere in the State of Bihar in excess of the Ceiling Area to submit to you as Collector under the Act of District, a return in the prescribed proforma L.C. 2 & L.C. 3 within thirty days of date, namely, the day of 200 as specified in the said notice. Now therefore, I authorised Agent, of son/daughter/wife of guardian of the minor/person of unsound mind. Shri. resident of village/town police station particulars in respect of all the land held by me anywhere in the State in the accompanying statement in Annexures I and II and also claim that my land detailed in Annexure II should be exempted from the provisions of Section 5 under items (i), (iv), (v), (vi), (vii) of clause (b) of subsection (1) of Section 29 or under items (i), (ii) of sub-section (2) of Section 29 for the reasons given therein. I enclose true copies of the following documents :- (i) Rent receipts. (ii) Hukumnama or Patta for settlement of the land or any relevant entry from the rent roll. (iii) Deed, registered/unregistered regarding transfer, exchange, lease mortgage, bequest, gift, agreement, settlement, etc., certified copy/ copies of judgement/judgements of any Court/Courts. (iv) Court's decree/decrees in Case no. of versus dated (v) (vi) Yours faithfully Signature (Name in block letters) Land-holder/Guardian of

the Land-holder, father's name Annexure I To Form L.C. 2 Form of particulars to be furnished village-wise by or on behalf of the landholder under Section 6 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) along with Form L.C. 2. Name of the land-holder.....son/daughter/wife of.....resident of village/..... P.S..... P.O..... Police-station Anchal..... Sub-division District.....

- 1. Serial no.**
- 2. Name of village, police station and district in which the land or lands are situated.**
- 3. Number of each khata and plot no. and area of such plots of the land or lands together with their nature.**
- 4. Classification of each plot under Classes I, II, III, IV, or defined in Section 4 of the Act.**
- 5. Area of land out of Column 3 including plot numbers forming part of the land-holder's homestead on the date of the commencement of the Act together with a description of Pucca structure, if any, and the area of land necessary for the use and enjoyment thereof.**
- 6. Area of land out of Column 3 including plot numbers which on the date of commencement of the Act is an Orchard, Bansbari, Khurhur, or pasturage which is used on such date for growing fodder.**
- 7. Status of the land-holders, whether a raiyat or an under-raiyat (occupancy or non-occupancy) or a mortgagee with possession.**
- 8. Rent and cess payable; for the holding or holdings comprising plot or plots.**
- 9. Nature of improvement made by the land-holder, if he is an under raiyat on the land (see Section 14-Explanation).**
- 10. If the land-holder is a raiyat the name and descriptions including full address, such as village, thana, post-office, sub-division and district of the under-raiyat, if any, holding land under him together with the name of the village, thana and district in which the lands were held by his under raiyats**

and plot number and area of each plot or the lands.

11. In case where the land-holder is the Karta of an undivided Hindu family the number of the members in family having or being entitled to a share in the land (give a genealogical table also).

12. The number of persons not being land-holders, entitled under their personal law to be maintained by the land-holder and dependent upon him [see sub-section (3) of Section 5.]

13. Where the land-holder is a Company, Institution, Trust, Association or body of individuals, whether incorporated or not, the nature and description thereof.

14. If there be any legal proceedings in respect of the land held by the land holder pending on the date of the submission of these returns, the particulars thereof, such as case no. and nature of the proceedings (civil, criminal or revenue, etc.) name of the Court in which pending names of the parties, subject matter of the dispute, and a brief description of the lands to which the proceeding relates.

15. Full particulars of the encumbrances on the land, if any, created by the land-holder or his predecessor in-interest, such as any lien, lease, sub-tenancy, easement, or any other right or interest in limitation of his own interest therein, whether created by a registered instrument or not.

16. Whether any of the land belongs to any of the categories exempted under Section 29, if so, plot number and area.

17. Full details vide Section 18 of Khata, plot no., area and nature of land acquired after the commencement of the Act by inheritance, bequest or gift or alluvial action and the date and manner of the acquisition.

[Annexure II to form L.C. 2] [Substituted by G.S.R. 71, dated 29.5.1973.] Area and description of the land in respect of which exemption from the operation of Section 5 is claimed.

1. Area and description of the land in respect of which exemption is claimed -

(a)Village, police station and district.(b)Khata no.(c)Plot no.(d)Area in acres and bighas.(e)Nature of land.(f)Class of land whether belonging to classes I, II, III, IV, V or VI.

2. Ground for claiming such exemption.

3. A brief description of the documents which land-holder proposes to produce in support of the claim.

I hereby certify that the information furnished by me in these returns is true to the best of my knowledge, information and belief that I know and have no reason to believe it to be false.I further certify that no separate return has been filed by any member of the undivided Hindu family of which I am the karta.Signature of the land-holder or theguardian of land-holder if he is a minoror a person of unsound mind.(Name in Block letters).Place-Dated this day of 200 son/daughter/wife of Village P.S. Sub-division.....Counterfoil for receipt.Memo no.Received a copy of the return in Form L.C. 2 and L.C. 3 from the/ or on behalf of the land-holder son/daughter/wife of.....resident of village/town P.S. P.O. Sub-division this day of 200Signature of the Collectorunder Act XII of 1962(Name in Block letters)Place-Seal

1.

Form L.C. 2-A.[See Rule 5-A]Form of return to be submitted by the land-holder holding land in excess of the ceiling area in pursuance of the notice under sub-section (1) of Section 15-A of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).ToThe Collector of.....DistrictSir,Whereas a public notice has been published under Section 15-A of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) by the State Government, calling upon all land-holders holding land anywhere in the State of Bihar in excess of the ceiling area to submit to you as Collector under the Act of district, a return in the prescribed proforma L.C. 2-A.Now Therefore, I Authorised agent son/ daughter/ wife of guardian of the minor/ person of unsound mind. Shri. resident of village/ town P.S. district hereby furnish the necessary particulars in respect of the land I am willing to surrender voluntarily in the accompanying statement annexed hereto.Yours faithfullySignature (Name in block letters)Land-holder/Guardian of the Land-holder,Father's nameAnnexure to form L.C. 2-AForm of particulars to be furnished village-wise by or on behalf of the landholder under Section 15-A of the Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) along with Form L.C. 2.Name of the land-holder.....son/ daughter/wife of.....resident of village/ town P.S. P.O. Anchal Sub-division District

Area

Remarks

Serial no.	Village, P.S. District	Khata no.	Plot no.		Class/ nature.	Status of land-holder/ whether raiyat/underraiyat (occupancy or non-occupancy of mortgagee with possession)	Rent and Cess payable
1.	2.	3.	4.	5.	6.	7.	8.

A.D.

(i) Rent receipts. (ii) Hukumnama or Patta for settlement of the land or any relevant entry from the rent roll. (iii) Deed, registered/unregistered regarding transfer, exchange, lease mortgage, bequest, gift, agreement, settlement, etc., certified copy/ copies of judgement/judgements of any Court/Courts. (iv) Court's decree/decrees in case no of versus..... (v) (vi) Date -Place -Yours faithfully, Signature (Name in block letters) Land-holder/Guardian of the Land-holder, father's name. I hereby certify that the information furnished by me in the return is true to the best of my knowledge and belief and that I know and have no reason to believe it to be false. Signature of the land-holder Place-Dated this day of 200 Counterfoil receipt Memo no. Received a copy of the return in Form L.C. 2A/ on behalf of the land-holder son/ daughter/ wife of resident of village/ town P.S. P.O. Sub-division this day of 200 Signature of the Collector under the Act XII of 1962 Place-Seal. [Form L.C. 3] [Substituted by G.S.R. 71, dated 29.5.1973.] [See Rule 7(1)] Form of special notice to be served by the Collector under sub-section (1) of Section 8 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) on the landholder or the guardian of the land-holder if he is a minor or a person of unsound mind. To (1)(2)(3)(4) Whereas it has come to my notice that you, a land-holder within the meaning of Section 2(g) of the Act, hold land in your own behalf/on behalf of the minor/person of unsound mind in excess of the ceiling area and that you have not submitted the return under Section 6 within the period specified in the Public notice duly served and published under sub-section (3) of Section 6 of the Act, read with Rule 4 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963, or within the extended period or that you have submitted incorrect particulars. Now, Therefore, I Collector of District, do hereby direct you to submit the return with the necessary and correct particulars in Form L.C. 2 within thirty days of the service of this notice. Take further notice, that if you fail, without sufficient cause to submit the return in compliance with the notice within the period mentioned above, or within such extended period as may be allowed by me, you will render yourself liable under sub-section (2) of Section 8 of the Act to a fine which may extend to fifty rupees for every day after the expiry of the said period or the extended period until the return is submitted. Given under my hand and the seal of the Court, this day of 200 Signature of the Collector (Seal of the Collector under Act XII of 1962). [Form L.C. 4] [Substituted by G.S.R. 71, dated 29.5.1973.] [See Rule 7 (2)] Form of Collector's notice under sub-section (5) of Section 8 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) asking the land-holder to show cause in case of non-submission of return. To (1)(2)(3)(4) Whereas it appears that you a land-holder/guardian of the land-holder who is a minor or person of unsound mind holding land in excess of the ceiling area, and resident of village P.S. sub-division have failed without sufficient cause to submit a return in compliance with the notice duly served upon you under sub-section (1) of Section 8 of the Bihar Land Reforms (Fixation of Ceiling

Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) read with Rule 4 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules made thereunder within the period specified in the aforesaid notice, or within the period extended by me. Now, Therefore, I Collector of district, do hereby direct you to show cause and to adduce evidence, if any, why you will not be called upon to pay a fine which may extend to fifty rupees for every day after the expiry of the said period or within such period as may be extended, until the return is submitted by you. Given under my hand and the seal of the Court, this day of 200 Signature of the Collector of district. (Name in Block letters) Place - (Seal of the Collector under Act XII of 1962) Form L.C. 5 [See Rule 10] Form of Draft Statement under Section 10 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). Draft Statement fixing the area which the land-holder is entitled to hold under Section 5 and the area which shall be acquired as Surplus Land under Section 15 being in excess of the area which the land-holder is entitled to hold under the Act.

Name of the landholder with his father's name and address	Description of land	Village	Khata Number	Plot	Area	Nature and class of land	Total area	Remarks
1	2	3	4	5	6	7	8	9
I. (i)	Area and description of each class of land held by the land-holder.							
(ii)	Area and description of each class of land which the landholder desires to be included within the Ceiling Area.							
(iii) [Substituted by G.S.R. 5, dated 11.1.1981.]	Area and description of each class of land transferred by the landholder in contravention of the provisions of clauses (ii) of sub-section (1) of Section 5 of the Act.							
(iv)	Area and description of each class of land transferred by the landholder after the 22nd October, 1959 which has been annulled by the Collector under clause (iii) of sub-section (1) of Section 5 of the Act and the substance of the order of the Collector under the said clause].							
(v)								

- Area and description of land
which he desires to be
exempted under item (i), (iv),
(v), (vi), (vii) (viii) of clause (b)
of subsection (1) of Section 29
of items (i) and (ii) of
subsection (2) of Section 29.
- II. Area and description of the
land of each of the
categories, viz. [class (i), (ii),
(iii), (iv), (v) and (vi)]
[Substituted by G.S.R. 5, dated
11.1.1981.] which is allowed by
the Collector to be held by the
landholder under Section 5.
- III. Area and description of the
land exempted under Section
29 [and substance of the
recommendation and Order
under the said section.]
[Substituted by G.S.R. 5, dated
11.1.1981.]
- IV. Area and description of the
surplus land which the
landholder is not entitled to
retain and which will be
acquired under Section 15.

Given under my hand and the seal of the Court, this day of 200 Signature
of the Collector under Act XII of 1962. (Name in Block letters) (Seal of the Collector under Act XII of
1962) Form L.C. 6 [See Rule 11] Form of notice of publication of the draft statement under Section
10(2) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961
(Bihar Act XII of 1962). Before the Collector under Bihar Act XII of 1962. Whereas a return has been
filed under Section 6/8 of the Act or on behalf of the landholder/guardian of the land-holder of
village/s P.S. Sub-division District or information has been
obtained by me through other agencies under Section 7 and the option of the land-holder to select
his ceiling areas has been exercised under Section 9, and; Whereas the information so given by or on
behalf of the aforesaid landholder under Sections 6, 8 or 9 or the information collected under
Section 7 has been checked and verified in the manner prescribed in Rule 8; Now, Therefore, I
..... Collector appointed under Act XII, 1962 have caused a draft statement
prepared giving particulars of the land in Form L.C. 5 annexed hereto and the said draft statement
(as detailed in the enclosed Form L.C. 5) is hereby published under sub-section (2) of Section 10 of
the Act read with Rules 11 and 13 of the Bihar Land Reforms (Fixation of Ceiling Area and
Acquisition of Surplus Land) Rules, 1963. Take further notice that if within a period of [30]

[Substituted for '60' by G.S.R. No. 46, dated 17.12.1972.] days of the publication of this notice together with the enclosed draft statement or the service thereof with the enclosed draft statement or the service thereof on you whichever is later, any objection is received under subjection (3) of Section 10 of the Act it shall be considered by me and after giving the parties concerned a reasonable opportunity of being heard and adducing evidence, if any, such orders, as are thought fit, shall be passed thereon. Given under my hand and the seal of the Court, this day of

200.....

Place. Date. Seal of the Collector under Act XII Signature of Collector under the Act. (Name in Block letters)
of 1962

Form L.C. 7 [See Rule 13 (1)] Form of notice under Section 13(1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) to his raiyat not having right of occupancy, of his intention to resume land to be sent by registered post with acknowledgement due. To

By registered post with Acknowledgement due. Shri/Shrimati.....

Village.....

Police Station.....

Post Office.....

Sub-division.....

District.....

Whereas the statement under Section 11 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, specifying the ceiling area of my land held by me as a land-holder raiyat has been finally published by the Collector, vide a copy thereof annexed : And Whereas the lands comprised in the plots described in the annexed Schedule I are held by you in your possession as a non-occupancy under-raiyat under me on payment of rent in cash-kind within the ceiling area specified in the aforesaid statement finally published; And Whereas I desire to resume from you, under Section 12 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, the lands, specifically described in the annexed Schedule II; Now, Therefore, in exercise of the right conferred on me by sub-section (1) of Section 12 of the Act, I (name) of village P.S. P.O. Sub-division District hereby give you notice by registered post, with acknowledgement due, of my intention to resume for personal cultivation, the required land, vide annexed Schedule I, provided that you shall, at your option, be entitled to retain one acre of land including your raiyati land besides your homestead or the entire area of such land held by you if it is less than one acre. Take further notice that in accordance with clause (i) of sub-section (2) of Section 13 of the aforesaid Act, I will, within sixty days of the service on you, make an application to the Sub-divisional Officer of Sub-division, appointed as Collector under the Act for restoration of the land to me after ejecting you therefrom. A copy of this notice is being forwarded to the said Sub-divisional Officer/ Collector having his headquarter at

..... P.S. For his information Place Date

..... Signature of the land-holder (Name in Block letters). Copy forwarded to the Sub-divisional Officer of Sub-division appointed as Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, having his headquarter at for his information. Signature of the land-holder (Name in Block letters) Signature of the guardian, if

the land-holder is a minor or a person of unsound mind, (Name in Block letters)DatePlaceForm L.C. 8[See Rule 13 (2)]Form of application by or on behalf of raiyat for ejection of under raiyat under Section 13(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).ToThe Sub-divisional Officer, appointed as Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).HeadquartersSir,I enclose a copy of the notice in Form LC-7 sent by me through registered post with acknowledgement due, to my non-occupancy under raiyat named below under sub-section (1) Section 13 of the Act together with a copy of the postal acknowledgement receiptan endorsement of refusal made by the postal peon| in proof of the service thereof and I request that the lands described in Schedule II of the notice enclosed be restored to me after ejecting therefrom the under raiyat whose address is given below :-Name.....Guardian of minor son/daughter/wife of.....Address - VillagePost OfficeSub-divisionThis application is filed within time along with two extra copies thereof and the requisite fee in a court-fee stamp of one rupee and thirty-seven paise for each under-raiyat has been affixed on it for the service of a notice enclosed in Form LC-9 in triplicate on the under-raiyat concerned.

Yours faithfullySignature of the land-holderor his guardian, if he is a minor or person of unsoundmind.(Name in block letters)

Date VillagePost OfficeP.S.Sub-divisionDistrict.

Form L.C. 9[See Rule 13(3)]Form of notice to be issued by the Collector under sub-section (3) of Section 13 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition ' of Surplus Land) Act, 1961 (Bihar Act XII of 1962).To

Name (under-raiyat/guardian of theunder-raiyat if he is a | minor or person of unsound mindson/daughter/wife of.....

Village.....Post

Office.....Police-station.....Sub-division.....District.....

a notice in Form LC-7 under Section 13 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 has been served on you by or on behalf of the raiyat, namely, Shri/Shrimati son/ daughter/ wife of of village P.S.

..... of his/her intention to resume from you, the lands, specifically described in Annexure I:And Whereas he/she has made an application to me under clause (i) of sub-section (2) of Section 13 of the Act, asking for restoration of the land to him after ejecting you therefrom;Now, Therefore in exercise of the powers conferred upon me in subsection (3) of Section 13 of the Act, I hereby give you notice to show cause by the day of 20 and to adduce evidence, if any, why the aforesaid raiyat shall not be allowed to resume from you for personal cultivation the land as described in Annexure 1, or a portion thereof, in respect of which the application has been made, on payment of compensation, in accordance with the provision of Section 14.Take further notice that if on hearing an order is passed allowing the application for resumption of the land in whole or in part, the order shall take effect from the date of the order.Given under my hand and the seal of the Court, this day of 200Signature of the Sub-divisionalOfficer appointed as Collectorunder the Act.(Name in Block letters)Place.....Date.....Seal of the Court.....Form L.C. 10[See Rule 14(2)]Form of notice to be issued by the Collector to an under-raiyat before using force under Section 13(5) of the Bihar

Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).To Village.....Post

Office.....Police-station.....Sub-division.....Distr

in case No. of 200 versus an order has been passed on the
..... day of 200 by the Collector under subsection (3) of Section 13 of the
Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act
XII of 1962), to the effect that the (raiyat) (name) village P.O. P.S.
..... under whom you hold as an under-raiyat, is entitled to resume for personal cultivation
with effect from the 15th May, of the year next following the date of the order, the land/lands, as
specially described in the statement annexed herein, on payment of compensation in accordance
with the provisions of Section 14.And Whereas an application has been filed by the raiyat that you,
the aforesaid under-raiyat, or your legal representative refused or failed to put him in possession of
the land in accordance with the order of the Collector aforementioned;Now Therefore, I, the
Collector appointed under the Act, give you hereby notice to show cause before me at
(name of place) by the day of 200 why such force as may be necessary
shall not be used for putting the raiyat in possession thereof.Take further notice that if no cause is
shown by you on or before the date specified that is.....day

of.....200.....or if such cause as may be shown by you, be not considered
satisfactory and it be shown that you refused or failed to put the raiyat in possession of the land, an
order shall be made directing the Nazir/bailiff or such other person as may be authorised by me in
this behalf, to deliver possession of the land to the raiyat, and for this purpose such force as may be
necessary may be used.Given under my hand and the seal of the Court, this day of
..... 200.....Signature of the Collector under the Act(Name in Block

letters)Station.....(Seal of the Collector under Act XII of 1962)Form L.C. 11[See Rule
14(4)]Form of warrant for giving possession of land on resumption to raiyat under Section 13(3) of
the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar
Act XII of 1962).ToThe Bailiff of the Government/ Nazirauthorised in this behalf.Whereas under
Section 13 read with Section 12 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition
of Surplus Land) Act, 1961 (Bihar Act XII of 1962), the raiyat named-.....
son/daughter/wife of village P.S.

..... Sub-division has been permitted to resume land for personal
cultivation from his non-occupancy under-raiyat, named village
Police Station Sub-division.And Whereas the under-raiyat or his legal representative
has refused/ failed to put the raiyat in possession of the land in accordance with the order made in
this behalf under sub-section (3) of Section 13, as upheld/modified on appeal/revision.And Whereas
an application has been made before me/on behalf of the raiyat for putting him in possession
thereof.Now, therefore, under sub-section (5) of Section 13 of the Act, you are hereby directed to
reject the under-raiyat or his legal representative from the land, as specified in the Schedule
attached hereto, and put the raiyat in possession thereof by the of 20 and
you are hereby authorised to remove the under-raiyat or any person in his behalf if he refuses to
vacate the same.You are hereby further ordered to proclaim by beat of drum within the properties
specified in the Schedule and the presence of not less than two persons and at a conspicuous place
where the lands are situated that the aforementioned under-raiyat has been ejected therefrom and
the raiyat has been put in possession thereof and thereafter you will submit to this Court a report

showing the date and the manner in which possession of the land is given to the raiyat. Given under my hand and the seal of the Court, this day of 200.....

(Seal of the Collector under Signature of the Sub-divisional Officer appointed as Collector under Act XII of 1962) XII of 1962. (Name in Block letters) Station.....

describing the land

Name of the village in which land is situated	Name of the police station	Description of the land with plot no. and area of each plot to which possession to be given to the raiyat.	Total area of the property in each village of which possession is to be given	Name of the under-raiyat from whom the land as described in col. 4 and 5 is to be delivered to the raiyat for personal cultivation.
Description of the land	Plot no.	Area		
1	2	3	4	5
				6 7

Place.....Date.....(Seal of the Collector under Act XII of 1962) Signature of the Collector under Act XII of 1962

Form L.C. 12[See Rule (18)]Form of declaration in writing to be made and filed by the transferee under clause (i) of sub-section (2) of Section 16 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), before the registering authority under the Indian Registration Act, 1908 (XVI of 1908) as to the total area of land held by him, by himself or through any other person anywhere in the State. I/We hereby declare that I/we do not either by myself/ourself or through any other person hold as raiyat, or as an under raiyat or as a mortgagee with possession any land anywhere in the State of Bihar except the land detailed in the Schedule I below. I/We further declare that the total area of the land detailed in Schedule II below and sought to be acquired or possessed by me/us by means of the document of transfer/ exchange/ lease/ mortgage/ agreement/ settlement which is proposed to be registered together with the total area of land already held by me/us as detailed in Schedule I below, will not exceed in the aggregate the ceiling area specified in Sections 4 and 5 of the said Act, an extract of which is given in Annexure 1.

I

Name of the village, police station and district	Area and classification of land	Description of the land [xxxx] [Omitted by G.S.R. 5, dated 11.1.1981.]	Remarks
--	---------------------------------	--	---------

Areas, Classification I, II, III, IV, [V or VI]
[Substituted by G.S.R. 5, dated 11.1.1981.] as in section 4 of the Act, vide Annexure I.

II

Name of the village, police station and district	Area and classification of land	Description of the land[xxxx] [Omitted by G.S.R. 5, dated 11.1.1981.]	Remarks
Areas, Classification I, II, III, IV,[V or VI] [Substituted by G.S.R. 5, dated 11.1.1981.] as in section 4 of the Act, vide Annexure I.			

Signature of the transferee(s) (1)
(2)
(3)

I/We do hereby also declare that the facts stated above in Paragraph 1 and Schedule I are true to the best of my/ our knowledge and those stated in Paragraph 2 and in Schedule II are true to the best of my/our knowledge, information and belief.

(1) Signature of transferee(s)(Name in Block letters)
Address

Place.....Date.....

(2) Address
(3) Address

[Annexure] [Substituted by G.S.R. 5, dated 11.1.1981.]

4. Fixation of ceiling area of land. - On the appointed day the following shall be the ceiling area of land for one family consisting of not more than five members for purpose of this Act:-

(a)Fifteen acres, that is, equivalent to 6.0705 hectares of land, irrigated or capable of being irrigated by flow irrigation work or tube-wells of lift irrigation which are constructed, maintained, improved or controlled by the Central or the State Government or by a body corporate constituted under any law and which provide or are capable of providing water for more than one season (hereinafter referred to as Class I land);Explanation. - A land shall not be regarded as Class I land unless it is capable of growing at least two crops in a year; or(b)Eighteen acres, equivalent to 7.2846 hectares of land irrigated by such private lift irrigation or private tube-wells as are operated by electric or diesel power, and provide or are capable of providing water for more than one season (hereinafter referred to Class II land);Explanation. - Private lift irrigation or private tube-wells mean those which are not constructed, maintained, improved or controlled by the Central or the State Government or by a body corporate constituted under any law;(c)Twenty-five acres, equivalent to 10.1175 hectares of land, irrigated or capable of being irrigated by works which provide or are capable of providing water for only one season (hereinafter referred to as Class III land); or(d)Thirty acres, equivalent to 12.141 hectares of land, other than those referred to in clauses (a), (b), (c), (d) and (f) or land which

is an orchard or used for any other horticultural purpose (hereinafter referred to as Class IV land); or(e)Thirty-seven and a half acres, equivalent to 15.368 hectares Diara land, or Chaur (hereinafter referred to as Class V land);or(f)Forty five acres, equivalent to 18.2111 hectares of hilly, sandy, forest land, even land perennially submerged under water or other kind of land, none of which, yield paddy, rabi or cash crop (hereinafter referred to as Class VI land)"

5. No person to held land in excess of the ceiling area. - (1) (i) It shall not be lawful for any family to hold, except otherwise provided under this Act, land in excess of the ceiling area.

Explanation. - All lands owned or held individually by the members of a family or jointly by some or all of the members of such family shall be deemed to be owned or held by the family.(ii)No land-holder holding land in excess of the ceiling area shall from the commencement of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus) Land (Amendment) Act, 1972 and till the publication of notification under Section 15, transfer any land held by him except with the previous permission in writing of the Collector, who may refuse to give such permission if he is satisfied for the reasons to be recorded in writing that the transfer is proposed to be made with a malafide intention of defeating the object of this Act.(iii)The Collector shall have power to make enquiries in respect of any transfer of land by a land-holder whether by a registered instrument or otherwise made after the 22nd day of October, 1959, and if he is satisfied that such transfer was made with the object of defeating or in contravention of the provisions of this Act or for retaining, benami or farzi land in excess of the ceiling area the Collector may after giving reasonable notice to the parties concerned to appear and be heard, annul such transfer and thereupon the land shall be deemed to be held by the transferor for the purposes of determining the ceiling area he may hold under this Section.(iv)Land donated by a land-holder under the Bihar Bhoodan Yagna Act 1954 (Bihar Act XXII of 1954), to the extent it subsequently vests in the Bhoodan Yagna Committee constituted under the said Act before the date of the final publication of draft statement under Section 11 of this Act, shall not be taken into account in determining the areas he may retain under this Section.(2)(i)Where the number of members in a family on the appointed day exceeds five, the family may hold in addition to the ceiling area determined under Section 4, land not exceeding one-tenth of the ceiling area for that class of land for every such additional member:Provided that in no case shall the aggregate of land held by the family exceed one and a half times the ceiling area.(ii)Any land which a land-holder is allowed to hold under this Section shall not be liable to be acquired by the State Government under this Act namely, by reason of any subsequent improvement in the land of diminution of the number of persons referred to in clause (i).Explanation. - (i) For the purpose of the Section, where the land-holder is company or Association or body of individuals the number of persons entitled to be maintained under their personal law and dependent upon the land-holder shall be deemed to consist of not more than five.(ii)For the purpose of this Act, except the Schedule one acre of Class I land shall be deemed to be equivalent to 1.20 acres of Class II, 1.66 acres of Class III, 2 acres of Class IV, 2.20 acres of Class V, and 3 acres of Class VI lands.(3)The ceiling area which a Co-operative Society may hold in addition to such area as may be mortgaged, or sublet to it under Section 20 shall be the aggregate of the land held by its individual members, subject to the ceiling area for each member."Form L.C. 13[See Rule 19(1)]Form of application by a co-sharer or a raiyat of adjoining land for transfer of land to him under Section 16 (3) (i) of the Bihar

Land Reforms (Fixation, of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To The Collector (Appointed under Bihar Act XII of 1962).....

the undermentioned co-sharer raiyat/raiyat of the land adjoining the land of the raiyat, named of village/town P.S. Sub-division District beg to state that transfer of acre/acres of the land as described in the Schedule I attached hereto has been made by the aforesaid raiyat to a person/persons other than the co-sharer or a raiyat of adjoining land through a document registered on the day of 20..... under the Indian Registration Act, 1908.

2. I beg to enclose the following documents:-

(i) A copy of District/Sub-Treasury/Treasury Challan bearing no. .. dated the day of of 200..... in token of having deposited a sum of Rs. equal to ten percent thereof to the credit of the Collector under the Act of the area concerned, namely (ii) A copy of the registered deed by which the land has been transferred by the raiyat transferor:

3. As I am a co-sharer of the transferor/a raiyat, holding land as described in Schedule II attached hereto, adjoining the land specified in Schedule I, I hereby make this application that the land transferred by the aforesaid transferor raiyat be transferred to me on the terms and conditions contained in the said deed.

4. I request that pending decision of this application, I may be declared to be entitled to be put in possession of the land with immediate effect.

Yours faithfully Signature of the applicant (Name in Block)

Application..... Date..... Place of filing this Address..... Village.....

I

(Description of the land transferred)

Name of the District	Description of the land Whether held for agriculture or horticulture or homestead.
Sub-division
Police-Station
Village
Plot number of the land
Area of each Plot

Classification of each Plot (I, II, III, IV and V)

II

(Description of the adjoining land or land held by the co-sharer) Form L.C. 14 [See Rule 11] Form of return to be submitted by the land-holder in case of future acquisition by inheritance, bequest, gift, or by alluvial action after the commencement of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To, The Collector (Appointed under Act XII of 1962)..... Sir, Whereas, after the commencement of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) I son/ daughter/ wife of/ Guardian of the minor person or of unsound mind/ Shri. resident of village/ town Police-Station District have acquired on the day 200 by inheritance/ bequest/ gift/ alluvial action acre/ acres of land, which together with the land held by me in this State, exceeds in the aggregate the ceiling area, as specified in Section 3 of the Act. Now, therefore, in accordance with the provisions contained in subsection (1) of Section 18 of the Act, I hereby submit to you, by registered post with acknowledgement due, this return in Schedule 1 annexed hereto giving the required particulars and selecting the land which I desire to retain subject to my ceiling area. I beg to enclose also true copies of the following documents:-(i) Rent receipt in respect of the land already held by me. (ii) Any document, registered/unregistered, in respect of the land acquired by inheritance/ bequest/ gift/ alluvial action. (iii) In case of inheritance a genealogical table showing how the land has been acquired by inheritance. (iv) Certified copy/copies of judgements/Judgement of any Court/Courts or Court's decree/decrees in case no. of versus) Dated (v) (vi)

Yours faithfully Signature (Name in block letters)

Station

Land-holder/Guardian of the land

..... Date Holder. Father's name Village Town

I

1. Details of all land already held by the land-holder...

(i) Name of village (ii) Khata no (iii) Plot no (iv) Area (v) Description of the land such as homestead, orchard, bansbari, Kharhur (vi) Classification of the lands under Classes I, II, III, IV, and V. (vii) Status of the land-holder, whether a raiyat, under-raiyat or mortgagee.

2. Details of the lands acquired by inheritance/bequest/gift/alluvial action -

(i) Name of village (ii) Khata no. (iii) Plot no. (iv) Area (v) Description of the land such as homestead, orchard, Bansbari, Kharhur or pasturage. (vi) Classification of the land under Classes, I, II, III, IV, and V. (vii) Date and manner of acquisition. (viii) Name and description of the person who held that land before acquisition.

3. Details of the land which the land holder desires to retain on selection subject to the ceiling area -

(i) Name of the Village. (ii) Khata no. (iii) Plot no. (iv) Area (v) Any other particulars which the land-holder may wish to furnish. Signature of the land-holder or his Guardian, if he is a minor or person of unsound mind. Place ... Date I hereby solemnly affirms/swear that the information furnished in this return is to the best of my knowledge, information and belief and that I know and have no reason to believe it to be false. I further solemnly affirm/swear that no separate return has been filed by any member of the joint family of which I am the Karta. Place Dated this day 20. Signature of the land-holder or his guardian where the land-holder is a minor or person of unsound mind. Counterfoil for receipt Memo No. Received with a copy of the return in Form LC 14 from or on behalf of the land holder ... son/ Daughter/ wife of resident of village/town P.S. P.O. Subdivision this day of 200 Signature of the Collector (under Act XII of 1962) (in block letters). Form LC 15 [See Rule 22] Form in which information shall be given by or on behalf of a raiyat to the Collector of the area concerned or the Executive Committee of the Gram Panchayat under Section 20 (1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To

The Collector (appointed under Act XII of 1962).

Executive Committee of the
Gram Panchayat.....

Anchal/Gram
Panchayat H.Q.

Sir, Under Section 20 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), I (name) land-holder/ guardian of the land-holder (name) who is a minor/ person of unsound mind, a resident of village/ town P.S. Sub-division District do hereby inform you as below:- acre/acres of land, as specifically described in the schedule attached thereto, situate in village/villages P.S. Anchal has been sublet by me/ in behalf of the raiyat who is a minor/person of unsound mind to Shri. son/ daughter/ wife of Shri. a resident of village/ town P.S. Anchal through a deed of lease, registered on the day of 200 which period does not exceed seven years at a time/for the period allowed under the proviso to sub-section (1) to Section 20 of the Act, expiring on 200.....

I

1. Name of the land-holder by whom or in whose behalf the land is sublet together with his full address.

2. Name of the person to whom the land has been sublet together with his full address.

3. Local description of the land sublet -

(i) Name of village, P.S. and Anchal. (ii) Plot No. and area sublet of each plot. (iii) Classification of the land, such as Classes I, II, III, IV and V as specified in Section 4. (iv) Description of the land, such as land for agricultural or horticultural or homestead purposes, or for growing Kharhur, Bansbari or fodder etc. (v) Rate of rent payable in kind or cash by the sub-lessee to the raiyat as stipulated in the registered deed. (vi) Remarks, if any.

Place Date Yours faithfully, Signature of the raiyat, the guardian of the raiyat if he is minor or person of unsound mind (Name in Block Letters).

Office of the Collector under Act XII of 1962 of the area concerned namely
Anchal-cum-Development Block/Executive Committee of the Gram Panchayat established under Section 3 of the Bihar Panchayat Raj Act, 1947 (Bihar Act VII of 1948). Memo No. Dated the..... Received this day of 200 information in Form LC 15 together with a copy of the registered deed regarding the land sublet or in behalf of the land-holder, named..... son/ daughter/ wife of a resident of village/town P.S. Sub-division. Signature of the Collector (in behalf of the Receiving Officer/ in behalf of the Executive Committee of the Gram Panchayat) Place. Form L.C. 16 [See Rule 23] Form of application by a raiyat for restoration of the land sublet after ejecting the sub-lessee therefrom under Section 20(4)(i) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To The Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). Sir, Whereas the sub-lessee (name), son/daughter/wife of a resident of village/ town P.S. Sub-division. District to whom and, as specified in the Schedule attached thereto, had been sublet by me in my behalf for a period of..... years, commencing from the day of.... 200..... and expiring on the day of. 200..... by a deed registered on the..... day of 200..... And whereas the said sub-lessee-(i) has failed to pay an arrear of rent of Rs. P. for the period to me in accordance with the rates stipulated in the registered deed; or (ii) has used the land in manner which has rendered it unfit for purposes of the tenancy for which land was sublet; or (iii) the term of the lease expired on the day of 200 and has thus rendered himself liable to be ejected under Section 20 (3) of the Act. Now, therefore, in accordance with clause (i) of sub-section (4) of Section 20 of the Act, I, the raiyat of the land/ guardian of the raiyat named of village P.S. Sub-division District do hereby make this application for the restoration of the land to me/my ward abovenamed, after ejecting the sub-lessee therefrom.

Place Date Yours faithfully, Signature of the raiyat/ the guardian of the raiyat if he is minor or person of unsound mind (Name in Block Letters).

Form L.C. 17 [See Rule 24(1)] Form of application to be filed by a sub-lessee if he wishes to surrender the land subject to him under Section 20(5) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To The Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). Sir Whereas acre/ acres of land, as described in the Schedule attached hereto, has/ have been subject to me by/ in behalf of the raiyat Shri son/ daughter/ wife of

..... a resident of village/ town P.S. Sub-division
District by a deed registered on the ... day of the month of 200....;And
Whereas the term of my tenancy is still continuing, and is due to expire on the...day of the month
of.....200.....;And Whereas I wish to surrender voluntarily, i.e., of my own will and without
any inducement, promise or threat or any pressure from or in behalf of the raiyat or any one else the
land/a portion of the land, as specified in the Schedule,Now, Therefore in accordance with the
provisions contained in subsection (6) of Section 20 of the Bihar Land Reforms (Fixation of Ceiling
Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), I (Name, a
resident of village town P.S. Sub-division district
..... do hereby make this application and request that permission be accorded to the
surrender proposed by me.A copy of this application is also being sent to the aforesaid raiyat, by
registered post with acknowledgement due, for his information.

PlaceDate Yours faithfully,Signature or thumb-impression of sub-lessee or hisguardian if the
sub-lessee is minor or a person of unsoundmindName (.....)Full address

describing the land sublet and proposed to be surrendered.

(1)Name of the sub-lessee to whom land has been sublet together with his full address.(2)Name of
raiyat by whom or in other behalf the land was sublet, together with his full address.(3)Location and
description of the land sublet, such as village P.S. Khata no. Plot no.
..... and area of each plot, classification of the land, such as Classes I, II, III, IV and V as
specified in Section 4, and nature of the land, such as land for agricultural, horticultural or
homestead purposes, or for growing kharhur, bansbari or fodder, etc.(4)Plot no., area and
classification of the land proposed to be surrendered out of those specified in col. 3.(5)Date with
effect from which the surrender will take place.(6)Remarks, if any.Form L.C. 18[See Rule 24
(3)]Form of register to be maintained by the Collector for registering his permission accorded to
voluntary surrender under Section 20 (5) of the Bihar Land Reforms (Fixation of Ceiling Area and
Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).

1. Serial no.

2. Name of the sub-lessee who has applied for permission to surrender the land sublet to him together with his address.

3. Name of the raiyat who sublet the land together with his address.

4. Location and description of the land in respect of which surrender has been sanctioned: -

(i)Name of the village and P.S.(ii)Khata no.(iii)Plot no. and area of each plot.(iv)Classification of
land, such as Classes I, II, III, IV and V.(v)Nature of the land, such as for agricultural, horticultural
or homestead purposes or for growing kharhur, bansbari, fodder etc.

5. Substance of the order passed by the Collector according permission to the surrender.

6. Signature of the Collector.

7. Remarks, if any.

Form L.C. 19 Form of application by the under-raiyat under Section 22 (1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act 1961 (Bihar Act XII of 1962). Sir, I beg to say that I am an under-raiyat on the surplus land described in Schedule I attached to this application. Under Section 22(1) of the Bihar Land Reform (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, I may request that I may be allowed to retain the aforesaid land as an occupancy raiyat subject to the terms and conditions laid down in Rule 25 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963. I hereby solemnly affirm that the total area of land held by me either as raiyat or under-raiyat does not exceed that ceiling area which I am entitled to hold under Section 5 of the Act. Details of the land held by me are given in schedule II of this application.

I

Description of the surplus land which may be allowed to be retained by me as an occupancy raiyat:-

1. Name of village and P.S. in which the land is situated.

2. Name of the raiyat who held the land prior to its acquisition as surplus land.

3. Khata no., plot no. and area of plot.

4. Nature of the land, such as agricultural, horticultural, bansbari, khurhar, pasturage, etc.

5. Classification of the land, such as Classes I, II, III, IV and V.

6. Remarks.

II

Description of the land under ceiling held by me-

1. Name of village and P.S.

2. Khata no., plot no. and area of plot.

3. Nature of the land, such as agricultural, horticultural, bansbari, kharhur, pasturage, etc.

4. Classification of the land such as Classes I, II, III, IV and V.

5. Remarks.

PlaceDateYours faithfully,(Name in Block letters.)Full addressForm L.C. 20[See Rule (1)]Form of Draft Compensation Assessment Roll prepared under Section 24 (2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).(This form should be filled up for each compensation-holder)

1. Serial no.

2. Name of the compensation holder with father's name and address.

3. Details of land, such as village, khata no., plot no. area of plot, classification and nature of the land such as agriculture or horticulture or homestead for which compensation is payable.

4. Amount of compensation payable for lands under each class.

5. Total amount of compensation payable to the land-holder (compensation-holder).

6. Amount deducted on account of arrear of rent remaining lawfully due, to the State Government from the raiyat, (compensation-holder) as ordered by the Collector.

7. Amount deducted on account of amounts other than arrears of rent remaining lawfully due to the State Government and recoverable from the land-holder (compensation-holder) as ordered by the Collector.

8. Amount payable to the mortgagee or the charge-holder as decided under Section 35 in respect of the land subject to a mortgage or a charge.

9. Total amount of compensation payable.

10. Remarks (In this column also state if this Roll refers the compensation-holder as the Karta of an undivided Hindu Family and if the compensation payable to the Coparcener members has been included in it, (Name of the Coparcener should also be given).

Signature of the Collector under Bihar Act XII of 1962. Seal of the Collector under Bihar Act XII of 1962. Date ----- place ----- Form L.C. 21 [See Rule 26 (3)] Public notice of Draft Compensation Assessment Roll under section 23 (3) (iii) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To whomsoever it may concern Whereas the amount of compensation payable in respect of the landholder's interests mentioned in the Draft Compensation Assessment Roll attached herewith has been determined and the Draft Compensation Assessment Roll prepared in accordance with the provisions of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). And whereas the amount of compensation specified in the said Draft Assessment Roll is the entire amount of compensation payable in respect of all the interest of the land holder in land or part thereof referred to therein and the person(s) named therein is/are, subject to other provisions of the Act, the only person(s) entitled thereof in the proportion stated therein. Now therefore, it is notified for general information that this notice together with copy of the Draft Assessment Roll duly signed and sealed by me hereby published on and shall remain so published for a period of thirty days, i.e., till the day of 200 and that objections, if any, in respect of any entry in the said Draft Assessment Roll may be filed by any person before me within a period of thirty days of the expiry of the said period of publication, i.e. on or before the day of 200..... Given under my hand and the seal of this Court this day of 200.....

Seal of the Collector under Bihar Act XII of 1962. Place..... Date.....

Signature of the Collector under Bihar Act XII of 1962

Form L.C. 22 [See Rule 26 (8)] Form of certificate to be endorsed by the Collector on the Compensation Assessment Roll finally published under sub-section (5) or sub-section (6) of Section 23 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). Certificate of the Collector under sub-section (8) of Section 23 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). Certified that this Compensation Assessment Roll has been finally published under sub-section (5), sub-section (6) of Section 23 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), read with the Rules framed thereunder on the day of 200 Given under my hand and the seal of this Court this day the of 200.....

Seal of the Collector under Bihar Act XII of 1962. Place..... Date.....

Signature of the Collector under Bihar Act XII of 1962 (Name in block letters)

Form L.C. 23 [See Rule 26(9)] Stamp-fee Rs. 1.50 Indemnity Bond by Karta or an adult member of undivided Hindu family. Know all men by these presents that I son of resident of hereby acknowledge to have received from the Government of Bihar a sum of Rs. Rupees/ Bonds of the value of rupees on account of compensation payable under Section 21 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962)..... sanctioned by Order no. dated of the Collector under Act XII of 1962 on behalf of myself and all my co-sharers (including minors) as the Karta adult member of the undivided Hindu family/the minor/compensation-holder of unsound mind Shri. (here give name, parentage and residence of the minor/compensation-holder of unsound mind) as his guardian and for and on behalf of myself and on behalf of co-sharers/the said minor compensation-holder of unsound mind. I hereby undertake, in consideration of the payment of the abovementioned amount, to hold the State Government fully indemnified in respect of claims to any payment due to myself/any of my co-sharers (including minors, of the undivided family/the said minor/compensation-holder of unsound mind on account of the compensation payable under Section 23 of the Act for our/his interest as landholder vested in the Government of Bihar under the said Act (Bihar Act XII of 1962). In witness whereof set my hand hereunto, this day the..... of 200(1) Witness-Signature of the Karta or adult member on behalf of the undivided Hindu family, guardian of the minor or person of unsound mind. Address..... Occupation..... (2) Address..... Occupation..... Form L.C. 24 [See Rule 27] Claim petition by mortgagee/charge-holder under Section 25 (1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962). To The Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) having headquarters at dated the Sir, I beg to say that I am a mortgagee/charge holder in respect of the land described in the Schedule hereto annexed which has been acquired or is deemed to have been acquired by the State Government under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) and in respect of which my claim could not be amicably settled. I, therefore, make this claim/application under sub-section (1) of Section 25 of the said Act and I give the following particulars in support of my said claim:-(i) Name and address of the land-holder whose land has been acquired or is deemed to be acquired under the Act. (ii) Name and full address of the mortgagee/charge holder. (iii) Date of creation of the mortgage/charge together with a certified or true copy of the deed. (iv) Principal amount of the mortgage/charge. (v) Amount of interest, if any, due on the mortgage/charge. (vi) The amount of interest or profits already realised by the mortgagee/charge-holder. (vii) Any other particulars which may be necessary for determination of the claim.

Schedule 11

Description of the land acquired which is subject to mortgage/charge:-(a) Village (b) Police Station (c) Khata (d) Plot no. (e) Area (f) Nature of the land (g) Class of land whether belonging to Classes I, II, III, IV or V Signature of mortgage (s)/charge-holders (s): (1)..... (2)..... (3)..... I/ We do hereby solemnly affirm and declare that the facts stated above are true to the best of my/our knowledge/information and

belief.(1)Signature of mortgagee (s)/charge-holder (s).....(Name in Block letters.)Addressee

.....Place
.....Date

.....(2).....(3).....

L.C. 25[See Rule 28]Notice of Claim to the land-holders and claim by mortgagee/ charge-holder under Section 25(1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962.)Before the Collector under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).Name of the place where the office of the Collector is situated... P.S.ToGive name and address of the land-holder (including village, P.S., post office and sub-division.)Whereas (give the name and address of the mortgagee or charge-holder applicant) has filed, as a mortgagee/charge-holder, an application against your preferring a claim, you are hereby called upon to answer the claim, either in person or by a duly authorised agent, who is acquainted with the facts of the case, and to file a written statement, duly verified by you/our duly authorised agent admitting or denying the aforesaid claim, within fifteen days of the service of this notice, or within such further time as this court may allow.Take further notice that if you fail to submit your written statement without any just or reasonable ground, within the period aforementioned, the claim will be heard and determined in your absence.Given under my hand and the seal of this Court this day of 20.....

Place.....Date.....Seal of the Collector under Bihar Act XII of 1962. Signature of the Collector under Bihar Act II of 1962

Form L.C. 26[See Rule 45 (1)]Form of general order under Section 28 (1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961, (Bihar Act XII of 1962).Before the Collector under Bihar Act XII of 1962PlaceToAll land-holders holding land in the area comprised in VillageP.S. DistrictWhereas a notification has been published in the issue of the Bihar Gazette, dated.....by the State Government applying the provisions of Chapter X of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 to the area comprised in.....Village.....P.S..... District.....Now, therefore in exercise of the powers conferred by sub-section (2), (1) of Section 28 of the said Act I [name.....]. Collector under the Act for the area aforementioned do hereby call upon every landholder holding land in the area, which together with any other land held by him anywhere in the State, exceeds one acre to surrender to the State(a)one-twentieth of the total area held by him in the area notified, if the total area held by him throughout the State exceeds one acre but does not exceed five acres;(b)one-tenth of the total area held by him in the area notified if the total area held by him throughout the State exceeds five acres but is less than twenty acres;(c)one-sixth of the total area held by him in the area notified if the total area held by him throughout the State is twenty acres or more;and for that purpose, to submit a return in Form LC 27 to the undersigned within a period of ninety days with effect from the date of the publication of this order.Given under my hand and the seal of the court his day of 200.....PlaceSignature of the Collector under Bihar Act XII of 1962(Name in Block letters)SealForm LC 27[See Rule 45(2)]Form of return to be submitted by a

land-holder under Section 28 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962).

1. Details of the land already held by the land-holder under his ceiling area indicating separately the lands held in the notified area:-

(i) Name of the village.....(ii) Khata no.....(iii) Plot no.....(iv) Area.....(v) Description of the land such as homestead, orchard, Bansbari, Kharhur, pasturage.(vi) Classification of land under Classes I, II, III, IV and V.(vii) Status of the land-holder, whether a raiyat, under-raiyat, or mortgagee.

2. Details of the land which the land-holder has donated to the Bhoodan Yagna Committee established under the Bhoodan Yagna Act, 1954 (Bihar Act XXII of 1954) or to Acharya Vinoda Bhave for the purpose of Bhoodan Movement on or after the twenty-fifth day of December 1960:-

(i) Name of the Village.....(ii) Khata no.....(iii) Plot no.....(iv) Area.....(v) Description of the land such as homestead, orchard, Bansbari, Kharhur, or pasturage.(vi) Classification of the land under Classes I, II, III, IV and V.(vii) Status of the land-holder, whether a raiyat, under-raiyat or mortgagee.

3. Details of the land which the land-holder proposes to surrender under Section 28 (2) of the Act:-

(i) Name of the Village(ii) Khata no.....(iii) Plot no.....(iv) Area.....(v) Description of the land, such as homestead, orchard, Bansbari, Kharhur or pasturage.(vi) Classification of the land under Classes I, II, III, IV and V.

4. Any other particulars which the land holder may wish to furnish.

I solemnly affirm and declare that the information furnished in this return is true to the best of my knowledge, information and belief and that I know and have no reason to believe it to be false. I further so declare that no separate return has been filed by member of undivided Hindu family of which I am the Karta.

Place.....Date of the day. Signature of the land-holder/ Guardian of the land-holder if he is a minor or person of unsound mind.(Name in Block letters.)Full address.....

Counterfoil for receiptMemo no.Received a copy of the return in Form LC-27 from the/ or in behalf of the land-holder son/ daughter/ wife of resident of village town P.S. P.O. Sub-division this day of ... 200...Signature of the Collector under Bihar Act XII of 1962(Name in Block letters.)[Form LC 28] [Inserted by G.S.R. 5, dated 11.1.1981.][See Rule 51-A]Form of show cause notice by the Collector under clause (i) of

subsection (1) of Section 38 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) to be served on land-holder or the guardian of the land-holder if he is a minor or a person of unsound mind. Registered A/D To (1)(2)(3)(4) Whereas it has come to my notice that you, a land-holder within the meaning of Section 2(g) of the Act, hold land in your own behalf/on behalf of the minor/person of unsound mind detailed in the Annexure which is in excess of the ceiling area, and that you have not submitted the return under Section 6 or Section 8 or Section 18 or that you have submitted incorrect return. Now, Therefore, I Collector under the Act do hereby give you notice to show cause and adduce evidence within thirty days of the receipt of this notice as to why the said excess area of land shall not be acquired by the State Government. Notice is also given to such person or persons who may have any claim in respect of the land in question and to prefer his claim and to adduce evidence in support of his claim within thirty days from the date of the publication of this notice in the District Gazette. Take further notice that if cause is not shown within the period prescribed, I shall proceed to acquire the said surplus land without any further notice. Given under my hand and the seal of the Court, this day of 200. Place Signature of the Collector under Act XII of 1962. Seal of the Collector under Act XII of 1962. Annexure Form of particulars of land held by or on behalf of the land-holder. Name and full address of the land-holder-(1) Name of village, Police-station and district in which the land or lands are situated. (2) Number of each khata, plot no. and area of each plot of the land or lands held together with their nature. (3) Classification of each plot. Signature of the Collector under Act XII of 1962. Place and date: Seal; [Form LC 29] [Inserted by G.S.R. 5, dated 11.1.1981.][See Rule 55(1)] Form of application to be filed by legal representative for substitution in case of death of the land-holder during the pendency of the proceeding under Section 45-C. To The Collector, Sir, I/we legal representative of deceased land holder (name)-in land ceiling case no. since pending in the Court of may be substituted in his place. I/we, therefore, request you to substitute my/our name/names in the proceeding. Name and address of the applicant/s-(1)(2)(3)(4) Signature of the applicant/s Form LCN Indent for Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds [See Rule 32(1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] District Sub-division Indent number of Memo Dated Forwarded in triplicate to the Manager, Reserve Bank of India, Public Debt Office, Patna for compliance. Collector under Bihar Act XII of 1962. Collector or Additional Collector of the District. Station District The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963

Part I – of LCN to be filled up by the Collector

Serial No.	Name of compensation holder with parentage and residence	Total area of land acquired under class I, II, III, IV and V	Location of the land such as Village, P.S. and District.	Net amount of compensation payable in bonds
1	2	3	4	5

Number of bonds of each denomination indentedfor:	Total value of bonds indented for	Treasury where to be enfaced for payment andinterest	Date from which the bond will carry interest
50, 100, 200, 500, 1000, 5000, 10000.			
6	7	8	9

Part II LCN to be filled up by the Public DebtOffice.

Serial number of bonds issued denomination	Total value of bonds issued	Number and date of the forwarding Schedule	Remarks
50, 100, 200, 500, 1000, 5000 and 10000			
10	11	12	13

Total value of bonds indented for Rupees.....(in words and in the handwriting of the Collector)Collector.....DistrictDate.....Note below the full address for district (here give the full address) of the Treasury Officer to whom the consignment of bonds will be transmitted together with specific instructions for despatch.I hereby certify that this indent has been prepared in accordance with the rules and instructions issued for the purpose.

State.....Date.....Seal of the Collector Collector.....District.....

Form LCN 1Register of Indents for Bihar Ceiling and Acquisition of Surplus Land Bonds[See Rule 32(5) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963]District.....

Number and date of Indent	Name of landholder with parentage and residence	Number of bonds of each denomination indentedfor-	Total value of bonds indented for	Signature of the Collector	
Denomination	Number				
1	2	3	4	5	6

Sub-division.....

Number and date of forwarding Schedule from thePublic Debt Office	Serial number of bonds supplied by the PublicDebt Office, Patna	Total value of bonds supplied	Signature of the Collector	Remarks	
Serial no.	Denomination				
7	8	9	10	11	12

Form LCN 2

of the Bihar Ceiling and Acquisition of Surplus land compensation bonds forwarded by the Manager, Reserve Bank of India, Public Debt Office, Patna.

[See Rule 33 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963]

Number and date of indent	From whom the indent was received	Number of bonds of each denomination despatched 50, 100, 200, 500, 1000, 5000, 10000.	Total value of bonds supplied	Remarks
1	2	3	4	5

MemoDated theForwarded in duplicate to-(i)The Treasury Officer of.....(ii)The Secretary to the Government of Bihar, Finance Department, Patna for information.Manager Reserve Bank of India Public Debt Office, Patna.Memo.....Dated the.....Received the bonds specified above.Treasury Officer Station.....Date.....Seal of the Treasury Office.Form LCN 3 Notice to the compensation-holder tendering amount of compensation [See Rule 35 (2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] In the Court of the Collector.....No.Date theTo (Name of the Compensation-holder with parentage and residence.) Name of village.....Total area of land acquired in each Police Station.....under the Class I, II, III, IV and V. Post Office.....Sub-division.....District.....Whereas the amount of compensation payable to you in respect of the lands specified above has been determined to be Rs. and payable to you in bonds of the amount of Rs. and or in Cash Payment Order of the amount of Rs you are hereby directed to appear before me personally or through an agent duly authorised to receive the same in my court on the day of 200 between the hours 10.30 A.M. and 4.30 P.M. Take notice that in default of your appearance on the said date, the bonds/or the Cash Payment Order will be deposited with the Collector of the district and thereafter the same can be received by you on an application to the Collector within a period of three years from the said date. Further take notice that if the delivery of the bonds and/or the Cash Payment Order is not taken by you before the expiration of three years from the said date, the bonds shall be returned to the Public Debt Office, Patna and the Cash Payment Order cancelled. Given under my hand and seal this day of 200.....

Seal of Collector under Bihar Act XII of 1962

Signature of the Collector under Act XII of 1962 Place.....

Form LCN 4 Cash Payment Order [See Rule 35 (2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] Treasury voucher no. of Head of Account. Cash Payment Order no. Dated District..... Sub-division..... To The Treasury Officer of Pay to Son/ daughter/widow of resident of P.S..... district the sum of Rs. (Rupees) only being the amount of compensation

payable in cash under the provision of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (XII of 1962) and the Rules made thereunder, vide compensation case no.....of 200.....

2. The order shall be valid for three months from the date of issue and no payment shall thereafter be made on the order unless duly revalidated by the Collector.

Signature of the Collector under Act XII of 1962. Place..... Date..... Received payment..... Please pay to.....

Dated signature of the payee's Authorised agent. Attested. Collector under Act XII of 1962. Date.....

Signature or thumb impression of the payee with date

[One rupee] [Now Rs. One for amount exceeding Rs. 500/- vide Finance Act, 1994 (Act 32 of 1994).] receipt stamp for sum exceeding [Rs. five hundred] [Now Rs. One for amount exceeding Rs. 500/- vide Finance Act, 1994 (Act 32 of 1994).] The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961. Certificates-(1) Certified that the amount noted in this order has been verified with the relevant record and found correct. (2) Certified that this order is made over to the actual payee/his/her duly authorised agent whose signature/thumb impression has been obtained in my presence and attested by me. Collector under Act XII of 1962. Place..... Date..... Checked with the advice list and noted in Register of Cash Payment Orders. Pay Rs (Rupees..... Station..... Date Form L.C.N. 5 Register of payment of Compensation in Bonds/ Cash under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 [See Rule 35(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963 District..... Sub-division.....

Serial number	Name of the compensation holder with parentage and residence	Compensation case number with year	Net amount of compensation payable	Serial number of bonds of each denomination to the compensation holder as per column	Total value of bonds issued	Cash payment order as per column 5
In bonds	In cash	Serial number	Amount	Serial number	Amount	
1	2	3	4	5	6	7 8 9 10

Date of delivery of bonds and/ cash payment	Signature of the compensation holder or his	Signature of the Collector	In case of nondelivery number and	Number and date of acknowledgement	Signature of the Collector	Remarks
---	---	----------------------------	-----------------------------------	------------------------------------	----------------------------	---------

orderto the dulyauthorised with date date/ by theCollector
compensation agent in token scheduleforwarding
holder of receipt the bonds
and/or cash
payment
order to the
Collector

11 12 13 14 15 16 17

Form LCN 6Advice list of Cash Payment Order issued for payment[See Rule 35(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963]Advice List no. dated(This number should be continuous for each financial year.)District.....Sub-division.....

Name of the payee with full address	Compensation case number	Number and date of the cash payment order	Amount covered by the cash payment order	Treasury voucher number and date	Remarks
1	2	3	4	5	6

Memo no. DateForwarded to the Treasury Officer ofStation.....Date.....Collector (under Act XII of 1962)Memo no. DateReturn the lower portion to the Collector.....after noting Treasury Voucher no. and date of payment.(Office of the Treasury Officer.)(See below for instructions.)Treasury Officer,Date.....(Perforation to detach lower portion).....Station.....Date.....Foil,ToThe Collector, under Bihar Act XII of 1962Place.....Advice List no.Date(This number should be continuous for each financial year.)District.....Sub-division.....

Name of the payee with full address	Compensation case number	Number and date of the cash payment order	Amount covered by the cash payment order	Treasury voucher number and date	Remarks
1	2	3	4	5	6

Memo no. DateThe above foil of advice is returned herewith after noting Treasury voucher number and date of payment.Treasury Officer,Date.....Instructions. (1) The Treasury Officer should not encash any cash payment order till this advice list is received from the Collector and compared with the cash payment order to see that the amount mentioned in both the document voucher agree.(2)After payment of the cash payment order the Treasury Officer should detach the lower portion of the advice list and send it to the Collector after noting therein Treasury Voucher number and date of payment.Form LCN 7Register of cash payment order no.....Treasury under the Bihar Land Reforms (Fixation of Ceiling Area and

Acquisition of Surplus Land) Act, 1961.[See Rule (2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus land) Rules, 1963]District Sub-division

Number and date of cash payment order with date of revalidation, if any	Compensation case number with year	Amount covered by the cash payment	Name and full address of the payee	Treasury voucher number and date of payment	Initials of the Treasury Officer with date	Remarks
1	2	3	4	5	6	7

Form LCN 8 Requisition for Bonds on..... Treasury [See Rule 35(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land), Rules, 1963] No.

..... To The Treasury Officer..... Dated the

200..... The undermentioned Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds may kindly be issued to me on the..... for delivery to the compensation

holders concerned. Station Date Collector under Act XII of

1962 Particulars of Bonds requisitioned

Name of the compensation holder	Description of Bonds	Total value of the bond requisitioned	Remarks
Serial number	Denomination		
1	2	3	4
			5

Issue the Bonds specified in the above requisition..... Date..... Treasury Officer Place..... Received the Bonds specified above..... Collector under Bihar Act XII of 1962 Date..... Place..... Form LCN 9

of undelivered Bonds and/or cash payment orders forwarded to Collector for deposit.

[See Rule 35 (5) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963] No. To The Collector..... Dated the 200..... Sir, The undermentioned undelivered Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds and/or cash payment orders are herewith forwarded to you to deposit under Rule 35 (5) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963. Please acknowledge receipt. Yours faithfully..... Collector under Bihar Act XII of 1962 Name in the Block letters Date..... Station..... Particulars of the undelivered Bonds and/or cash payment orders forwarded to the Collector for deposit.

Compensation case no. with year	Name of the compensation holder with parentage and residence	Serial no. of Bonds of cash (denomination)	Total value of bonds	Cash Payment orders	Remarks
Serial no.	Denomination	Serial no.	Amount		

Serial No.	From whom received	Date of receipt	No. and date of schedule forwarding the bonds and/or cash payment order for deposit.	Compensation case number with year.	Name of the compensation holder with parentage and residence	Serial bonds of each denomination received
------------	--------------------	-----------------	--	-------------------------------------	--	--

Total value of bonds received	Cash payment order.	Signature of the Collector with date.	Date of delivery of bonds and cash payment order to the compensation holder or his duly authorised agent by the Collector	Signature of the compensation holder or his duly authorised agent in token of receipt	Signature of the Collector with date	In case bonds are not delivered within three years, number and date of the schedule forwarding the bonds of the Public Debt Office, Patna
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Indian Kanoon - <http://indiankanoon.org/doc/68341482/> 53

Form LCN 11

of undelivered Bonds forwarded by the Collector to the Public Debt Office, Patna, for deposit under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961.

[See Rule 35(7) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963] From The Collector of To The Manager Reserve Bank of India, Public Debt Officer, Patna. Dated 200..... Sir, The undermentioned undelivered Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds are returned herewith for deposit under Rule 35 (7) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963. Please acknowledge receipt. Yours faithfully..... Collector Particulars of Bonds returned to the Public Debt Office, Patna

Number and date of forwarding Schedule with which the Bonds were supplied by the Public Debt Office.	Name of the Land holder in whose favour the Bonds were issued	Serial number of Bonds of each denomination returned	Total value of Bonds returned	Brief reasons for return
Serial number	Denomination			
1	2	3	4 Rs.	5 Rs.
				6

Date..... 200 Memo no..... Received Bonds specified above Manager, Reserve Bank of India Public Debt Office, Patna Form LCN 12 Monthly Statement of Payment of Compensation in Cash for the month 20..... [See Rule 35(9) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] District Sub-division.....

Amount of cash payment order issued upto the previous month but during the month	Amount of cash payment order issued upto the previous month and outstanding at the end of month under report (Column 2 minus 3)	Amount of cash payment orders issued during the month.	Total amounts of cash-payments order issued upto the close of the month	Remarks (here give brief explanation of the figure in column 8)
Cashed	Not cashed	Cashed	Not cashed	(Cols. 1-3-5)
Rs.	Rs.	Rs.	Rs.	Rs.

Verified the above figures with Treasury Registers.

The result of verification is noted below:-

Treasury Officer. Collector under Bihar Act XII of 1962

Date..... Date.....

Station.....

Memo No..... Date.....

Copy forwarded in duplicate to the Treasury Officer..... for verification and early return. The verified amount should be noted in the copies of the statement. Collector under Bihar Act XII of 1962

Date..... Station.....

Memo No..... Date.....

Both copies of the Statement returned to the Collector of..... after verification and after noting the verified amount in both of them. Treasury Officer.

Date..... Station.....

Memo No..... Date.....

Forwarded to Divisional Commissioner/the Secretary to Government of Bihar, Revenue (Land Reforms Ceiling (Section), Patna for information.

Place..... Collector.....

Date..... District.....

Form LCN 13 Advice list of Cancelled Cash Payment Order returned to the Collector [See Rule 35(11) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963] No. To The Compensation Officer Date The undermentioned Cash Payment Orders, which are lying undelivered with me for more, than three years and have, therefore, been cancelled by me under the Rules, are returned herewith for necessary action. Please acknowledge receipt. Collector District..... Station Date Particulars of the Cash Payment orders returned

Compensation case no. with year	Name of the compensation holder with parentage and residence	Cash Payment Orders	Remarks
Serial Number	Amount		
1	2	3	4
			Rs.

Memo no..... Dated Received the cancelled Cash Payment Orders specified above. Station..... Date Form LCN 14 Receipt for equated annual instalment representing the principal and interest in Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds [See Rule 37(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963] Received from the Government Treasury at the equated annual instalment representing the principal and interest due on the Bihar Ceiling and Surplus Land Acquisition Compensation Bonds, as noted below:-

No. of Bonds	Amount of each Bond	Amount of equated yearly	No. of yearly instalment(s) due	Total amount due	Date upto which instalment is	Names and address of the holder of
--------------	---------------------	--------------------------	---------------------------------	------------------	-------------------------------	------------------------------------

		instalment		due		the Bonds.	
Principal	Interest	Principal	Interest				
1	2	3	4	5	6	7	8 9
			Deduct income tax				
			at.. percent				
Rs.p.	Rs.p.	Rs.p.	Surcharge, Net	Rs.p.	Rs.p.	Rs.p.	
			amountpayable,				
			Total-				

Total received (in words.....)Signature(State whether holder of holder's attorney or administrator)Date.....(1)For use in treasury.

Treasury Voucher No. and date		Classification of charges on account of -		Total
Principal under head["N - Public Debt,etc."]		Interest under head 22-Interest on debt		
[See now Head of Account.]		and otherobligations, etc."		
1		2		3 4
		Rs. p.		Rs. p.

Pay Rs (In figures as well as in words) only as specified aboveTreasury Officer, TreasuryForm LCN 15Register of Payment of equated annual instalments representing the Principal and Interest of Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds[See Rule 37(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963]

Date	No. of vouchers	Name of payee	No. of the bond	Amount of bond	Date up to which paid	No. of years for which paid
1	2	3	4	5	6	7
Particulars of payment		Income-tax etc.	Net amount paid	Daily total of net payment	Treasury Officer's signatures	
Total amount of Principal		Interest	Total			
8		9	10	11	12	13 14

Note - From this register will be copied a schedule under each of the head [N. Public Debt/65 payment] [Now see new Head of Account.], etc. (For the equated amounts and these schedule together with voucher should accompany the monthly list of payments submitted to the Accountant-General.)Form LCN 15-ARegister of Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds enfaced for payment of equated annual instalment representing the principal and interest at Treasury District[See Rule 37(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963]

Serial No.	No. and date of advice from the public DebtOffice	No. of bonds	Value of bonds	Amount of equated instalment	Date up to which instalment was last paid
------------	---	--------------	----------------	------------------------------	---

1	2	3	4	5	6	
			Rs.	Rs.		
Particulars of payment of instalments year ending date and date of payment of instalment						
Treasury Officer's initials				1st instalment	2nd instalment	3rd instalment Etc.
7				8	9	10 11
No. and date of advice of cancellation of encumbrance			No. and date of Income-tax Exemption		Treasury Officer's initials	Remarks
12			13		14	15

Notes. - (1) The entries in sub-column 8 should be attested by the dated initials of the Treasury Officer. When instalment are passed by the Treasury Officer before the due date in terms of paragraph 42 of the Government Securities Manual (3rd edition), the pay order and the entry in column 6 should be dated with the due date and not with the date on which the payment order may actually happen to be passed. In such case the payment order should not, however, be delivered to the party before the due date. (2) As the dates of payment of instalments will be of different year, ending date and the date of actual payment should be noted against each bond in sub-column 8. Form LCN 16 Stock and Issue Register of Bihar Ceiling and Acquisition of Surplus Land Compensation Bonds [See Rule 34(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963]

Date	Opening balance	Receipt	Total	Issues	Signature of compensation officer in token of receipts		Closing balance			
No. of bonds	Amount	No. of bonds	Amount	No. of bonds (Clos 3 and 4)	Amount (cols 3 and 5)	Number of bonds	Amount	Number of bonds (Cols. 6 minus 8)	Amount (Cols 7 and minus 9)	
1	2	3	4	5	6	7	8	9	10	11 12
		Rs.		Rs.		Rs.		Rs.		Rs.

Form LCN 17 Letter to the Treasury Officer, intimating delivery of Bonds to compensation-holder [See Rule 35 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules 1963] From The Collector, To The Treasury Officer, Dated the 200..... Sir, The following Bihar Ceiling and Acquisition of Surplus Land Compensation Bond which are encased for payment at your Treasury or at the Sub-Treasury subordinate to your Treasury have been delivered by me to the Compensation-holder as detailed in the attached list on the dates

mentioned therein.

2. An acknowledgement of receipts is requested.

Yours faithfully, Collector Place.....Date.....List of bonds delivered to the Compensation-holders

Name of compensation holder	Serial no. of bonds delivered	Total amount of	Treasury at which payable	Amount of equated instalment	Date of issue
1	2	3	4	5	6

Details of Closing Balance

Denomination of bonds Numbers Amount

1	2	3
		Rs.

Rs. 50

Rs. 100

Rs. 200

Rs. 500

Rs. 1,000

Rs. 5,000

Rs. 10,000

Total closing balance....

Signature of Treasury Officer Place.....Date.....Form LCN 18 Letter from the Collector under the Act forwarding Bonds and Challans in respect of Compensation payable to a mortgagee or charge-holder pending decision of the Civil Court.[See Rule 39 (1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] From The Collector under the Act. To The Collector, DistrictDated the 200.....Sir, As required under Rule 39, I am to forward, for being kept in deposit in the District Treasury at.....the following Bonds and Challans in respect of Compensation payable to mortgagee charge-holder as detailed in the attached list. The Compensation in Bonds/Cash-challans shall be paid in accordance with the decision of the Civil Court to whom the claim has been referred by me for a decision in the case no.....200..... vs..... Under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961. Specimen signature/left thumb-impression of each of the mortgagees/charge-holders is given in column 8 of the list of purposes of identification at the time of payment in accordance with the decision for the claims by the Civil Court.

2. The duplicate copy of the list may be forwarded to the Treasury Officer for record.

3. An acknowledgement of receipt is requested.

Yours faithfully, Collector under the Act of area. List of bonds and challans forwarded for deposit

Name of mortgagee/ charge-holder with full address	Serial number of Bonds forwarded for deposit	Total amount covered by the Bonds	Date of issue of Bonds	Challans with which cash compensation kept in revenue deposit in his/her behalf	Specimen signature or left thumb-impression of the recipient (mortgagee/ charge-holder).	Remarks [Here mention the case number and date by which claims referred to Civil Court under Section 25 (2).]
Number	Date	Amount				
1	2	3	4	5	6	7 8 9

Form LCN 19 Register of bonds and cash payable to mortgagee or charge-holder pending decision of their claims by Civil Court [See Rule 39(1) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963]

Name of the mortgagee/ charge-holder with full address	Serial No. of Bonds kept in deposit in his/her behalf	Total amount covered by the Bonds	Date of issue of Bonds	Challans with which cash compensation kept in revenue deposit	Letter No. and date forwarding the Bonds and Challans	Initials of the Collector/ Treasury Officer	Remarks
Number	Date	Amount					
1	2	3	4	5	6	7	8 9 10

Form LCN 20 Register for Bonds and/or challans in respect of compensation payable to a mortgagee or charge-holder according to the claims settled by the Civil Court. [See Rule 39(2) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963] No.
 Dated 200 To The Treasury Officer The undermentioned Bihar Ceiling and Acquisition of Surplus Land Compensation Bond and Challans may kindly be issued to me on the 20 for payment of compensation on the mortgagee/ Charge-holder as detailed below:- Station Date Collector Particulars of Bonds and Challans requisitioned.

Name of mortgagee/ charge-holder	Particulars of Bond	Total value of Bonds requisitioned	Particulars of Challans	Amount	Remarks
Serial number	Denomination	Number	Date		

1 Issued the Bonds and Challans specified in the above requisition. Treasury Officer.....Date
Received the Bonds and Challans specified above. Collector Date.....Form LCN
 21 Weekly statement of Bonds issued in payment of compensation under the Bihar Land Reforms
 (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 for the week ending...200.[See
 Rule 35(14) of Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land)
 Rules, 1963] District

Date of delivery of bonds	Number and denomination of bonds issued	Number of bonds issued (columns 2 to 8)	Total amount covered by the bonds issued	Remarks	Rs. 100	Rs. 50	8	9	10	11
Rs. 10,000	Rs. 5,000	Rs. 1,000	Rs. 500	Rs. 200						
1	2	3	4	5	6	7	8	9	10	11

There should be separate entry relating to each day's transaction during the week under report and a
 total of columns 2 to 10 struck for entire transaction of the week. Form LCN 22 Register of
 adjustment against compensation.[See Rule 40 (1) of the Bihar Land Reforms (Fixation of Ceiling
 Area and Acquisition of Surplus Land) Rules, 1963] Notes. - (i) This register will be maintained
 land-holderwise. (ii) An index will be maintained for this register in which the land-holders will be
 shown alphabetically with reference to page no. and entry in
 Registers. District.....Sub-division.....Anchal.....

Name of the landholder and address	Name of village, thana and thana no. in which land acquired are situated.	Classes of land i.e. I, II, III, IV, V including homestead and orchards.	Extent of interest, and status of the Landholders such as raiyat or under raiyat or mortgagee.
1	2	3	4
Particulars of outstanding dues to be adjusted against compensation	Total amount to be adjusted against compensation (Cols. 5, 6, 7)		
Arrears of rent (Proviso to section 24)	Arrears of cesses (section 24)		Any Other amount ordered to be recovered by the Collector (section 24)
5	6	7	8
Reference to the compensation case record.	Attestation by the Collector in charge under his dated signature		Remarks
9	10		11

Form LCN 23 Thanawise (police station) index of applications for compensation under the Bihar
 Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961.[See Rule 41 of
 the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules,
 1963] District Sub-division Anchal

Name of thana	Name of village in	Name of the landholder	Total area and class of	Number and	Nature and extent of	Whether compensation	Reference to the	Remarks
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(police station)	which lands acquired and are situated.	in column 1 and his address.	land acquired in each village with date of acquisition	date of return, if any filed in respect of the land under Section 5.	interest as given in the return filed such as under-raiyat mortgagee	determined	compensation case record	
Tauzi noted in column 1.	Khewat noted in column 2.							
1	2	3	4	5	6	7	8	9

A land-holder may have lands in more than one village or villages or thana or thanas, but as the compensation record will be one for all his interests the same number of the record will be repeated against all his interests and the entries will be cross checked with the land-holder wise register (Form LCN 22), so that no entry is left by oversight. Appendix-A No. ACL-1025/63-8243-L.R. dated 16.8.1963. - In exercise of the powers conferred by clause (b) of Section 2 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), the Governor of Bihar is pleased to appoint-(a)all Anchal Adhikaris/Circle Officers/Block Development Officers to discharge, within the local limits of their respective jurisdiction, the functions of a Collector under Sections 20, 33, 35 and 39 of the said Act;(b)all Land Reforms Deputy Collectors to discharge, within the local limits of their respective jurisdiction,-(i)the functions of a Collector under Sections 13, 14, 29, 33, 35 and 39 of the said Act; and(ii)in the absence of Anchal Adhikari/Circle Officer/ Block Development Officer, the functions of a Collector under Section 20 of the said Act; and(c)all officers in charge of a sub-division of a district to discharge, within the local limits of their respective jurisdiction,-(i)all the functions of a Collector under the said Act except powers under Sections 13,14, 20 and 22 of the said Act;(ii)in the absence of Land Reforms Deputy Collector, the functions of a Collector under Sections 13, 14 and 22 of the said Act; and(iii)in the absence of Anchal Adhikari/Circle Officer/Block Development Officer and Land Reforms Deputy Collector, the functions of Collector under Section 20 of the said Act. Government of Bihar, Revenue Department Executive Instructions of Government with Regard to the Implementation of this : Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961.(1)Public notice upon the land-holders to submit returns under Section 6. - (i) The notices to be issued under Section 6(1) shall be signed by the Collector of the district and then these notices so signed shall be forwarded to the S.D.O. of the area concerned for necessary action for publication.(ii)The S.D.O. will immediately open a record in respect of all the villages to which the notices relate comprised within one Panchayat and take action for Publication thereof in accordance with Section 6(3) read with Rules 3, 4 and 5.(iii)A certificate shall be recorded in each record in token of having published the notices at the requisite places as required under Section 6(3).(iv)The S. D. o. will make an enquiry

from the Panchayat asking for a list of persons who are likely to be affected by the ceiling limits to enable him to issue special notices.(2)Records dealing with the fixation of ceiling limits. - (a) These records may originate in any one of the following ways :- (i) a return may be filed, (ii) a petition for extension of time may be received, and (iii) a special notice may be served by the Sub-divisional Officer. (b) One record should be opened for each land-holder except in the case of a joint family where one record may cover all the coparceners. (c) The same case record will be used till the land-holder files a subsequent statement indicating the lands which he wants to retain and till the statement is verified, draft is published, objections are heard, and the statement under section 11 is finalized. (d) A copy of the draft statement under Section 10(2) will be sent also to the Anchal/Block/Halka Karamcharis and the Gram Panchayat before inviting objections and a copy of the draft statement finally published under Section 11 will be sent to the Collector of the District/the Divisional Commissioner/and the Revenue Department for publication in the Official Gazette. A copy of the Gazette notification will be attached to the case record and if any claim is filed, it will be heard and decided and, subject to appeal or revision, the record will then be treated as disposed of. (3) Institution of proceedings. - (i) A separate proceeding shall be started in respect of each case under the Act with regard to the lands of the land-holders, provided that in the case of a land-holder, representing a joint family, one proceeding should be sufficient. (ii) Each proceeding will form a separate revenue record to which an order-sheet prescribed in Rule 29 of the Bihar Records Manual, 1941 (Schedule XIV- Form 565) will be attached. (iii) Each such case shall bear a serial no., and shall be described as Case no. of 200..., under Section of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962) vrs..... (iv) Each such case shall be entered in "Register 8-Miscellaneous cases", prescribed at page 17 of the Bihar and Orissa Register and Return Manual, 1932 (copy reproduced in Appendix I). (v) All entries in the order-sheet shall be made by the Collector personally. (4) Issue of notices under the Act. - (i) All notices to be issued by the Collector will, before issue to the Nazir, be entered in "Register 11-Processes of Department made over to the Nazir for service" prescribed at pages 19-20 of the Bihar and Orissa Register and Return Manual, 1932. (ii) The Nazir, in his return, shall enter the notices in his "Register 43- Processed (other than those for realization of money)" prescribed at page 42 of the said Manual, He shall, however, maintain a separate volume of this register for the purpose to be called "Register 43-Processes under the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961". (5) Record to be maintained by the Collector regarding resumption of land by a raiyat. - (a) On receipt of a copy of a notice given by a raiyat to his under-raiyat of his intention to resume land under Section 13, a separate record shall be started by the Collector under Chapter III of the Act, and the copy will be retained therein for record, and further action, if any, according to Sections 12, 13 and 14 of the Act, shall be taken. (b) The particulars of every such case shall be numbered serially, and all such records- will be entered in a Register of "Resumption cases under Chapter III of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962)" and kept in the form prescribed for "Register 8-Misc. cases" at page 17 of the Bihar and Orissa Register and Return Manual, 1932. (c) The order-sheet will be in the form given in Schedule XIV, Form no. 562, as prescribed in Rule 129 of the Bihar Records Manual, 1961. Except matters of purely routine nature, entries on the order-sheet shall be made by the Collector himself. (d) A copy of the final statement under Section 11 indicating the lands to be retained will be attached to the case record as resumption will be confined to only these lands. (e) The following miscellaneous cases will also arise under the

Act:-(i)Cases under Section 15(5)-Redemption of mortgage.(ii)Cases under Section 16(3)-Pre-emption.(iii)Cases under Section 17- Contravention of Section 16.(iv)Cases under Section 1 -Inheritance.(v)Cases under Section 20(1)-Sub-letting.(vi)Cases under Section 20(4)-Ejectment.(vii)Cases under Section 20(5)-Surrender.(viii)Cases under Section 25 -Compensation for mortgage claim.(ix)Cases under Section 29-Exemptions.(x)Cases under Section 35-Information cases.(xi)Cases under Section 36-Penalties.(xii)Cases under Section 37-Dispute cases.(xiii)Cases under Section 38-Summary acquisition.(xiv)Cases under Section 39-Other Miscellaneous cases under Section 31.A register prescribed for miscellaneous cases, namely, "Register 8-Misc." as prescribed at page 17 of the Bihar and Orissa Register and Return Manual, 1932, a copy of which is reproduced in Appendix 1 should be maintained for the aforesaid classes of cases.(f)Appeal and revision. - A separate register will be maintained for revision and appeal cases arising out of Sections 30 and 32 in the form in "Register 15- Register of Appeals and Motions" prescribed at pages 22-23 of the Bihar and Orissa Register and Return Manual, 1932, a copy of which is reproduced in Appendix II.(6)On declarations in writing to be made and filed by the transferees under item (i) of sub-section (2) of Section 16 of the Act before the registering authority in Form LC-12, these will be forwarded by registering officer in a bundle with a covering letter to the Officer functioning as Collector under the Act. The Collector under the Act will then get the contents of the declarations checked up with the assistance of the field staff.(7)(i)When an information is received in duplicate in Form LC-15 from a raiyat with regard to the land sublet by him under Section 20 of the Act, a receipt shall be granted by the Collector or the Executive Committee of the Gram Panchayat, as the case may be, and shall be sent to the raiyat by post office or by handing it, over to the raiyat or his duly authorized agent if he appears personally to receive the same. An endorsement on the information received shall also be made by the receiving officer to the effect that a receipt in token of having received the information has been granted to the raiyat subletting the land.(ii)The details contained in the information received in Form LC-15 shall be entered in a register in Form LCE-1. If the information in Form LC-15 is received by the Collector he will send a copy thereof to the Executive Committee of the Gram Panchayat concerned. Similarly, when the information is received by the Executive Committee, they will send one copy to the Collector of the area concerned under the Act.(8)Compensation cases may be of three categories:-Group A-Cases under Section 21;Group B-Cases under Section 22;Group C-Cases under Section 23.(i)In all these cases there is a recurring annual payment for a period of 30 years. In the first two cases the payment will be made to Government by the under-raiyats and in the third case the payment will be made to the raiyat by Government. These case records will deal with the assessment of compensation, publication of the statement inviting objections and finalization of the recurring annual payment. These records will have to be preserved for the whole period for which the payments are continuing. Subject to appeal or revision the recurring annual payment decided will be controlled through a ledger as in the case of Land Improvement and Agriculturists Loans and the case record will be consigned to the Record Room and referred to in cases of doubt. The annual recovery will be regulated through ledgers and if there is default in payment a separate case record will be started. This procedure will govern the first two groups.(ii)So far as the payments by Government are concerned bonds will be issued and thereafter the payment will be automatically regulated by the Public Debt Office or the Treasury. In case of petty payments which may be paid in cash or in case of part amounts which may be paid in cash in addition to bonds the amounts paid will also be noted in the case record and these records may thereafter be treated as disposed of.(iii)The progress will be

controlled through a register in the form prescribed for miscellaneous cases.(9)Maintenance of records with regard to the settlement of surplus lands under Section 27. - (i) Records in such cases should be opened village wise with a list of lands declared surplus with regard to that village after the draft statements are finally published under Section 11.(ii)The surplus lands will be made over to the Gram Panchayat wherever a Co-operative Society has been formed and the terms and conditions will have to be duly incorporated in the agreement to be executed by the Panchayat. If the Gram Panchayat is not able to form any Co-operative Society within a period of one year of the date on which the surplus lands are entrusted to the Gram Panchayat or where such lands are not situated within the jurisdiction of any Gram Panchayat the Collector shall settle the land in the order of preference laid down in Section 27(4) subject to the Rules made in this behalf.(iii)The Collector will get a list of persons for purposes of settlement and then after settlements are made lands will be demarcated and pattas will be given. A specific mention in the patta will be made that the lands are not transferable till compensation is paid.(iv)Mutation should accordingly be effected in the Government revenue records and the collecting agencies should also be informed.(v)A Register indicating each individual settlement made will be maintained in Form LCE-2.(10)Submission of statement, return or receipts regarding compensation sanctioned or paid. - The Collector shall prepare in Form LCE-3 for each calendar month a list of the landholder to whom compensation has been sanctioned or paid by him during each calendar month and forward a copy of it to the Collector of the district, the Divisional Commissioner and to the State Government in the Revenue Department (Land Reforms Ceiling Section) on the basis of the lists received from all the Collectors under the Act in the district. The Collector of the district shall prepare a districtwise list in the same form and shall publish a copy of the list in his Office as soon as possible and send one copy each to the Secretary, Revenue Department Land Reforms (Ceiling) Section Bihar/Divisional Commissioner and the Accountant General, Bihar for information.(11)Periodical reports, returns, statements or information and inspections of registers, records, accounts, etc. - For carrying out all or any of the purposes of the Act or for removing any difficulty which may arise in giving effect to any of the provisions contained therein, the State Government, or any officer to be deputed by them in this behalf, the Board of Revenue, the Land Reforms Commissioner, the Divisional Commissioner, the Collector or the Additional Collector of the district, and the Sub-divisional Officer or the Deputy Collector incharge Land Reforms of the Sub-division may -(i)call for, by an order in writing, from the Collector, under the Act or any authority subordinate to them or below their rank, as the case may be of the area concerned, such periodical reports, returns, statements or information as may appear to them to be necessary from time to time, and(ii)inspect, when any occasion arises, or at regular intervals, all or any of the registers, records and accounts maintained by the Collector or any authority subordinate to them under the Act or the Rules made thereunder, and record a memorandum or notes of inspection held by them, provided that if any such inspection is held by the Collector of the district, or the Divisional Commissioner, or the Board of Revenue, a copy thereof shall be forwarded to the State Government in the Revenue Department (Land Reforms Ceiling Section) for their information.Government of Bihar Revenue Department No. 5LR-CL-1-4/70Part-6953-L.R. the 1st/3rd August, 1970. From Shri C.R. Vaidyanathan, Secretary to Government To All Collectors.Subject: Summary acquisition under Section 38 of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961.I am directed to say that the Government is concerned with the speedy implementation of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act and has been issuing instructions for the purpose from time to

time. The question of taking action under Section 38 of the Act for summary acquisition of the surplus area has recently been examined in consultation with the Law Officers of the Government and the following instructions are communicated accordingly(1)There can be the following types of cases :-(a)Cases in which land-holders have filed returns within the specified period in response to the general notice under Section 6 of the Act.(b)Cases in which returns might not have been filed in response to notice under Section 6 of the Act.(2)The cases falling under category (b) may be further subdivided as follows:(c)Cases in which special notice under Section 8 of the Act might have been issued.(d)Cases in which no action has been taken under Section 8 of the Act.(3)Government has been advised that it would be legal to proceed with the summary procedure prescribed under Section 38 of the Act in respect of category (d) of cases in which returns have not been filed in response to notice under Section 6 and in which no action has been taken under Section 8 of the Act; but in the other categories, it would not be proper to go in for summary acquisition.(4)A list of land-holders holding more than 150 acres of land in your district is enclosed. As many of the cases mentioned in the list should be taken up for summary acquisition of surplus area under Section 38, as may fall under category (d) mentioned above.(5)Another list is enclosed which will give the names of land-owners in respect of whom Government would like similar action to be taken but would like to be kept informed of the progress through weekly reports.(6)In respect of cases included in the two lists in which summary acquisition, is feasible, action should be initiated immediately and a notice of 15 days given to the land-holder to show cause and adduce evidence, if any, why the excess area should not be acquired by the State Government. These notices should be issued within 3 days of the receipt of the letter and report sent to the Government about the number of cases in which such summary action was possible and number of cases in which notices have actually been issued.(7)The weekly progress report in respect of cases included in the second list and taken up for summary acquisition under Section 38, may be in the enclosed proforma. The weekly progress report may be sent along with the report prescribed in Land Reforms Commissioner's letter no. 6016-LR, dated the 10th July, 1970.(8)Please acknowledge receipt of this letter.Proforma of Weekly Progress Reports.

	Up to Preceding week	During the week	Total
1. No. of cases included in the second list received from Government.
2. No. of cases in which notice issued under Section 38(i) to show cause and adduce evidence.
3. No. of cases in which decision taken to acquire surplus area after hearing.
4. Area involved in cases mentioned in (iii) above
5. No. of cases in which reasonable time given to select area under Section 38(ii)
6. No. of cases in which the Collector declares that excess area is acquired by State Government under Section 38(iv).
7. Area involved in cases mentioned in (vi) above

Government of Bihar Revenue Department No. 5LR-LA-150/69-93 L.R., dated 6th Jan., 1970. From Shri J.P. Shrivastava, Secretary to Government to All Collectors. Subject: Clarification regarding

division of produce and extent of produce rent on Batai land as provided in Section 48 A of the B.T. Act and Section 20 of the Land Ceiling Act. I am directed to say that it has been brought to the notice of Government that some confusion regarding the proportion of the respective shares of the raiyat and under-raiyat in the produce of land still exists in the minds of some local officers inspite of instructions conveyed in Revenue Department letter No. 1923-R, dated the 15th March, 1966. (2) The matter has been re-examined in consultation with the Law officers of Government and they have been advised as follows :-(i) Section 3 of the Land Ceiling Act provides that the provisions of this Act shall have effect, notwithstanding anything to the contrary contained in any other law, custom, usage, or agreement for the time being in force or in any decree or order of any court: (ii) Section 20(2)(ii) of the said Act further provides that where the sub-lessee pays for the land sub-let to him rent in kind by division of the produce, the raiyat under whom he holds that land shall not be entitled to recover rent from the sub-lessee exceeding one-fourth of the produce of such land; (iii) Section 48A of the B. T. Act lays down that when an under-raiyat pays for the land held by him rent in kind by division of the produce, the landlord under whom he holds that land shall not be entitled to recover rent from the under-raiyat exceeding seven twentieths of the produce of such land; (3) In view of the provisions of section 3 of the Land Ceiling Act, sub-section (2) of section 20 of the aforesaid Act will prevail over section 48A of the B. T. Act, and the quantum of produce rent payable by an under-raiyat to raiyat will be governed by the provisions of clause (ii) of sub-section (2) of Section 20 of the former Act. Thus the limit of produce rent will be one-fourth of the produce of the land as contained in the Ceiling Act and not seven-twentieths of the produce as contained in section 48A of the B. T. Act. (4) I am, therefore, to request that the cases relating to division of produce rent on Batai land may be disposed of in the aforesaid manner. (5) Receipt of this letter may kindly be acknowledged.