

# The Hyderabad (Abolition of Jagirs) Rules, 1358 Fasli

MAHARASHTRA

India

## The Hyderabad (Abolition of Jagirs) Rules, 1358 Fasli

### Rule

### THE-HYDERABAD-ABOLITION-OF-JAGIRS-RULES-1358-FASLI of 1358

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#### 1.

These rules may be called the Hyderabad (Abolition of Jagirs) Rules, 1358 Fasli, and shall come into force from the date of their publication in the Jarida.

#### 2.

For the purposes of revenue administration of a Jagir included in the Diwani under sub-section (1) of section 6 of the Regulation an Assistant Jagir Administrator shall be competent under sub-section (2) of section 6 read with sub-section (2) of section 3 of the Regulation, to exercise and discharge the powers and duties of a Taluqdar.

#### 3.

An Assistant Jagir Administrator shall not exercise or discharge the powers and duties of the Jagir Administrator specified in the provisos (1) and (2) to subsection (2) of section 6, and in sub-section (3) of section 12 of the Regulation, but shall refer all the matters arising from or relating thereto to the Jagir Administrator for decision.

**4.**

The expression "gross revenue" as defined in section 7 of the Regulation shall also include the revenue realisable from auctionable heads, which the Jagirdar was realising immediately before commencement of the Regulation in accordance with the terms of the sanad or with the express permission of the Government or by express provisions of any law for the time being in force in Diwani or by rules or orders made thereunder. If any question arises as to whether any particular item of revenue forms part of the gross revenue of a Jagir under this rule, the same shall be decided by the Jagir Administrator.

**5.**

In making advance payments to Jagirdar and Hissedars under sub-section (2) of section 13 of the Regulation the procedure shall be as follows :-(a) In the first year of account of taking over the management of the Jagir by the Jagir Administrator an estimate of the gross revenue of the Jagir realisable during the said year shall be made after a careful examination of the accounts furnished by the Jagirdar under sub-section (2) of section 5. In making the estimate any items of revenue of an extraordinary nature in the year immediately preceding the said year shall be excluded. (b) An estimate of the net income and of the amount to which the Jagirdar and Hissedars would be entitled shall be made on the basis of clause (a) and in the manner laid down in the Regulation. (c) Two-third, i.e., 66.6 per cent, of the estimated amount to which the Jagirdar and Hissedars would be entitled shall be paid to them in equal quarterly instalments by cheques drawn on Government treasury on 1st of Isfandar, Khurdad, Shehrewer of the year to which the revenue relates and 1st of Azur of the succeeding year. (d) After the expiration of the first year of account the actual gross revenue, the net income and the amount to which the Jagirdar and Hissedars are entitled shall be determined and the amount actually remaining to be paid to the Jagirdar and Hissedars shall be paid in a lump sum from the Government treasury. Any over-payments to the Jagirdar or Hissedars shall be adjusted from the advance payments of the succeeding year. (e) In the year following the first year of taking over the management of the Jagir advance payments shall be made in accordance with clause (c) treating the net income of the immediately preceding year of account as the estimated net income after excluding any items of the revenue of an extraordinary nature. The amount actually remaining to be paid to the Jagirdar and Hissedars at the end of the year shall be paid to them in accordance with clause (d).

**6.**

In the case of a Jagir granted to a temple or mosque or to any institution established for a religious or public purpose, the net income mentioned in proviso (1) to section 16 shall be distributed in the following manner (a) One-half of the net income shall be reserved for the fulfilment of the object of the grant and out of the other half one-half shall be paid to the Jagirdar, Mutawalli or other person entitled to perform duties, as the case may be, and the remaining half shall be distributed among the Hissedars in the proportions to which they are under the existing law entitled. (b) The Jagir Administrator shall apply the portion of the net income reserved under clause (a) in such manner as would, fulfil the object of the grant and/shall also arrange for the maintenance of the accounts

thereof.(c)The procedure laid down in rule 4 for making advance payments shall also apply to such jagirs.

## **7.**

The extent and boundaries of the home-farm (Seri Khudkasht) of a Jagirdar or Hissedar under section 17 of the Regulation, shall be determined by the Jagir Administrator in accordance with the provisions of sub-sections (2) and (3) of section 86 of the Hyderabad Land Revenue Act and rules made thereunder.

## **8.**

For the purpose of sub-section (2) of section 19 of the Regulation, the terms of employment in Government service of persons formerly employed by Jagirdars shall be as follows :-(a)Such employment shall not be deemed to be permanent but shall continue temporarily until the Jagir is included in a district constituted under the Hyderabad Land Revenue Act.(b)Such of the persons employed by a Jagirdar as are suitable for employment in Government service may be so employed irrespective of the post previously held by them. The requisite qualifications, remuneration and conditions of service for such employment shall be based on the status and responsibility of the post on which such persons are temporarily appointed and shall be determined by the Jagir Administrator.(c)The Jagir Administrator shall whenever necessary fix and sanction the number and grade of posts and shall employ suitable persons on such posts for the management of jagirs. The Assistant Jagir Administrator shall be competent to employ persons on posts lesser in rank than that of Tahsildars.(d)Such persons when employed in Government service shall hold their appointments at the pleasure of Government and the authority employing them may at any time and without giving any reasons dispense with their services.

## **9.**

The procedure laid down in the Hyderabad Land Revenue Act for the presentation of appeals and revision petitions and the exercise of the appellate and revisional powers shall, in so far as it is not inconsistent with the provisions of the Regulation, be adopted for the purposes of section 20 of the Regulation.