

The U.P. Land Revenue Act, 1901

UTTAR PRADESH

India

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Act 3 of 1901

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The U.P. Land Revenue Act, 1901(U.P. Act No. 3 of 1901)Received the assent of the Lieutenant-Governor on the 24th October, 1901 and of the Governor-General on the 19th December, 1901, and was published under Section 40 of the Indian Councils Act, 1861, on the 21st December, 1901.An Act to consolidate and amend the law relating to Land Revenue and the jurisdiction of Revenue Officer in the United ProvincesWhereas it is expedient to consolidate and amend the law relating to land revenue and the jurisdiction of Revenue Officers in [Uttar Pradesh] [Substituted by the A.O. 1950.]. It is hereby enacted as follows :

Chapter I Preliminary

1. Title, extent and commencement. -

(1)This Act may be called the Uttar Pradesh Land Revenue Act, 1901.(2)[It extends] [This Act has been extended subject to some restrictions to Almora, Garhwal exclusive of Kham villages of Garhwal Bhabar Estates and to Naini Tal District exclusive of Kashipur Tahsil, Tarai and Kham villages of Bhabar Tahsil vide Notification No. 3109/I-A, dated 18.10.1947.] to the whole of [Uttar Pradesh] [Substituted by the A.O. 1950.] except the areas specified in the First Schedule:[Provided that] [Substituted by U.P. Act No. 6 of 1915.] the [State Government] [Substituted by the A.O. 1950.] may, by notification in the [Official Gazette] [Substituted by the A.O. 1937.] extend the whole or any part of this act to all or any of the areas so excepted [subject to exceptions or modifications as it think fit] [Inserted by U.P. Act No. 11 of 1941.]. [Provided also that no provision of this Act which is inconsistent with the provisions of the Pargarta of Kaswar Raja Act, 1915 shall apply to The Pargana of Kaswar Raja in the district of Banaras :] [Inserted by U.P. Act No. 6 of 1915.] and(3)It shall come into force on the first day of January, 1902.[Uttarakhand] [The word 'Uttaranchal' Substituted by Section 3 of Act No. 52 of 2006 (w.e.f. 01.01.2007).] Amendment[1. Short title and commencement. - (1) This order may be called the Uttar Pradesh Land Revenue (Uttaranchal Adaptation and

Modification) Order, 2001.(2)It shall come into force at once.

2. In Uttar Pradesh Land Revenue Act, 1901 wherever the expression "Uttar Pradesh" occurs, it shall be read as "Uttaranchal".

3. In Uttar Pradesh Land Revenue Act, 1901 wherever the expression 'Board', 'Board of Revenue' or 'Member Board of Revenue' occurs in its place "Chief Revenue Commissioner/Additional Revenue Commissioner" whichever is appropriate be deemed to have been substituted.

4. The headquarter of the office of Chief Revenue Commissioner/Additional Revenue Commissioner shall be at Dehradun.

5. For the purposes of judicial work at the level of Chief Revenue Commissioner/Additional Revenue Commissioner there shall be Circuit Courts at Pauri and Nainital] [Vide Notification No. 2246/Revenue/2001, dated 16.07.2001.]

2. Repeal. -

(1)The enactments specified in the Second Schedule are repealed to the extent mentioned in the third column thereof.(2)When this Act or any portion thereof is extended [with or without exception or modification] [Inserted by U.P. Act No. 11 of 1941.] to any of areas excepted in the First Schedule, so much of any Act or Regulation in force therein as is inconsistent with this Act, or the portion thereof [as] [Substituted U.P. Act No. 11 of 1941.] extended, as the case may be, shall be thereby repealed.(3)The repeal of any enactment by this Act shall not legalize any practice which immediately before the passing of such enactment was illegal, and shall not revive any right, privilege, matter or thing not in force or existing at the commencement or this Act.

3. Savings. -

(1)All rules, appointments, assessments partitions, and transfers made, notifications, proclamations, and orders issued, authorities and powers conferred, farms granted, records-of-rights and other records framed, rights acquired and liabilities incurred, rents fixed, places and times appointed, and other things done under any of the enactments hereby repealed shall, so far as may be, be deemed to have been respectively made, issued, conferred, granted, framed, acquired, incurred, fixed appointed and done under this Act.(2)Any enactment or document referring to any enactment hereby repealed, shall be construed to refer to this Act, or to the corresponding portion thereof.

4. Definitions. -

In this Act unless there be something repugnant in the subject or context -(1)"Board" means the Board of Revenue;(1A)['Ex-proprietary tenant', 'grant at a favourable rate of rent', 'grove', 'grove-holder', grove-land', 'hereditary tenant', 'improvement', 'khudkasht', 'land-holder', 'occupancy tenant', 'rent', 'rent-free grant', 'sir' and tenant' have the meanings assigned to them in the United Provinces Tenancy Act, 1939, subject to the following modifications :(a)in the definition of improvement in sub-section (8) of Section 3 of the United Provinces Tenancy Act, 1939, the words 'with reference to a tenant's holding shall be deemed to have been omitted;(b)in the definition of 'rent' in sub-section (18) of Section 3, in the United Provinces Tenancy Act, 1939, the words "and in Chapter VII except when the contrary intention appears, include sayar" shall be deemed to have been omitted; and(c)the term 'tenant' as defined in sub-section (23) of Section 3 of the United Provinces Tenancy Act, 1939, shall be deemed not to include a 'thekadar'.](2)"Incumbrance" means a charge upon or claim against land arising out of private contract.(3)"Lambardar" means a co-sharer of a mahal appointed under this Act to represent all or any of the co-sharers in that mahal;(4)"Mahal" means -(a)any local area held under a separate engagement for the payment of the land revenue : Provided that -(i)if such area consists of a single village or portion of a village, a separate record-of-rights has been framed for such village or portion;(ii)if such area consists of two or more villages or portions of villages, a separate record-of-rights has been framed either for the entire area, or for each of the villages or portions of villages included there-in;(b)any revenue-free area for which a separate record-of-rights has been framed;(c)for such purposes as the [State Government] [Substituted by the A.O. 1950.] may determine, any grant of land made heretofore or hereafter under the Waste Land Rules; and(d)any other local area which the [State Government] [Substituted by the A.O. 1950.] may by general or special order declare to be a mahal;(5)"Minor" means a person who, under Section 3 of the Indian Majority Act, 1875, has not attained his majority;(6)[* * *] [Omitted by U P. Act No. 11 of 1941.](7)"Revenue" means land revenue;(8)"Revenue Court" means all or any of the following authorities (that is to say), the Board and all members thereof, Commissioners, Additional Commissioners, Collectors, [Additional Collectors] [Added by U.P. Act No. 2 of 1932.] Assistant Collectors, Settlement Officers, Assistant Settlement Officers, Record Officers, and Assistant Record Officers and Tahsildars;(9)"Revenue Officer" means any officer employed under this Act in maintaining revenue records, or in the business of the land revenue;(10)"Revenue-free", when applied to land, means land whereof the revenue has either wholly or in part been released, compounded for, redeemed, or assigned;(11)"Settlement" means settlement of the land revenue;(12)[* * *] [Omitted by U P. Act No. 11 of 1941.](13)["sayar" means receipts arising from or on account of natural products, excluding stones and other minerals; and] [Substituted by U P. Act No. 11 of 1941.](14)"Taluka" or "Taluqdari Mahal" means an estate in Oudh to which the provisions of the Oudh Estates Act 1 of 1869, apply; and "Taluqdar" means the proprietor of such an estate;(15)"Under-proprietor", means in Oudh a person possessing a heritable and transferable right in land who is, or but for a judicial decision or contract would be, liable to pay rent therefor;(16)["sub-proprietor" in Agra means a person having an inferior but heritable and transferable proprietary interest in land, with whom a sub settlement has been made under the provisions of this Act or of any other law for the time being in force;] [Substituted by U.P. Act No 11 of 1943](17)[Any reference to any enactment shall be construed as a reference to that enactment as amended from time to time in its application to Uttar Pradesh, and, in the case of the Code of Civil

Procedure, 1908, as reference to that Code, subject also to any annulments, alterations and additions to the rules contained in the First Schedule thereto made from time to time under Section 122 thereof by the High Court.] [Added by U.P. Act No. 12 of 1965.]

Chapter II

Appointments And Jurisdiction

[5. Controlling powers of State Government and Board respectively. - Subject to the superintendence, direction and control of the State Government, tire Board shall be the chief controlling authority in the matters provided under tire Act, excepting matters relating to disposal of cases, appeals [* * *] [Substituted by U.P. Act No. 30 of 1975.] and revisions.] [Inserted by U.P. Act No. 11 of 1941.]

6. Appointment of members of the Board. -

The [State Government] [Substituted by the A.O 1950.] [* * *] [Omitted by Act No. 38 of 1920.] shall appoint [* * *] [Omitted by A.O. 1937.]the members of the Board.[7. Power to distribute business. - (1) Subject to tire provisions of any rules made under this Act and of Section 8, the Board may so distribute its business and make such territorial division of its jurisdiction amongst its members as it thinks fit.(2)Without prejudice to the generality of tire foregoing power, the Board may in particular and subject as aforesaid, regulate the disposal of its judicial business by its members sitting alone or in Division Benches.] [Substituted by U.P. Act No. 32 of 1966.][8. Decision when case heard by Division Bench.] [Substituted by U.P. Act No. 32 of 1966.] - [(1) Where a proceeding coming under the consideration of tire Board on] [Substituted by U.P. Act No. 30 of 1975.] [appeal] [Substituted by U.P. Act No. 20 of 1997.] or in revision is heard by a Division Bench composed of two or more members, the case shall be decided in accordance with the opinion, of such members or the majority, if any, of such members.(2)Where tire members constituting the Bench are equally divided in opinion as to the decision to be given on any point, the case shall be heard upon such point by one or more of other members and the point be decided according to the opinion of the majority of tire members who have heard tire case including those who first heard it.

9. Reference to State Government in case of difference of opinion -

When tire members of tire Board are equally divided in opinion as to any order to be made in the course of [business connected with settlement] [Substituted by U.P. Act No. 12 of 1922.] the question regarding which there is such division of opinion, shall be referred for decision to the [State Government] [Substituted by A.O. 1950.]

10. Power to authorize member to exercise power of Board. -

Notwithstanding anything contained in this Act tire [State Government] [Substituted by A.O. 1950.] may authorize any member of the Board to perform or exercise, either generally or in respect of any particular locality, all or any of the duties and powers imposed and conferred on the Board.

11. Power to create, alter and abolish divisions, districts, tahsil and sub-divisions. -

(1)The [State Government] [Substituted by the A.O. 1950.] may [* * *] [Omitted by A.O. 1937.] create new or abolish existing divisions or districts.(2)The [State Government] [Substituted by A.O. 1950.] may alter the limits of any division, district, or tahsil, and may create new or abolish existing tahsil, and may divide any district into sub-divisions, and may alter the limits of subdivisions.(3)Subject to the orders of the [State Government] [Substituted by A.O. 1950.] under sub-section (2), all tahsils shall be deemed to be sub-divisions of districts.

12. Commissioners of divisions. -

The [State Government] [Substituted by the A.O. 1950.] shall appoint in each division a Commissioner, who shall within his division exercise the powers and discharge the duties conferred and imposed on a Commissioner under this Act, or under any other law for the time being in force, and who shall [* * *] [Omitted by U.P. Act No. 12 of 1922.] exercise authority over all the revenue officers in his divisions.

13. Appointment, powers and duties of Additional Commissioner. -

(1)The [State Government] [Substituted by A.O. 1950.] may [* * *] [Omitted by Act No. 38 of 1920.] appoint Additional Commissioner in a division, or in two or more divisions combined.(2)An Additional Commissioner shall hold his office during the pleasure of the [State Government] [Substituted by A.O. 1950.].(3)An Additional Commissioner shall exercise such powers and discharge such duties of a Commissioner in such cases or classes of cases as the [State Government] [Substituted A.O. 1950.] or in the absence of orders from the [State Government] [Substituted A.O. 1950.] the Commissioner concerned, may direct.(4)This Act and every other law for the time being applicable to a Commissioner shall apply to the Additional Commissioner, when exercising any powers or discharging any duties under sub-section (3), as if he were the Commissioner of die division.

14. Collector of the district. -

The [State Government] [Substituted by A.O. 1950.] shall appoint in each district an officer who shall be the Collector of the district, and who shall throughout his district, exercise all the powers and discharge all the duties conferred and imposed on a Collector by this Act or any other law for the time being in force.[14A. Appointment, powers and duties of Additional Collectors.] [Inserted by U.P. Act No. 3 of 1920.] - (1) The [State Government] [Substituted by A.O. 1950.] may appoint an Additional Collector in a district or in two or more districts combined.(2)An Additional Collector shall hold his office during the pleasure of the [State Government] [Substituted by A.O. 1950.].(3)[An Additional Collector shall exercise such powers and discharge such duties of a Collector in such case or classes of cases as the Collector concerned may direct.] [Substituted by U.P. Act No. 21 of 1962.](4)This Act and every other law for the time being applicable to a Collector shall apply to every

Additional Collector, when exercising any powers or discharging any duties under sub-section (3), as if he were the Collector of the district.

15. Assistant Collectors. -

(1)The [State Government] [Substituted by A.O. 1950.] may appoint to each district as many other persons as it thinks fit to be Assistant Collector of the first or second class.(2)All such Assistant Collectors and all other revenue officers in the district, shall be subordinate to the Collector.

16.

[* * *] [Omitted by A.O. 1937.]

17. Tahsildar and Naib-Tahsildars. -

The [State Government] [Substituted by A.O. 1950.] may appoint to each district as many persons as it may think fit to be Tahsildars and Naib-Tahsildars [* * *] [Omitted by A.O. 1937.].

Sub-Divisional Officers and Additional Sub-Divisional Officers. - (1) The State Government may place any Assistant Collector of the first class in-charge of one or more sub-divisions of a district, and may remove him therefrom.(2)Such Assistant Collector shall be called an Assistant Collector in-charge if a sub-division of a district or a Sub-Divisional Officer and shall exercise all the powers and discharge all the duties conferred and imposed upon him by this Act or by any other law for the time being in force, subject to the control of the Collector.(3)The State Government may designate any Assistant Collector of the first class appointed to a district to be Additional Sub-Divisional Officer in one or more sub-divisions of the district.(4)The Additional Sub-Divisional Officer shall exercise such powers and perform such duties of an Assistant Collector in-charge of a subdivision of a district in such cases or classes of cases as the State Government may direct.(5)The provisions of this Act and of every other law for the time being applicable to a Sub-Divisional Officer shall apply to every Additional Sub-Divisional Officer when exercising any powers or discharging any duties under sub-section (4) as if he were a Sub-Divisional Officer.(6)The State Government may delegate its powers under this section to the Collector of the district and may revoke such delegation.]
[Substituted by U.P. Act No. 10 of 1961.]

19. Subordination of Revenue Officers. -

Every Revenue Officer of a Sub-division of a district shall be subordinate to the Assistant Collector (if any) in-charge of such sub-division, subject to the general control of the Collector.

20. Collector of the district in case of temporary vacancy. -

If the Collector dies or is disabled from performing his duties, the officer who succeeds temporarily to the chief executive administration of the district in revenue matters shall be held to be the Collector under this Act until the [State Government] [Substituted by A.O. 1950.] appoints a

successor to the Collector so dying or disabled, and such successor takes charge of his appointment.

Chapter III

Maintenance Of Maps And Records

(A) Kanungos and [Lekhpals] [Substituted by U.P. Land Reforms (Amendment) Act, 1956.]

21. Power to form and alter Lekhpals' halkas. -

[(1) The Collector may arrange the villages of the district in lekhpals' halkas and may, from time to time, alter the limits of such halkas without effecting any change in the strength of Lekhpals. (2) If a change or alteration referred to in sub-section (1) is likely to effect any change in the strength of Lekhpals, previous sanction of the State Government shall be obtained for the purpose.] [Substituted by U.P. Act No. 37 of 1958.] But no such arrangement or alteration shall be final unless and until it has been sanctioned by the [State Government.] [Substituted by A.O. 1950.]

22.

[* * *] [Omitted by A.O. 1937.] [23. Appointment of Lekhpals. - The State Government shall appoint a Lekhpal to each halka for the preparation of records specified by or under the Act and for the purpose of such other duties as may be prescribed.] [Substituted by U.P. Land Reforms (Amendment) Act, 1956.]

24.

[* * *] [Omitted by A.O. 1937.]

25. Appointment of Kanungos. -

One or more Kanungos may [* * *] [Omitted by U.P. Act No. 18 of 1956.] be appointed in each district for the proper supervision, maintenance, and correction of the annual registers, and for such other duties as the [State Government] [Substituted by A.O. 1950.] may, from time to time, prescribe.

26.

[* * *] [Omitted by A.O. 1950.]

27. Kanungos and Lekhpals to be public servants, and their records public records. -

Every kanuirgo and lekhpal and every person appointed temporarily to discharge the duties of any such officer shall be deemed to be a public servant within the meaning of the Indian Penal Code and all official records and [documents] [Substituted by U.P. Act No. 1 of 1951.] kept by any other officer shall be held to be public records and the property of tire [State Government] [Substituted by A O 1950.].(B)Maps

28. Maintenance of map and field-book. -

The Collector shall in accordance with rules made under Section 234, maintain a map and field-book of each village in his district and shall cause annually, or at such longer intervals as the [State Government] [Substituted by A.O. 1950.] may prescribe, to be recorded therein all changes in the boundaries of each village [* * *] [Omitted by U.P. Act No. 1 of 1951.] or field and shall correct any errors which are shown to have been made in such map or field-book.

29. Obligations of owners as to boundary marks. -

(1)It shall be the duty of every tenure-bolder to maintain and keep in repair at his cost the permanent boundary marks lawfully erected on his fields.(2)It shall be the duty of the Gaon Sabhas to maintain and keep in repair at its cost tire permanent boundary marks lawfully erected on the village situate within its jurisdiction.(3)The Collector may at any time order, as the case may be, a Gaon Sabhas or tenure holder -(a)to erect proper boundary marks on such villages or fields;(b)to repair or renew in such form and nature as may be prescribed all boundary marks lawfully erected therein.

30. Penalty for injury to, or removal of, marks. -

The Collector may order any person convicted before him of willfully erasing, removing or damaging a boundary, or survey mark to pay such sum, not exceeding fifty rupees for each mark so erased, removed, or damaged, as may be necessary to restore it, and to reward the informer through whom the conviction was obtained. When such sum cannot be recovered, or if the offender cannot be discovered, the Collector shall restore the mark and recover the cost thereof from such of [tenure-holder or Gaon Sabhas of co-terminous fields of villages as the case may be] [Substituted by U.P. Act No 1 of 1951.] as he thinks fit.(C)Registers

31. List of villages. -

The Collector shall prepare and maintain in the prescribed from a list of all villages and will show therein the prescribed manner, the areas -(a)liable to fluvial action,(b)having precarious cultivation, and(c)the revenue whereof has either, wholly or in part been released, compounded, redeemed or assigned.Such registers shall be revised every five years in accordance with the rules framed in that

behalf.

32. Record-of-rights. -

[There shall be a record-of-rights for each village subject to such exceptions as may be prescribed by rules made under the provisions of Section 234. The record-of-rights shall consist of a register of all persons cultivating or otherwise occupying land specifying the particulars required by Section 55] [Substituted by U.P. Act No. 1 of 1951.]

33. The annual registers. -

(1)Tire Collector shall maintain the record-of-rights, and for that purpose shall annually, or at such longer intervals as the [State Government] [Substituted by A.O. 1950.] may prescribe, cause to be prepared an amended [register mentioned in Section 32.] [Substituted by U.P. Act No. 1 of 1951.]The [register] [Substituted by U.P. Act No. 1 of 1951.] so prepared shall be called the annual register.(2)[The Collector shall cause to be recorded in the annual register -(a)all successions and transfers in accordance with the provisions of Section 35; or(b)other changes that may take place in respect of any land ; and shall also correct all errors and omissions in accordance with the provisions of Section 39 :Provided that the power to record a change under clause (b) shall not be construed to include the power to decide a dispute involving any question of title.] [Substituted by U P. Act No. 30 of 1975.](3)[No such change or transaction shall be recorded without tire order of the Collector or as hereinafter provided, of tire Tahsildar or [the Kanungo] [Substituted by U.P. Act No. 1 of 1951.].](4)[The Collector shall cause to be prepared and supplied to every person recorded as bhumidhar, whether with or without transferable rights, assami or Government Lessee a Kisan Bahi (Pass book) which shall contain -(a)such extract from the annual register prepared under sub-section (1) relating to all holdings of which he is so recorded (either solely or jointly with others);(b)details of grants sanctioned to him; and(c)such other particulars as may be prescribed :Provided that in the case of joint holdings it shall be sufficient for the purpose of this sub-section of Kisan Bahi (Pass book) is supplied to such one or more of the recorded co-sharers as may be prescribed.(4A)The Kisan Bahi (Pass book) referred to in sub-section (4) shall be prepared in such manner and on payment of such fee, which shall be realisable as arrears of land revenue, as may be prescribed.(5)Every such person shall be entitled, without payment of any extra fee, to get any amendment made in the annual register under sub-section (2) incorporated in his Kisan bahi (Pass book.)) [Substituted by U.P. Act No. 23 of 1992.](6)The State Government may make rules to carry out the purposes of this section, including, in particular , rules, prescribing the mode of reception in evidence, and of proof in judicial proceedings, of entries in the [Kisan Bahi (Pass Book)] [Substituted by U.P. Act No. 23 of 1992.], and the mode of its revision and authentication up-to-date and for issue of duplicate copies thereof, and tire fees, if any, to be charged for any of the said purposes.(7)In this section, 'prescribed' means prescribed by rules made by the State Government.(8)Nothing in sub-sections (4) to (7) shall apply in relation to any area which is either under consolidation operations or under record operations.[33A. Correction of annual registers in cases of uncontested successions. - (1) Where a person obtains possession of any land by succession, tire Kanungo shall make such enquiry as may be prescribed and if the case is not disputed record the same in the annual registers.] [Inserted by U P. Act No. 37 of 1958.](2)[The provisions of

sub-section (1) shall mutatis mutandis apply -(i) to a person, who has been admitted as a sirdar of any land under Section 195 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 before the commencement of the Uttar Pradesh Land Laws (Amendment) Act, 1977 or as a bhumidhar with non-transferable rights under the said section after such commencement, or as an asami of any land under Section 197 of the first mentioned Act. (ii) to every settlement of land made under sub-section (3) of Section 27 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.]

34. Report of succession or transfer of possession. -

[(1) Every person obtaining possession of any land by succession or transfer (other than a succession or transfer which has already been recorded under Section 33-A), shall report such succession or transfer to the Tahsildar of the Tahsil in which the land is situate.] [Substituted by U.P. Act No. 30 of 1975.] (2) [* * *] [Omitted by U.P. Act No. 30 of 1975.] (3) [* * *] [Omitted by U.P. Act No. 30 of 1975.] (4) If the person so succeeding, or otherwise obtaining possession, is a minor or otherwise disqualified, the guardian or other person who has charge of his property shall make the report required by this section. (5) No Revenue Court shall entertain a suit or application by the person so succeeding or otherwise obtaining possession until such person has made the report required by this section. [Explanation. - For the purposes of this section, the word 'transfer' includes -(i) a family settlement by which the holding or part of the holding recorded in the record-of-rights in the name of one or more members of that family is declared to belong to another or other members; or (ii) an exchange of holding or part thereof under Section 161 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.] [35. Procedure on report - On receiving a report of succession or transfer under Section 34, or upon facts otherwise coming to his knowledge, the Tahsildar shall make such inquiry as appears necessary, and if the succession or transfer appears to have taken place, he shall direct the annual registers to be amended accordingly.] [Substituted by U.P. Act No. 30 of 1975.]

36.

[* * *] [Omitted by U.P. Act No. 1 of 1951, Schedule III List II.]

37. Power to prescribe fees for mutation. -

(1) The [State Government] [Substituted by A.O. 1950.] may prescribe proper fees for mutation in the registers : Provided that no fee for a single mutation shall exceed [five] [Substituted by U.P. Act No. 1 of 1951.] rupees. (2) Such fees shall be levied from the person in whose favour the mutation is made [* * *] [Omitted by U.P. Act No. 11 of 1941.].

38. Fine for neglect to report. -

Any person neglecting to make the report required by Section 34 within three months from the date of obtaining possession under a [* * *] [Omitted by U.P. Act No. 1 of 1951.] lease, or from the date of the succession or other transfer, shall be liable to a fine not exceeding five times the amount of the

fee which would otherwise have been payable under Section 37, or when no fee is leviable, then not exceeding such amount as the [State Government] [Substituted by A.O. 1950.] may by rule prescribe.[39. Correction of mistakes in the annual register. - (1) An application for correction of any error or omission in the annual register shall be made to the Tahsildar.(2)On receiving an application under sub-section (1) or any error or omission in the annual register coming to his knowledge otherwise, the Tahsildar shall make such inquiry as appears necessary and then refer the case to the Collector, who shall dispose it of, after deciding the dispute in accordance with the provisions of Section 40.] [Substituted by U.P. Act No. 10 of 1961.][Provided that nothing in this sub-section shall be construed to empower the Collector to decide a dispute involving any question of title.] [Inserted by U.P. Act No. 30 of 1975.](3)The provisions of sub-sections (1) and (2) shall prevail, notwithstanding anything contained in the U.P. Panchayat Raj Act, 1947.

40. Settlement of disputes as to entries in annual register. -

(1)All disputes regarding entries in the annual registers shall be decided on the basis of possession.(2)If in the course of inquiry into a dispute under this Section the [Tahsildar] [Substituted by U.P. Act No. 1 of 1951.] is unable to satisfy himself as to which party is in possession, he shall ascertain by summary inquiry who is the person best entitled to the property and shall put such person in possession.(3)[* * *] [Omitted by U.P. Act No. 10 of 1961.]Explanation. - The term 'possession' in this Section means possession based on succession or transfer.[40A. Saving as to title suits. - No order passed under Section 33, Section 35, Section 39, Section 40, Section 41 or Section 54 shall bar any suit in a competent Court for relief on the basis of a right in a holding.] [Substituted by U.P. Act No. 35 of 1970.]

41. Settlement of boundary disputes. -

(1)All disputes regarding boundaries shall be decided as far as possible on the basis of existing survey maps, but if this is not possible, the boundaries shall be fixed on the basis of actual possession.(2)If, in the course of an inquiry into a dispute under this section, the Collector is unable to satisfy himself as to which party is in possession, or if it is shown that possession has been obtained by wrongful dispossession of the lawful occupants of the property within a period of three months previous to the commencement of the inquiry, the Collector -(a)in the first case shall ascertain by summary inquiry who is the person best entitled to the property, and shall put such person in possession;(b)in the second case, shall put the person so dispossessed in possession ; and shall then fix the boundary accordingly.

41A.

[* * *] [Omitted by U.P. Act No. 1 of 1951.]

42.

[* * *] [Omitted by U P. Act No. 1 of 1951.]

43. Procedure when rent payable is disputed. -

In case of any dispute regarding the [revenue or] [Inserted by U.P. Act No. 1 of 1951.] rent payable by any [tenure-holder] [Substituted by U.P. Act No. 1 of 1951.], the Collector shall not decide this dispute, but shall record as payable for the year to which the annual register refers the [revenue or] [Inserted by U.P. Act No. 1 of 1951.] rent payable for the previous year, unless it has been enhanced or abated by an order or agreement under this Act, [or the United Provinces Tenancy Act, 1939] [Substituted by U.P. Act No. 11 of 1941.], [or the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950] [Added by U.P. Act No. 1 of 1951.][44. Presumption as to entries in the annual register. - All entries in the annual register shall, until contrary is proved, be presumed to be true] [Substituted by U.P. Act No. 1 of 1951.]

45.

[* * *] [Omitted by U.P. Act No. 1 of 1951.]

46. Obligation to furnish information necessary for the preparation of records. -

Any person whose rights, interests or liabilities are required by any enactment for the time being in force or by any rule made under any such enactment, to be entered in any official register by a Kanungo or Lekhpal shall be bound to furnish, on the requisition of the Kanungo or lekhpal or of any revenue officer engaged in compiling the register, all information necessary for the correct compilation thereof.

47. Inspection of records. -

All maps, field-books and registers kept under this Act shall be open to public inspection at such hours and on such conditions as to fees or otherwise as the [State Government] [Substituted by A.O. 1950.] may prescribe.

Chapter IV

Revision Of Maps And Records

48. Notification of record operations. -

If the [State Government] [Substituted by A.O. 1950.] thinks that, in any district or other local area a general or partial revision of the records or a re-survey, or both, should be made, it shall publish a notification to that effect. Effect to notification. - And every such local area shall be held to be under record or survey operations, or both, as the case may be, from the date of the notification until the issue of another notification declaring the operations to be closed therein.

49. Record Officers. -

The [State Government] [Substituted by A.O. 1950.] may appoint an officer, hereinafter called the Record Officer, to be in-charge of the record operations or the survey, or both, as the case may be, in any local area and as many Assistant Record Officers, as to it may seem fit, and such officers shall exercise all the powers conferred on them by this Act so long as such local area is under record or survey operations, as the case may be.[50. Powers of Records Officer as to erection of boundary marks. - When any local area is under survey operations the Record Officer may issue a proclamation directing all Gaon Sabhas and bhumidhars to erect, within fifteen days such boundary marks, as he may think necessary to define the limits of the villages and fields and in default of their compliance within the time specified in the proclamation, he may cause such boundary marks to be erected, and the Collector shall recover the cost of their erection from the Gaon Sabhas or bhumidhars concerned.] [Substituted by U.P. Act No. 8 of 1977.]

51. Decision of disputes. -

In case of any dispute concerning any boundaries, the Record Officer shall decide such dispute in the manner prescribed in Section 41.

52. Records to be prepared in re-survey. -

When any local area is under survey operations the Record Officer shall prepare for each village therein a map and field-book, which shall thereafter be maintained by the Collector as provided by Section 28, instead of the map and field-book previously existing.[53. Preparation of new record of rights. - Where any local area is under record operation, the Record Officer shall frame for each village therein the record specified in Section 32 and the record so framed shall thereafter be maintained by the Collector, instead of the record previously maintained under Section 33.] [Substituted by U.P. Act No. 1 of 1951.][54. (1) For revising the map and records under this Chapter, the Record Officer shall, subject to the provisions hereinafter contained, cause to be carried out survey, map correction, field to field Partal and test and verification of current annual register in accordance with the procedure prescribed.(2)After the test and verification of the current annual register in accordance with sub-section (1), the Naib-Tahsildar shall correct clerical mistakes and errors, if any, in such register, and shall cause to be issued to the concerned tenure-holder and other persons interested, notices containing relevant extracts from the current annual register and such other records as may be prescribed, showing their rights and liabilities in relation to land and mistakes and disputes discovered during the operations mentioned in the said sub-section.(3)Any person to whom notice under sub-section (2) has been issued may, within twenty-one days of the receipt of notice, file before the Naib-tahsildar objection in respect thereof disputing the correctness or nature of the entries in such records or extracts.(4)Any person interested in the land may also file objection before the Naib-Tahsildar at any time before the dispute is settled in accordance with sub-section (5), or before the Assistant Record Officer, at any time before the objections are decided in accordance with sub-section (6).(5)The Naib-Tahsildar shall -(a)where objections are filed in accordance with sub-section (3) or sub-section (4) after hearing the parties concerned; and(b)in any other case after making such inquiry as he may deem necessary correct the mistake, and settle the

dispute, by conciliation between the parties appearing before him, and pass orders on the basis of such conciliation.(6)The record of all cases which cannot be disposed of by the Naib-Tahsildar by conciliation as required by sub-section (5), shall be forwarded to the Assistant Records Officer who shall dispose of the same, in accordance with the provisions of Section 40,41 or 43, as the case may be, and where the dispute involves a question of title, he shall decide the same after a summary inquiry.(7)Where after the summary inquiry under sub-section (6), the Assistant Record Officer is satisfied that the land in dispute belongs to the State Government or a local authority, he shall cause the person in unauthorised occupation of such land to be evicted and may, for that purpose use or cause to be used such force as may be necessary.(8)Every order of the Assistant Record Officer - (a)made under sub-section (6) shall, subject to the provisions of Sections 210 and 219, be final;(b)made under sub-section (7) shall be subject to the result of any suit which the aggrieved person may file in any Court of competent jurisdiction, be final].[55. Particulars to be stated in the list of cultivators. - The register of persons cultivating or otherwise occupying land specified in Section 32 shall specify as to each tenure-holder the following particulars :- (a)the class of tenure as determined by the Uttar Pradesh Zamindari and Land Reforms Act, 1950, (b)the revenue or rent payable by the tenure-holder, and (c)and other conditions of tenure which the [State Government] may by rules made under Section 234 require to be recorded.Explanation. - For the purposes of this section the year for which the register is prepared shall be reckoned as a complete year.] [Substituted by U P. Act No. 1 of 1951.]

56.

[* * *] [Deleted by U.P. Act No. 1 of 1951.]

57. Presumption as to entries. -

All entries in the record-of-rights prepared in accordance with the provisions of this Chapter shall be presumed to be true until the contrary is proved ; and all decisions under this Chapter in cases of dispute shall, subject to the provisions of subsection (3) of Section 40, be binding on all Revenue Courts in respect of the subject-matter of such disputes; but no such entry or decision shall affect the right of any person to claim and establish in the Civil Court any interest in land which requires to be recorded in the registers prescribed by [* * *] [Deleted by U.P. Act No. 1 of 1951.] Section 32.Chapters V TO VIII [* * *] [Sections 58 to 188 omitted by U.P. Act No. 1 of 1951, Schedule III, List II, S.No. 28.]

Chapter IX

Procedure Of Revenue Courts And Revenue Officers

189. Place for holding Court -

A Commissioner may hold his Court at any place within his division.An Additional Commissioner may hold his Court at any place within the division or divisions to which he is appointed.A Collector, [Additional Collector] [Added by U P. Act No. 2 of 1932.], an Assistant Collector (whether in charge

or not of a sub-division of a district), a Record Officer, an Assistant Record Officer, a Settlement Officer or an Assistant Settlement Officer, may hold his Court at any place within the district to which he is appointed. A Tahsildar may hold his Court at any place within his tahsil.

190. Power to enter upon and survey land. -

The Collector, Settlement Officer, Record Officer, and their assistants, sub-ordinates, servants, agents and workmen may enter upon the survey land, and demarcate boundaries and do all acts necessary for any purpose connected with their duties, under this or any other Act. [191. Power of Board or Commissioner to transfer cases. - The Board or a Commissioner may transfer any case or proceeding arising under the provisions of this Act, including a partition case, from any subordinate Revenue Court or Revenue Officer to any other Court or officer competent to deal therewith.] [Substituted by U.P. Act No. 30 of 1975.]

192. Power to transfer cases to and from subordinates. -

The Collector, an Assistant Collector in charge of a sub-division of district, a Tahsildar, a Record Officer, or a Settlement Officer may make over any case or class of cases arising under the provisions of this Act or otherwise, for inquiry or decision, from his own file to any of his subordinates competent to deal with such case or class of cases; or may withdraw any case or class of cases from any Revenue Officer subordinate to him and may deal with such case or class of cases himself or refer the same for disposal to any other such Revenue Officer competent to deal therewith. [192A. Consolidation of cases. - Where more cases than one involving substantially the same question for determination and based on the same cause of action are pending in one or more Court they shall, on application being made by any party to the Court to which the Court or Courts concerned are all sub-ordinate, be consolidated in one Court and decided by a single judgment. Such cases may be filed direct in the superior Court.] [Inserted by U P. Act No. 2 of 1932.]

193. Power to summon persons to give evidence and produce documents. -

Any Revenue Court may summon any person whose attendance it considers necessary for the purpose of any investigation, suit or other business before it. All persons so summoned shall be bound to attend, either in person or by an authorized agent, as such Court may direct, and to state the truth upon any subject respecting which they are examined or make statements, and to produce such documents and other things as may be required: Provided that persons exempt from personal attendance in the Civil Court under Sections 132 and 133 of the Code of Civil Procedure, 1908, shall subject to the provisions of those sections, be exempt from personal attendance under this section.

194. Procedure in case of non-compliance with summons. -

If any person, on whom a summons to give evidence or produce a document has been served, fails to comply with the summons, the officer by whom the summons has been issued may exercise the powers conferred on Civil Courts by Order XVI, Rules 10 to 13, 17 and 18 of the Code of Civil

Procedure, 1908.

195. Summons to be in writing, signed and sealed. -

Every summons shall be in writing in duplicate, and shall be signed and sealed by the officer issuing it, or by such person as he empowers in this behalf. And shall be served by tendering or delivering a copy of it to the person summoned, or, if he cannot be found, by affixing a copy of it to some conspicuous part of the usual residence and if such person resides in another district, the summons may be sent by post to the Collector of that district for service.

196. Mode of serving notice. -

Every notice under this Act may be served either by tendering, delivering or sending a copy thereof by post, in a cover registered under the Indian Post Offices Act, 1898, to the person on whom it is to be served; or if such person is a proprietor of land, to his agent; or by affixing a copy thereof at some place of public resort on or adjacent to the land to which such notice refers.

197. Mode of issuing proclamations. -

Whenever a proclamation is issued under this Act copies thereof shall be posted in the Court-house of the officer issuing it, at the headquarters of the tahsil within which the land to which it refers is situated, and at some place of public resort on or adjacent to the Land to which it refers; and if the officer issuing it so directs, the proclamation shall be further published by beat of drum on or near the land to which it refers.

198. Notice and proclamation not void for error. -

No notice or proclamation shall be deemed void on account of any error in the name or designation of any person or in the description of any land referred to therein, unless such error has produced substantial injustice.

199. Procedure for procuring attendance of witnesses. -

If in any proceeding of a judicial nature pending before any Revenue Court, either party desires the attendance of witnesses, he shall follow the procedure prescribed by the Order XVI, Rules 2 to 4 of the Code of Civil Procedure, 1908. [200. Hearing in absence of party. - Whenever any party to such proceeding neglects to attend on the day specified in the summons or on any day to which the case may have been postponed, the Court may dismiss the case for default or may hear and determine it ex parte.] [Substituted by U.P. Act No. 2 of 1932.]

201. No appeal from orders passed ex parte or by default. -

No appeal shall lie from an order passed under Section 200 ex parte or by default. Re-hearing on proof of good cause for non-appearance. - But in all such cases, if the party against whom judgment has been given appears either in person or by agent (if a plaintiff, within fifteen days from the date of such order, and if a defendant, within fifteen days after such order has been communicated to him, or after any process for enforcing the judgment has been executed or at any earlier period), and shows good cause for his non-appearance, and satisfies the officer making the order that there has been a failure of justice, such officer may, upon such terms as to costs or otherwise as he thinks proper, revive the case and alter or rescind the order according to the justice of the case. Order not to be altered without summons to adverse party. - Provided that no such order shall be reversed or altered without previously summoning the party in whose favour judgment has been given to appear and be heard in support of it.

202. Correction of error or omission. -

Any Court or officer by whom an order has been passed in any proceeding under this Act may, within ninety days of such order, either of his own motion or on the application of a party, correct any error or omission, not affecting a material part of the case, after such notice to the parties as may be necessary.

203. Power to refer disputes to arbitration. -

The Board, a Commissioner, [an Additional Commissioner] [Inserted by U.P. Act No. 2 of 1932.], a Collector, an [Additional Collector] [Inserted by U.P. Act No. 2 of 1932.], an Assistant Collector of the first class, a Record Officer or an Assistant Record Officer, a Settlement Officer or an Assistant Settlement Officer, may, with the consent of the parties, by order refer any dispute before it, or him, to arbitration.

204. Procedure in cases referred to arbitration. -

In all cases of reference to arbitration under Section 203, the provisions of the Arbitration Act, 1940, shall apply so far as they are not inconsistent with anything in this Act.

205. Application to set aside award. -

Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

206. Decision according to award. -

If the officer making the reference does not see cause to remit the award or any of the matters referred to arbitration for reconsideration, and if no application has been made to set aside the

award, or if he has refused such application, he shall decide in accordance with the award, or if the award has been submitted to him in the form of a special case, according to his own opinion in such case.

207. Bar to appeal and suit in Civil Court -

Such decision shall be at once carried out and shall not be open to appeal unless the decision is in excess of, or not in accordance with, the award or unless the decision is impugned on the ground that there is no valid award in law, or in fact; and no person shall institute any suit in the Civil Court for the purpose of setting it aside or against the arbitrators on account of their award.

208. Recovery of fines and costs. -

All fees, fines, costs, other than costs between party and party, and other moneys ordered to be paid under this Act shall be recoverable as if they were an arrear of revenue. A Revenue Court shall have power, subject to any special provisions in this Act, to give and apportion costs due under this Act in any proceedings before it in such manner as it thinks fit: Provided that when land is sold under this section for moneys not payable to [the Government] [Substituted by A.O. 1950.], the provisions of Section 161 shall not apply to such sale.

209. Delivery of possession of immovable property. -

When [an order is made that a person be put in possession of any immovable property] [Substituted by U.P. Act No. 11 of 1941.], the officer making the order may deliver over possession in the same manner, and with the same powers in regard to all contempts, resistance and the like, as may be lawfully exercised by the Civil Courts, in execution of their own decrees.

Chapter X

Appeals, [* * *] [The word 'Reference' omitted by U.P. Act No. 20 of 1997.] And Revision

210. Courts to which appeals lie. -

[(1) Appeal shall lie under this Act as follows :] [Substituted by U.P. Act No. 1 of 1951.](a) to the Record Officer from orders passed by any Assistant Record Officer; (b) [(i) to the Commissioner from orders passed by a Collector or an Assistant Collector first class or Assistant Collector in charge of sub-division. [Substituted by U.P. Act No. 20 of 1954.](ii) to the Collector from orders passed by an Assistant Collector second class or Tahsildar.](c) [* * *] [Omitted by U.P. Act No. 20 of 1954.](2) [* * *] [Deleted by U.P. Act No. 1 of 1951.](3) [* * *] [Omitted by U.P. Act No. 20 of 1954.](4) [* * *] [Deleted by U.P. Act No. 20 of 1954.](5) [* * *] [Deleted by U.P. Act No. 1 of 1951.](6) [No appeal shall lie against an order passed under Sections 28, 33, [* * *] [Added by U.P. Act No. 10 of 1961.], 39 or 40.] [Substituted by U.P. Act No. 6 of 1978]

211. First appeal. -

Unless an order is expressly made final by this Act, an appeal shall lie to the Court authorized under Section 210 to hear the same from every original order passed in any proceedings held under the provisions of this Act.

212.

[* * *] [Omitted by U.P. Act No. 1 of 1951.]

213.

[* * *] [Omitted by U.P. Act No. 1 of 1951.][214. No appeal shall be brought after the expiration of 30 days from the date of the order complained of, unless otherwise expressly provided in this Act.]
[Substituted by U.P. Act No. 10 of 1961.]

215. Appeal against order admitting an appeal. -

No appeal shall lie against an order admitting an appeal on the grounds specified in Section 5 of the Indian Limitation Act, 1908.

216. Powers of Appellate Court. -

(1)The Appellate Court may either admit or summarily reject the appeal.(2)If it admits the appeal, it may reverse, vary or confirm the order appealed against;or may direct such further investigation to be made or such additional evidence to be taken as it may think necessary;or it may itself take such additional evidence;or it may remand the case for disposal with such directions as it thinks fit.

217. Power to suspend execution of order of lower Court. -

When an appeal is admitted the Appellate Court may, pending the result of the appeal, direct the execution of the order of the lower Court to be stayed.

218.

[* * *] [Omitted by U.P. Act No. 20 of 1997.][219. Revision. - (1) The Board or the Commissioner or the Additional Commissioner or the Collector or the Record Officer, or the Settlement Officer, may call for tire record of any case decided or proceeding held by any revenue Court subordinate to him in which no appeal lies or where an appeal lies but has not been preferred, for the purpose of satisfying himself as to tire legality or propriety of the order passed or proceeding held and if such subordinate revenue Court appears to have -(a)exercised a jurisdiction not vested in it bylaw, or(b)failed to exercise a jurisdiction so vested, or(c)acted in the exercise of jurisdiction illegally or with material irregularity, the Board or the Commissioner or the Additional Commissioner or the

Collector or the Record Officer, or the Settlement Officer, as the case may be, pass such order in the case as he thinks fit.(2)If an application under this section has been moved by any person either to the Board, or to the Commissioner, or to the Additional Commissioner, or the Collector or to the Record Officer or to the Settlement Officer, no further application by the same person shall be entertained by any other of them.] [Substituted by U.P. Act No. 20 of 1997.]

220. Power of Board to review and alter its order and decrees. -

(1)The Board may review, and may rescind, alter or confirm any order made by itself or by any of its members in the course of [business connected with settlement] [Substituted by U.P. Act No. 12 of 1922.](2)No decree or order passed judicially by it or by any of its members shall be so reviewed except on the application of a party to the case made within a period of ninety days from the passing of the decree or order, or made after such period if the applicant satisfies the Board that he had sufficient cause for not making the application within such period.(3)Members not empowered to alter each other's orders. - A single member vested with all or any of the powers of the Board shall not have power to alter or reverse a decree or order passed by the Board or by any member other than himself.

Chapter XI Miscellaneous

(A) Powers

221. Conferring of powers. -

In conferring powers under this Act, the [State Government] [Substituted by A.O. 1950.] may empower persons by name, or classes of officials generally, by their official titles, and may vary or cancel any such order.

222. Powers of officers transferred to another District. -

Whenever any person holding an office in the service of [the Government] [Substituted by A.O.1950.], who has been invested with any powers under this Act in any district in [the Agra Province] [Substituted by U.P. Act No. 2 of 1932.] or Oudh, is transferred to an equal or higher office of the same nature in any other district [* * *] [Omitted by A.O.1950.] he shall unless the State Government otherwise directs, be held to be invested with the same powers under this Act in the district to which he is transferred.

223. Investment of Assistant Collector with powers of Collector. -

The [State Government] [Substituted by A.O.1950.] may confer on any Assistant Collector of the first class all or any of the powers of a Collector, and all powers so conferred shall be exercised

subject to the control of the Collector of the district.

224. Conferring of powers on Tahsildars and Naib-Tahsildars. -

The [State Government] [Substituted by A.O. 1950.] may confer on any Tahsildar all or any of the powers of an [Assistant Collector of the first or second class] [Substituted by U.P. Act No. 37 of 1958.] and on any Naib-Tahsildar all or any of the powers of a Tahsildar [or of an Assistant Collector of the second class.] [Added by U.P. Act No. 10 of 1961.]

225. Collector to have all powers of an Assistant Collector. -

The Collector may exercise all or any of the powers of an Assistant Collector under this or any other Act for the time being in force.

226.

[* * *] [Omitted by U.P. Act No. 1 of 1951]

227. Powers of an Assistant Collector in charge of subdivision. -

An Assistant Collector in charge of a sub-division of a district shall, as such have the following powers : (1) [to exercise all or any of the powers of an Assistant Collector of the Second Class or a Tahsildar;] [Inserted by U.P. Act No. 30 of 1975.] (2) to call on tenure holders or Gaon Sabhas to erect or repair boundary marks, and in default, to erect or repair and charge the cost to [tenure-holders or Gaon Sabhas] [Substituted by U.P. Act No. 16 of 1953.] under Section 29; (3) to fine for injuries to boundary or survey marks, and in certain cases apportion the charges of repairing boundary or survey marks under Section 30; (4) to order alterations in the annual registers, under Section 33; (5) [* * *] [Omitted by U.P. Act No. 30 of 1975.] (5a) [to enquire into and decide applications made under Section 39.] [Inserted by U.P. Act No. 20 of 1954.] (6) [* * *] [Deleted by U.P. Act No. 20 of 1954.] (7) to levy fees for mutation under Section 37, and fines, under Section 38; (8) to decide disputes and to pass orders, under [Sections 40, 41 and 43] [Substituted by U.P. Act No. 20 of 1954.]; (9) to (17) [* * *] [Omitted by U.P. Act No. 1 of 1951.] (18) to exercise any other jurisdiction or authority which by this Act is expressly conferred on Assistant Collectors.

228. Powers of an Assistant Collector of first class not in charge of a sub-division. -

An Assistant Collector of the first class not in charge of a sub-division of a district shall exercise all or any of the powers conferred on an Assistant Collector of the first class in charge of a sub-division in such cases or class of cases as the Collector may, from time to time, refer to him for disposal.

229. Powers of Assistant Collectors of second class. -

Assistant Collectors of the second class shall have power to investigate and report on such cases as tire Collector or Assistant Collector in-charge of a subdivision of a district may, from time to time, commit to them for investigation and report.

230. Powers of Assistant Record Officers. -

An Assistant Record Officer may, subject to the control of tire Record Officer, exercise all or any of the powers conferred by this Act on Record Officers.[231. Powers of subordinate authority to be exercised by superior authority. - Where any powers are to be exercised or duties to be performed by any officer or authority under this Act, such powers or duties may also be exercised or performed by an officer or authority superior to him or it.] [Inserted by U.P. Act No. 8 of 1977.]

232.

[* * *] [Omitted by U.P. Act No. 1 of 1951.](B)Jurisdiction of Civil Courts

233. Matters excepted from cognizance of Civil Courts. -

No person shall institute any suit or other proceeding in the Civil Court with respect to any of tire following matters :(a)the arrangement of Lekhpals' [halkas] [Substituted by U.P. Act No. 16 of 1953.];(b)claims by any person to any of the offices mentioned in [Sections 23 and 25] [Substituted by U.P. Act No. 16 of 1953.], or to any emolument or fees appertaining such office, or in respect of any injury caused by his exclusion therefrom, or claims by any person to nominate person to such offices;(c)[* * *] [Deleted by U.P. Act No. 1 of 1951.](d)the formation of the record-of-rights or the preparation, signing, or attestation of any of tire documents contained therein, or the preparation of tire annual registers;(e)to (m). [* * *] [Omitted by U.P. Act No. 1 of 1951.](C)Power to make rules[234. Power of Board to make rules. - (1) The Board may, with the previous sanction of the State Government, make rules consistent with this Act in respect of all or any of the following matters, namely :-(a)prescribing tire duties of Tahsildars and Naib-Tahsildars and regulating their postings and transfers and their appointment in temporary vacancies;(b)prescribing the forms, contents, methods of preparation, attestation and maintenance of the record-of-rights and other records, maps, field books registers, and lists made or kept under this Act and prescribing the kind of land, if any, in respect of which any such record need not be prepared under Section 32;(c)regulating the imposition of lines, under Section 38 for failure to notify successions and transfers.(d)regulating the costs which may be recovered in or in respect of any proceeding under this Act;(e)regulating tire procedure to be followed by any officer (or other person), who under any provision of this Act is required or empowered to take action in any case or proceeding under this Act;(f)generally for the guidance of all persons in a case or proceeding under this Act, and for carrying out the provisions of this Act in respect of such case or proceeding;(g)regulating the issue of licences to persons to act as petition writers in the revenue Courts, the conduct of business by such persons and the scale of fees to be charged by them, and the cancellation of such licences for breach

of the terms and conditions thereof.(2)Notwithstanding anything in sub-section (1), all rules made by the State Government or tire Board under this section as it stood immediately before the date of commencement of the Uttar Pradesh Land Laws (Amendment) Act, 1975, and in force on such date shall continue in force until repealed, amended or altered by the competent authority.] [Substituted by U.P. Act No. 30 of 1975.]The First Schedule(See Section 1)

Serial No.	Areas
1	The Kumaun Division, consisting of the districts of Naini Tal, Al-mora and Garhwal (exclusive of the settled tracts of the Tarai subdivision of the Naini Tal District).
2	In the Mirzapur District- (1) The tappa of Agori Khas and south Kon, in the pargana of Agori. (2) The tappa of British Singrauli, in the pargana of Singrauli. (3) The tappar of Phulwa Dudhi and Barha, in the pargana of Bechipar. (4) The Dudhi Kham estate.
3	[* * *] [Omitted by U.P. Act No. 6 of 1915.]
4	The tract of country known as Jaunsar-Bawar, in the Dehra Dun District.

The Second Schedule(See Section 2)

Acts repealed	Extent of repeal
Act No. XIX of The Agra Province Land Revenue 1873 Act.	The whole, so far as not already repealed.
Act No. XVII of 1876 The Oudh Land Revenue Act.	The whole, so far as not already repealed.
Act No. VIII of The Agra Province Land Revenue 1879 Act, 1879.	Sections 2 to 17 and 25 to 27, inclusive.
Act No. IX of The United Provinces Kanungos 1889 and Patwaris Act, 1889.	Sections 10, 11, 12, 17 and 19.
Act No. XX of The North-Western Provinces and 1890 Oudh Act, 1890.	Sections 3, 4, 12 to 16, 18 to 20, 21 (so far as not already repealed), 22 to 27, 32 to 34 and 64.

[Substituted by U.P. Act No. 30 of 1975.][Substituted by U.P. Act No. 24 of 1986.]