

Haryana Kisan Pass Book Rules, 1996

HARYANA

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Rule HARYANA-KISAN-PASS-BOOK-RULES-1996 of 1996

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Haryana Kisan Pass Book Rules, 1996Published vide Notification No. G.S.R. 41/H.A.13/1994/S. 15/96, dated The 31st May, 1996No. G.S.R. 41/H.A.13/1994/S.15/96. - In exercise of the powers conferred by section 15 of the Haryana Kisan Pass Book Act, 1994, and all other powers enabling him in this behalf, and with reference to Haryana Government, Revenue Department, notification No. G.S.R.86/H.A. 13/1994/S.15/95, dated the 3rd November, 1995, the Governor of Haryana hereby makes the following rules, namely :-

1. Short title.

- These rules may be called the Haryana Kisan Pass Book Rules, 1996.

2. Definitions.

- In these rules, unless the context otherwise requires, -(i)"Act" means the Haryana Kisan Pass Book Act, 1994;(ii)"Circle Revenue Officer" means a revenue officer of the rank of Tehsildar or a Naib-Tehsildar, incharge of a revenue circle;(iii)"Joint Sub-Registrar" means Joint Sub-Registrar appointed under the Registration Act, 1908 (Central Act 16 of 1908);(iv)"Kanungo" means the incharge of Kanungo circle concerned;(v)"Patwari" means the incharge of a patwar circle concerned;(vi)Words and expressions not specifically defined in these rules shall have the same meaning and connotation as defined in the Act.

3. Preparation and issuance of Kisan Pass Books. Section 4.

(1)Each Patwari shall prepare and issue a Kisan Pass Book in the proforma appended to these rules in Form 1, to every Kisan, as soon as may be, having land in the patwar circle :Provided that a piece of land allotted to or owned or occupied by a person for residential purpose shall not be included in the Kisan Pass Book.(2)The Patwari will prepare a list of all Kisan of the Patwar Circle in Form 2, appended to these rules. The dates of the preparation, delivery and the receipt of the cost of the

Kisan Pass Books shall be authenticated by the Patwari under his own signatures. The date of receipt of the Kisan Pass Book shall be authenticated by the Kisan under his signatures or thumb mark.(3)The Patwari will record the entries in the Kisan Pass Book from the latest jamabandi and other relevant record. The entries so made shall be verified by the Halqua Kanungo within a period of fifteen days of the submission of the Kisan Pass Book duly completed for verification. The entries will then be certified by the Circle Revenue Officer within a period of fifteen days. The Kisan Pass Book thereafter will be issued to the concerned Kisan.(4)Each Kisan Pass Book will carry the photograph of the concern Kisan. The photograph will be securely affixed on the Identity page of the Kisan Pass Book in the space provided therefor. The photograph will also be verified and certified alongwith the entries in the Kisan Pass Book in the manner indicated in sub-rule (3) above.(5)Separate Kisan Pass Book with photographs will be issued to all co-sharers in a joint holding. The extent of share of each Kishan shall be duly entered in the Kisan Pass Book :Provided that no entry shall made in the Kisan Pass Books in respect of land jointly owned by Mushtarka Malkan-Wa-Deegar Haqdaran.(6)In the case of minor, separate Kisan Pass Book shall be issued in respect of land owned by him. The Kisan Pass Book so issued will carry the detailed particulars of the minor but will be operated for all purposes by the natural or legal guardian, as the case may be. The Kisan Pass Book in such a case will carry the signatures and photograph of the guardian.(7)Whenever the land is owned by the Government, body corporate or other juristic person, a Kisan Pass Book shall be issued in respect of such land. Such Kisan Pass Book shall be operated by the Chief Executive Officer or any other officer authorised to operate the Pass Book by the Government, body corporate or the juristic persons, as the case may be. There will be no need to affix any photograph on such Kisan Pass Books.(8)A new Kisan Pass Book shall be issued in favour of a person who becomes a Kisan by virtue of any acquisition of land by him under any law, for the time being in force. The name of such a person shall be entered in the list of Kisans in Form 2, appended to these rules. Thereafter the Kisan Pass Book shall be prepared in the manner prescribed in these rules.

4. Contents of Kisan Pass Book. Section 5.

(1)Each Kisan Pass Book shall contain the following details about Kisan, his holding, extent of interest of the Kisan and other particulars mentioned hereinafter :-(a)name and full identity of Kisan with passport size photograph securely affixed in the place provided therefor;(b)Father's/Husband's name;(c)Name of village and Hadbast No;(d)Serial No. of Kisan Pass Book;(e)Name of the guardian in the case of Minor;(f)Name of Tehsil;(g)Name of the District;(2)Kisan Pass Book shall contain the following parts in a composite form duly stitched and bound :-

Part I – . Details of land in the revenue estate showing the nature and extent of interest of Kisan as land owner, tenant, mortgagee, dholidar or pattedar including lessee of panchayat and Government land, in Part I of Form 1 appended to these rules.

Part II – . map of the holding, including path, well and water course etc. as provided in Part II of Form 1 appended to these rules.

Part III – . details of transactions affecting the land holding, mentioned in Part III of Form 1, appended to these rules.

Part IV – . details of the changes occurring in the interest in the land holding of Kisan as a result of the orders of Revenue Officer, Court decree or otherwise, if any, in Part IV of Form 1, appended to these rules.

Part V – . details of financial assistance, if any, taken by Kisan, from government or financial institutions and their effect on the nature and extent of interest in the land mentioned in part V of Form 1 appended to these rules.

(3)The entries in the Kisan Pass Book shall be completed by persons as indicated hereinafter :-
(a)Part I and Part II by the Patwari concerned at the time of the issue of the Pass Book and authenticated in manner prescribed in rule 3 above.
(b)Part III by the Sub-Registrar or Joint Sub-Registrar, as the case may be, at the time of registration of the document affecting the land holding.
(c)Part IV by the Circle Revenue Officer at the time of making the change in the Record of Rights of Annual Record.
(d)Part V by the financial institution granting the financial assistance at the time of advancement of loan.
(4)All concerned Kisans shall be required to present the Kisan Pass Book at the time of attestation of mutation before the Circle Revenue Officer. The Circle Revenue Officer, after satisfying himself about the correctness of the changes, if any, on the basis of mutation proceedings and other relevant evidence, shall make an entry with respect to such change in the Kisan Pass Book, in Part IV of the Kisan Pass Book. A brief corresponding reference entry shall be made by the Circle Revenue Officer in the remarks column of Part I of Kisan Pass Book. At the time of preparation of new Jamabandi all concerned shall duly consult and give effect to the entries so made in the remarks column of Part I and Part IV of the Kisan Pass Book and subsequently amend the relevant entries of the Kisan Pass Book accordingly.
(5)It will be obligatory on the part of the Kisan to get the Kisan Pass Book updated after the expiry of the validity date mentioned on the identity page of the Kisan Pass Book. In the event of failure on the part of the Kisan to get the Kisan Pass Book up-dated, the Kisan Pass Book shall not be entertained as legal document for any fresh transportation :Provided that all entries made in the Kisan Pass Book and appearing therein shall have the evidentiary value as admissible during the validity period for all other purposes :Provided further that if the Circle Revenue Officer is satisfied that there is likely to be delay in the preparation

of the new jamabandi then the Circle Revenue Officer may extend the date of validity to the extent of anticipated delay. Soon after the consignment of the next jamabandi of the revenue estate in the Sadar Office but not later than 30th April, the Kisan shall hand over the Kisan Pass Book to the Patwari for up-dating the entries according to the new jamabandi. The Patwari shall issue a receipt to the Kisan, at the time of receipt of the Kisan Pass Book for updating in Form 3 appended to these rules.

5. Presumption of truth as to entries. Section 6.

(1) All entries of the Kisan Pass Book made, verified, certified and authenticated in the manner prescribed under the Act and these rules and the relevant extract thereof shall be presumed to be true until proved otherwise. These entries shall have the same evidentiary value as copies of the record of rights and other public record for all intents and purposes, before the public servants, Courts or financial institutions as heretofore. Attested copy of the Kisan Pass Book, or relevant extract thereof, shall be admissible in evidence in all competent Courts of law. The said attested copies shall suffice for presentation made before the competent jurisdictional Courts of law. (2) It shall be open to the financial institutions to retain photo copy of the whole or any part of the Kisan Pass Book and the copy so retained under this sub-rule by the financial institutions shall be deemed to be valid for all purposes.

6. Transfer not to be registered except on production of Kisan Pass Book. Section 7.

- It shall be obligatory for the Kisan to present the Kisan Pass Book before the Sub-Registrar or Joint Sub-Registrar alongwith the documents presented for registration of any transfer of interest in respect of the land described in Part I of the Kisan Pass Book. Only on production of the Kisan Pass Book before him, he may register the document and while doing so he shall incorporate the particulars of the transfer so registered by him in Part III of Form I of the Kisan Pass Book, appended to these rules. Transfers made in contravention of this provision shall be void.

7. Alteration not to be made in the revenue record except on production of Kisan Pass Book. Section 8.

- No Circle Revenue Officer shall make any alteration in the revenue record as a consequence of any transfer of land or any interest therein except on production of the Kisan Pass Book pertaining to the particulars of the change and only on the production of the Kisan Pass Book before him he may make the necessary change in the revenue record and while doing so he shall incorporate the particulars of the change so made by him in Part IV of Form 1 of the Kisan Pass Book : Provided that a new Kisan Pass Book shall be issued in favour of a person who comes within the ambit of the term "Kisan" for the first time as provided under rule 3.

8. Grant of financial assistance by financial institution. Section 9.

(1) It shall be obligatory for the Kisan to produce the Kisan Pass Book, when he seeks financial assistance from any financial institution as defined in clause (d) of section 2 of the Act : Provided that production of the Kisan Pass Book will not be necessary for the advancement of crop loans by the Cooperative Societies if no charge is being created on the land. (2) A financial institution while granting financial assistance to a Kisan shall make entries regarding the factum of the grant of financial assistance and the extent of the charge created on the land of the Kisan in Part V in Form 1 of the Kisan Pass Book. The relevant entries shall be duly authenticated by the officer of the financial institution competent to grant such financial assistance. The financial institution will also send information about the grant of financial assistance to the Circle Revenue Officer, for making an entry in the relevant record. The Circle Revenue Officer after making the requisite entries shall send confirmation to the concerned financial institution within one month of the receipt of information from the financial institution about the entries having been made. (3) In the interest of the security of the financial assistance granted by a financial institution, it shall be open to the concerned financial institution to get a formal application from a Kisan and get all other pre-requisite formalities completed before sanctioning the financial assistance : Provided that the requirement of submission of copies of revenue record shall be dispensed with. (4) The holder of the Kisan Pass Book shall be debarred from alienating the holding on which a charge has been created in accordance with sub-section (2) of section 9 of the Act, until the outstanding amount of the financial assistance together with interest due thereon has been repaid to the satisfaction of the concerned financial institution. Alienation for the purpose of this provision shall mean conveyance of property through a transaction by which property is given or actual transfer of title to another person absolutely. The holder of the Kisan Pass Book shall, however, continue to remain eligible for further financial assistance which may lead to creation of more than one charge or interest in respect of the property detailed in the Kisan Pass Book. (5) Any charge on any land or interest therein created by a Kisan in favour of any financial institution before the commencement of this Act, shall not act as a bar to creation of a subsequent charge on such land or interest therein after the commencement of this Act. The financial institution after sanctioning the first financial assistance after the issuance of the Kisan Pass Book, shall, require the Kisan to submit an affidavit duly attested by an Executive Magistrate or Notary Public, which shall contain the details of all previous loans. The deposition by the Kisan shall contain details of all previous loans taken by him from the financial institutions along with the amount of such loans, charges created on the land and all other relevant details.

9. Periodicity of Kisan Pass Book. Section 11.

(1) A Kisan Pass Book shall be prepared on the basis of the latest Jamabandi of the revenue estate, available at the time of such preparation, and shall be kept upto the date with the help of the regular entries which shall be made in by the Sub-Registrar, the Circle Revenue Officers and the financial institutions in Part III, Part IV and Part V of Form 1 of the Kisan Pass Book respectively, as mentioned in these rules herein before. A Kisan Pass Book so issued under the Act and these rules shall remain in force until the next Jamabandi. (2) As soon as the new Jamabandi is prepared the Patwari shall inform all concerned about it by beat of drum and it shall be incumbent on the holder of each Pass Book to deposit his Pass Book with the Patwari within a week of such information

under proper receipt, for the updating of its entries and renewals of the validity period. The Patwari shall get the Kisan Pass Book updated and renewed within one month of the receipt of the Kisan Pass Book from the Kisan. Any updating or new entries made in the Kisan Pass Book during the aforesaid period of renewal process by the Patwari shall be verified by the Halqa Kanungo and certified by the Circle Revenue Officer with proper authentication as provided under rule 3 of these rules and after such renewal and updating the renewed Kisan Pass Book shall remain in force until the next Jamabandi and so on.

10. Cost of Kisan Pass Book. Section 12.

(1)Initial cost of Kisan Pass Book to be payable by the Kisan shall be Rs. 15 which can be revised by the Government if necessary.(2)The Kisan Pass Book shall consist of the title page, identity page, photograph page and parts I to V in the proforma appended to these rules as Form 1. Each part will have the following number of blank proforma :-

(a) Part I and V ... 8 each

(b) Part II, III and IV .. 6 each

In addition 20 pages (10 leaves) shall be left blanks for being used as continuation sheets of the proforma of Part I to V of Form 1 wherever necessary. Each page of the Kisan Pass Book shall be serially numbered from 1 to 91 excluding the pages containing general instructions regarding filling up the proforma and general information for the safe custody etc. by the Kisan. In this manner the Kisan Pass Book shall be a booklet with water proof binding containing 91 pages (46 leaves). It shall be issued with a water proof envelope.(3)The Kisan will be required to take all precautions for the safe custody of the Kisan Pass Book and will guard it from damage, destruction and loss. If, inspite of all precautions, the Pass Book is lost or completely destroyed, the Kisan will lodge report with the police. His application for issue of a duplicate Pass Book shall be entertained by the Circle Revenue Officer only if it is accompanied by a copy of the report of the police. If the Kisan Pass Book gets damaged or mutilated to an extent that it cannot be used, then the Kisan will put an application in Form 4 to the Circle Revenue Officer for the issue of a duplicate Pass Book. The application so made shall be accompanied by the damaged or mutilated Pass Book.(4)The application for the issue of duplicate Pass Book shall also be accompanied by the payment of the cost of Rs. 30 or which can be revised by the Government, if necessary.

11. Penalty for disobedience of the orders of revenue officers for interpolation etc. in the Kisan Pass Book. Section 14.

(1)Before filing the complaint against a Kisan the competent court, the revenue officer will carefully examine the facts of the case and satisfy himself that a prima facie case is made out against the Kisan.

12. Objectives and instructions of Kisan Pass Book. Section 15.

- The main objectives and instructions for the use and safe custody of the Kisan Pass Book are contained in Annexure A appended to these rules. Kisan Pass Book Form I [See rule 3(1) and 4]

| | | | | |
|---------------------------------------|-----------------------------|---|--------------------------------|-----------------------------------|
| 1. Name | 2. Father's/Husband's Name | 3. Village/Hadbast No. | 4. Serial No. of the Pass Book | Passportsize photograph |
| 5. Name of guardian, in case of minor | | | | |
| 6. Tehsil | Signature of Kisan/Guardian | | | |
| 7. District | | | | |
| 8. Valid upto | | | | |
| Prepared by (Signature with date) | | Checked and verified by (Signature with date) | | Attested by (Signature with date) |
| (Name of Patwari) | | (Name of Kanungo) | | (Name of Circle Revenue Officer) |

Part I – Village..... Hadbast No. Tehsil..... District..... Year of Jamabandi.....

| Khewat or Jamabandi No. | Khatauni No. | Name of Patti or taraf | Owner with description | Cultivator with description | Well or other means of irrigation | Field No. |
|--|---|---|---|--|-----------------------------------|-----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Prepared by (Signature with date) Name of Patwari | | Checked and verified by (Signature with date) Name of Kanungo | | Attested by (Signature with date) Name of Circle Revenue Officer | | |
| Name of the Kisan-----Village..... Hadbast No. Tehsil..... District..... Year of Jamabandi..... | | | | | | |
| Area and classification of land | Rent paid by cultivator rate and amount | Share of measure of right and rate of bachh | Demand with details of revenue and cesses, if any | Signature/thumb-impression of the Kisan | Remarks | |
| 8 | 9 | 10 | 11 | 12 | 13 | |
| Prepared by (Signature with date) Name of Patwari | | Checked and verified by (Signature with date) Name of Kanungo | | Attested by (Signature with date) Name of Circle Revenue Officer | | |
| Name of the Kisan----- | | | | | | |

Part II

(MAP)

Prepared by (Signature with date) Name of Patwari
 Checked and verified by (Signature with date) Name of Kanungo
 Attested by (Signature with date) Name of Circle Revenue Officer

Name of the Kisan-----

Part III

| Sr.No. | Khewat No. | Khatauni No. | Nature, number and date of transaction, registration with amount, if any. | Details of area (with Khasra No.) involved | Signature of Sub-Registrar/Joint Sub-Registrar with date | Remarks |
|--------------------|------------|--------------|---|--|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Name of Kisan----- | | | | | | |

Part IV

| Sr.No. | Particulars the order/decreed etc. necessitating change | Harvest in which change has been effected | Details of area involved | Nature of change | Signature with designation of the Revenue Officer effecting the change with date | Remarks |
|------------------------|---|---|--------------------------|------------------|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Name of the Kisan----- | | | | | | |

Part V

| Sr.No. | Name of the financial institution granting financial assistance | Amount of financial assistance granted with date | Nature of effect on the holding of the Kisan | |
|---|---|---|--|---------------------------------|
| 1 | 2 | 3 | 4 | |
| Details of area (with Khasra No.) involved | Date of final adjustment of financial assistance | Signatures of the authority granting financial assistance for verifying outstanding | Remarks | |
| 5 | 6 | 7 | 8 | |
| Name of the Kisan-----Form 2[See Rule 3(2) and (8)] | | | | |
| Sr.No. | Name of village | Name and parentage of the Kisan | Serial No. of Kisan Pass Book | Date of preparation of the book |

| 1 | 2 | 3 | 4 | 5 | |
|--|------------------------|--|----------------------|---------|--|
| Date of delivery of the book | Amount of fee received | Signature/thumb- impression of Kisan receiving the Pass Book | Signature of Patwari | Remarks | |
| 6 | 7 | 8 | 9 | 10 | |
| Form 3 (See rule 4) Foil | | Form 3 (See rule 4) Counter Foil | | | |
| Received a Kisan Pass Book from Shri/Smt. Son/Wife of Shri on dated bearing serial number of village Tehsil District Signature of Patwari with date | | Received a Kisan Pass Book from Shri/Smt. Son/Wife of Shri on dated bearing serial number of village Tehsil District Signature of Patwari with date | | | |
| Form 4[See rule 10(3)]Proforma of application for obtaining of duplicate Kisan Pass Book under rule 10(3) of the Haryana Kisan Pass Book Rules, 1995, to be submitted to Circle Revenue Officer concerned. | | | | | |

1. Name of the Pass Book holder

2. Father's/Husband's Name

3. Address

4. Number of Kisan Pass Book

5. Reason for obtaining a duplicate Pass Book :

(i)Lost(ii)Completely destroyed(iii)Damaged(iv)Mutilated

6. (a) Whether a copy of FIR is enclosed [in case of 5(i) and 5(ii)]

(b)Whether the damaged or mutilated Pass Book is enclosed [in the case of 5(iii) and 5(iv)]

7. Whether the payment of cost of duplicate Pass Book has been made

Dated : Signature of the applicant.

Annexure A(See rule 12)"Please keep this Pass Book in safe custody"The main objectives of the Kisan Pass Book and instructions for its use.

- 1. The main objective of the Kisan Pass Book is that the Kisan should have the detailed record of his land. It will contain the details of land owned and leased by him.**
- 2. This Pass Book will facilitate the land owners/Kisans to procure Loans from Banks. The Kisan should also keep it in safe custody and make the payments in time so that he could raise additional loans expeditiously and in time for the purposes of agricultural development.**
- 3. This Pass Book will be prepared on the basis of present Jamabandi by the Patwari, verified by the Halqa Kanungo and certified/authenticated by the Circle Revenue Officer.**
- 4. A separate register will be maintained as prescribed by the Government which will have record for the distribution of the Pass Book and the receipt of payments for its costs duly signed by the Kisan.**
- 5. Every entry made in the Kisan Pass Book will have the evidentiary value in Banks and other Courts of law.**
- 6. No mutation will be sanctioned without the production of the Kisan Pass Book.**
- 7. No document will be registered without the production of the Kisan Pass Book.**
- 8. After the issuance of Kisan Pass Book the Kisan will be required to submit an affidavit to the Bank within 15 days after raising the loan from the Bank containing the details of all previous loans obtained by him.**
- 9. After the issuance of Kisan Pass Book, the Kisan need not to obtain the copy of revenue record (Fard) from Patwari.**

- 10. No entry in the Pass Book will be changed without effecting a corresponding change in the revenue record.**
- 11. Each page of pass book will bear the name of the Kisan and every entry made therein will be authenticated by Revenue Officers/Bank Officers.**
- 12. After the expiry of validity date as indicated on the title page of the Kisan Pass Book, the Kisan will deposit his Pass Book with halqa Patwari against a receipt. The halqa patwari after updating it will return the same to the Kisan within a month.**
- 13. In compliance with the instructions issued by Circle Revenue Officer/Sub-Registrar/Joint Sub-Registrar the Kisan will present his Pass Book to them failing which legal proceedings will be initiated against him.**
- 14. Any change in the entries of the Pass Book by the Kisan will be illegal which will invite a fine of Rs. 500 or imprisonment for fix months or both.**
- 15. The Kisan will be required to be take all precautions for the safe custody of the Kisan Pass Book and will guard it from damage, destruction and loss because in the event of its loss he will have to submit an application along with a copy of FIR lodged with the Police to Circle Revenue Officer for issuance of duplicate Pass Book which will cost Rs. 250.**