

The Bihar Bhoodan Yagna Rules, 1955

JHARKHAND

India

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Rule THE-BIHAR-BHOODAN-YAGNA-RULES-1955 of 1955

- Published on 21 October 1955
- Commenced on 21 October 1955
- [This is the version of this document from 21 October 1955.]
- [Note: The original publication document is not available and this content could not be verified.]

The Bihar Bhoodan Yagna Rules, 1955Published vide Notification No. 55-L. R., dated 21st October, 1955

1. Short title and commencement.

(a)These rules may be called the Bihar Bhoodan Yagna Rules, 1955.(b)They shall come into force at once.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"the Act" means the [Bihar] [Bihar Bhoodan Yagna Act, 1954 has been adapted by Notification No. 971 dated 22.2.2002, therefore, this may now be read as 'Jharkhand Bhoodan Yagna Act'.] Bhoodan Yagna Act, 1954;(b)"danpatra" means the Bhoodan Yagna danpatra referred to in subsection (1) of Section 10;(c)"donor" or "declarant" means the owner of any land who has donated such land by a danpatra in pursuance of the Bhoodan Yagna before or after the commencement of the Act;(d)"form" means a form set out in the schedule;(e)"gram panchayat" means Gram Panchayat established under [section 3] [Bihar Panchayat Raj Act, 1947 has been repealed by Jharkhand Panchayat Raj Act, 2001, therefore, this may now be read as 'Section 12 of Jharkhand Panchayat Raj Act'.] of the Bihar Panchayat Raj Act, 1947;(f)"grantee," means any person to whom land has been granted under subsection (1) of Section 14 or is deemed to have been granted under subsection (3) of Section 15; and includes his heirs, [assigns or successor in interest] [The Bhoodan Yagna Rules, 1955 have been framed under section 25 of the Bihar Bhoodan Yagna Act, 1954 (Bihar Act, 22 of 1954) see Notification No. 55-L. R., dated the 21st October, 1955.];(g)["schedule", means a schedule appended to these rules; and] [Inserted by notification no. 604 L.R., dated the 20th/21st January, 1963.](h)["section" means a section of the Act;] [Renumbered by notification no. 604 L.R., dated the 20th/21st January, 1963.](i)["village community" means and includes all sections of the community represented by all the adult members of all such sections residing in a village or part thereof,

declared as village community by the Bhoodan Yagna Committee.] [Inserted by notification no. 604 L.R., dated the 20th/21st January, 1963.]

3. Filing and publication of the danpatra.

(1) A danpatra shall be filed under sub-section (2) of Section 10 either by donor himself or by his authorised agent or by an agent appointed by the Committee in that behalf. (2) Every danpatra filed before the Revenue Officer shall be entered in the register in Form I. (3) After a danpatra has been entered in the register the Revenue Officer shall publish it in the following manner inviting objections thereto namely:-(a) notice in Form II together with a copy of the danpatra shall be affixed at a conspicuous place in the village as well as in the Office of the Gram Panchayat, if any, within whose local limits the donated land is situated, (b) copies of such notice shall also be served on the donor, and on the Committee. (4) Any objection filed in pursuance of such notice shall be in writing and in duplicate.

4. Mode of service of public notice and disposal of objection.

(1) The Revenue Officer shall enter every objection filed under rule 3 in the register in Form III and fix a date for its hearing of which a public notice in Form IV shall be given calling upon persons interested to attend the inquiry and produce such evidence oral or documentary, as they may choose to adduce in support of their claims or objections. (2) A copy of the notice referred to in sub-rule (1) shall be affixed in the office of the Revenue Officer and copies of the notice shall be served on the declarant and the objector under registered post with acknowledgement due. A copy of the notice with a copy of the objection filed under rule 3(3), shall also be served on the Committee or its authorised agent.

5. Service Report.

- The serving office shall endorse or annex, or cause to be endorsed or annexed, on or to the original notice referred to in rule 3 or 4 a return stating the date on which, and the manner in which, the notice was served and, shall, if possible, get the report attested by two persons witnessing the service: Provided that this rule shall not apply to a notice served under registered post.

6. Manner of inquiry by the Revenue Officer.

- On the date fixed for hearing, or on any adjourned date the Revenue Officer shall, after hearing the declarant, the objector and the authorised agent of the Committee and after taking into consideration such other evidence as may be produced on their behalf and after making such further enquiry as he deems necessary, either confirm or supersede the danpatra, in whole or in part.

6A. [Written undertaking to the State Government under Section 12 foregoing compensation [including ad-interim payment] payable in respect of vested lands. [Inserted by notification no. 8916 L.R. dated the 9th November, 1956.]

- An undertaking to the State Government in writing under section 12 by a proprietor or a tenure-holder foregoing compensation (including ad-interim payment) payable in respect of the lands vested in the State under the Bihar* Land Reforms Act, 1950 be in Form VI.]

7. Order confirming the danpatra and registration of such order.

(1) Any order confirming a danpatra, in whole or in part, under sub-section (4) of Section 11 shall clearly specify the land in respect of which the danpatra has been confirmed and in respect of which it has been superseded.[* * *] [Omitted by notification no. 604 L. R. dated the 20th/21st January, 1960.]

8. Conditions of grant.

- The grantee of any land shall hold the land granted to him subject to the restrictions and conditions imposed by Section 14 or by regulations made under 24.

9. Scheme of Bhoodan Yagna.

- The Committee may, by regulations made under section 24, formulate the scheme of Bhoodan Yagna.

10. Conditions of settlement of donated lands prior to distribution.

- The settlement under sub-section (1) of Section 16 shall be made for such period and on such terms and conditions as may be prescribed by regulations made under section 24: Provided that such settlement shall be made on money rent only.

11. Assessment of rent on proprietor's private or landlord privileged lands, etc.

(a) In determining the fair rent for lands of the descriptions mentioned in sub-section (2) of Section 18 the Revenue Officer shall have regard to the average rate of rent payable by occupancy raiyats for lands of similar class and with similar advantages in the vicinity. Explanation. - The expression "average rate of rent" shall mean the average of money-rents paid during the previous agricultural year by occupancy raiyats for land of similar class with similar advantages in the vicinity. (b) The fair rent determined under this rule together with the requisite particulars shall be entered in the rent-roll in Form V under the signature and seal of the Revenue Officer. Such rent-roll shall form

part of the records of the proceedings to which it relates: Provided that a garmazrua parti land shall be exempt from payment of rent for a period of at least three years from the year the first crop is harvested thereon. The Schedule Form I Register of Bhoodan Yagna Danpatra filed before the Revenue Officer [See rule 3(2)]

Serial No.	Date of presentation	By whom presented	Date of the danpatra.	Name and address of the donor	Village with name of thana and thana no. in which the lands donated are situate	Where objection filed under Section 11(2)	Substance of order with the date of order confirming or superseding the danpatra under Section 11(4)	Remarks
1	2	3	4	5	6	7	8	9

Form II Notice of Publication of Bhoodan Yagna Danpatra [See Rule 3(3)] Whereas Shri/Shrimati.....son/daughter/wife of....., resident of village.....police-station....., district.....has donated the lands described in the danpatra (copy attached hereto) to the Bhoodan Yagna Committee/Shri Acharya Vinoba Bhave. It is hereby notified that any person whose interests are affected by the said danpatra may, within thirty days of the publication of this notice, file a written objection in duplicate to the undersigned. Given under my hand and the seal of the Court, this the.....day of200. Revenue Officer Seal of the Court Form III Register of objections filed before the Revenue Officer [See Rule 4(1)]

Serial No.	Date of filing the objection	Serial No. and date of the danpatra to which the objection relates	Name and address of the objector	Substance of objection	Date of issue of public notice under Section 11(3)	Date of Service of the public notice	Substance of order with date on objection	Remarks
1	2	3	4	5	6	7	8	9

Form IV Public Notice of objection [See Rule 4(1)] Before.....At..... For publication at village.....police-station.....thana.....thana no.....To whomsoever it may concern Whereas Shri/Shrimati.....son/daughter/wife of.....resident of village.....police-station.....district.....has donated the lands described below in pursuance of the Bhoodan Yagna initiated by Shri Acharya Vinoba Bhave; And Whereas Shri/Shrimati.....son/daughter/wife

of.....resident of
village.....police-station.....district.....
has filed objection against the aforesaid donation which will be heard
on.....at.....It is, therefore, notified for general information that any person
interested may attend the hearing on the said date, time and place with such evidence as he may like
to produce in support of his claim or objection, as the case may be. Take notice that in default of
appearance on the day aforesaid the objection will be heard and disposed of ex-parte. Description of
Lands

Name of village, Halka, Circle/An-chal etc. in which the donated lands are situate	Class of lands	Plot Nos. with khata nos. or boundaries thereof	Area of lands donated	Rent of Tauzi lands donated	Remarks
Khewat No.					

1	2	3	4	5	6	7
Given under my hand and the seal of the Court, this the.....day of.....20.....Revenue Officer Seal of the Court Form V Rent-roll showing fair rent determined in respect of the donated lands of the description mentioned in Section 18(2) of the Bihar Bhoodan Yagna Act, 1954 [See Rule 11(b)] District.....Subdivision.....Circle/Anchal..... Halka No.....						

Serial No. (Rent assessment case)	Date of institution	No. and date of the danpatra	Name of village (in which lands donated lie) with thana and thana no.	Name of estate with tauzi no	Khewat	Particulars of donated lands	Average rate of rent fixed	Fair rent fixed	Remarks (Signature of the Revenue Officer with date)
Class	Khatian	Plot No	Area						
1	2	3	4	5	6	7	8	9	10
									11 12 13

By order of the Governor of Bihar Seal of - Signed by.....Revenue Officer
Deputy Secretary to Government Form VI Undertaking to the State Government under section 12
foregoing compensation (including ad-interim payment) in respect of vested lands. [See Rule
6-A] This indenture made this.....day of.....20 (in word) betweenson of Shri
.....resident of village..... P.O..... P.S..... in the district
of.....of the one part and the Governor of Bihar* of the other part. Whereas the estate of the
said.....bearing tauzi no.....in the district of.....has vested in
the State of Bihar* under the †Bihar Land Reforms Act, 1950 (Bihar Act XXX of 1950); And whereas
before the commencement of the ‡Bihar Bhoodan Yagna Act, 1954 (Bihar Act XXII of 1954) the
said.....made a declaration in writing purporting to donate acres of lands particulars

whereof are given in the schedule hereunder to Shri Acharya Vinoba Bhave which are comprised in the said estate; And whereas the said lands cannot be transferred by the State Government to and vest in the Bhoodan Yagna Committee unless an undertaking in writing is given by the said.....to the State Government to the effect that the said would forego the compensation (including ad-interim payment) payable in respect of the said lands under the †Bihar Land Reforms Act, 1950; And whereas the said.....has been called upon by the Governor of Bihar* to give the said undertaking in writing; And whereas the said.....has voluntarily agreed to forego the compensation (including ad-interim payment) payable to the said.....his heirs, legal representatives and assigns in respect of the said lands; Now this indenture witnesseth that in pursuance of the said agreement the said.....both hereby release the said Governor of Bihar*, his successor in office and assigns from all claims and demands whatsoever on account of compensation (including ad-interim payment) payable to the said.....his heirs, legal representatives and assigns in respect of the said lands and the *Bihar State Government shall be competent to transfer the said lands to the Bhoodan Yagna Committee for purposes of the Bhoodan Yagna. In witness whereof the abovementioned.....has hereunto set his hand the day and year first above written. Signed In the presence of-(1)(2)*In view of applicability of these Rules to Jharkhand [u/s 84, Bihar Reorganisation Act, 2000] this may be read as "Jharkhand". ‡Bihar Bhoodan Yagna Act, 1954 has been adapted by Notification No. 971 dated 22.2.2002, therefore, this may now be read as "Jharkhand Bhoodan Yagna Act". †This may be now read as "Jharkhand" in view of adaptation of "Bihar Land Reforms Act, 1950".