

The Punjab Land Revenue (Thur, Sem, Chos and Sand) Remission and Suspension Rules, 1960

PUNJAB

India

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Rule

THE-PUNJAB-LAND-REVENUE-THUR-SEM-CHOS-AND-SAND-REMISSION of 1960

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The Punjab Land Revenue (Thur, Sem, Chos and Sand) Remission and Suspension Rules, 1960
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1. Short title and commencement.

(1) These rules may be called the Punjab Land Revenue (Thur, Sem, Chos and Sand) Remission and Suspension Rules, 1960. (2) They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Punjab Land Revenue Act, 1887. (b) "Cho" means a bed of a torrent starting from the Siwalik hills; (c) "Form" means a form appended to these rules; (d) "Sem" means the rise or collection of sub-soil water or moisture to such an extent that the land so affected becomes unfit for cultivation; and (e) "thur", "kallar" or "reh" means a white or ash coloured substance which may or may not subside after rains but the existence whereof is betrayed by the crispness of the crust swelling over the powdered earth underneath it.

3. Patwari to make entries of all unfit and uncultivable lands.

- At the time of each harvest inspection, the patwari shall enter in the khasra girdawari all those fields which may have been rendered unfit for cultivation due to thur, kallar, reh or sem as thur,

kallar, reh or sem, as the case may be, along with the word Khali. He shall also enter all such fields which have been rendered unfit for cultivation or grazing due to chor or deposit of sand in consequence of heavy floods as "Ghairmumkin cho" or "Ghairmumkin sand", as the case may be.

4. Entry as kharaba to be made where production is estimated less than twenty-five per cent.

- Whenever a field affected by thur, kallar, rein, sem, cho or sand is sown with a crop but the yield is less than twenty-five per cent of the normal yield the entry shall be 'Kharaba' together with the word thur, kallar, rein, sem, cho or deposit of sand, as the case may be.

5. Only affected area to be considered.

- Whenever a part of the field is affected by thur, kallar, rein, sem, cho or deposit of sand, only the area affected thereby shall be taken into consideration.

6. Entries to be inspected regularly by Inspecting Officers.

- All fields, for which new entries as required by rules 3 and 4 are made, shall be checked by the Field Kanungo and at least fifteen per cent of them by the Tehsildar or Naib-Tehsildar concerned. A specific note showing that such inspection has been made shall be given by the Inspecting Officer. The Revenue Assistant or the Sub-Divisional Officer (Civil) shall also check the girdawaris of at least ten per cent of the villages which are affected by thur, kallar, reh, sem, cho or deposit of sand.

7. Entries to be changed after three consecutive harvests.

- Where an entry is made for a particular or a part thereof as required by rule 3 successively for three harvests, and a similar entry has to be made in the fourth harvest the word "banjar jadid" shall be substituted for khali in the fourth harvest and if this entry persists further for four succeeding harvests, it shall be changed into 'banjar qadim' in the eighth harvest. In the case of lands affected by cho or deposit of sand, the entry shall continue to be 'ghaimumkin cho' or 'gharmumkin sand,' as the case may be.

8. Name of crop to be shown if cultivated land is brought under cultivation.

- Any field or part thereof for which the previous entry in the Khasra girdawari is "banjar jadid, thur, kallar, rein, or sem," or "banjar qadim, thur, kallar, reh or sem" or ghairmumkin cho or ghairmumkin sand and which is again brought under cultivation, the entry in the khasra girdawari shall show clearly the crop sown: Provided that if the yield of the crop sown is less than twentyfive per cent of the normal yield it shall be shown as 'kharaba'.

9. Land Revenue to be remitted from Rabi harvest.

(1)The land revenue of every field or part thereof, for which an entry exists as banjar jadid/qadim, thur, kallar, reh or sem, ghirmumkin cho or ghairmumkin sand' at the time of coming into force of these rules, shall be remitted with effect from the Rabi harvest following the enforcement of these rules.(2)The land revenue of every field or part thereof, for which an entry is made as banjar jadid/qadim, thur, kallar, reh or sem or "ghair mumkin cho or ghairmumkin sand, after the coming into force of these rules shall be remitted with effect from the Rabi harvest if such an entry is made in that harvest and from the following Rabi harvest if the entry is made in the Kharif harvest.

10. Revival of assessment of land revenue.

- Subject to the provisions of rule 19, the remission shall cease and the assessment of land revenue remitted under these rules shall revive after the field or part thereof, with respect to which the remission was granted has produced four crops the yield of each of which is more than twenty-five per cent of the normal yield.

11. Revival of assessment to take effect from Rabi crop.

- The revival of assessment of land revenue under rule 10 shall take effect from the fifth harvest if it is Rabi and if the fifth harvest is Kharif from the Rabi harvest following such Kharif harvest.

12. Statements to be drawn up by Patwari.

- After the expiry of Rabi harvest every year and within five days of the expiry of the Rabi girdawari of the village the Patwari shall draw up a statement in Form A showing all the field numbers in which remission under rule 9 has to be given and another statement in Form 'C' showing the field numbers in which assessment of land revenue is to be revived under rule 10.

13. Statements to be checked up by Officers.

- Every Field Kanungo shall carry out a complete check of these statements with the relevant entries of the khasra girdawari and record a certificate to that effect on them. The Tahsildar or Naib Tahsildar concerned shall carry out similar check of twentyfive per cent entries in Forms 'A' and 'C'. The Assistant Collector and the Collector may at any time carry out random checks of these forms.

14. Statements to be checked and forwarded to Tahsildar.

- After the statements in from A' and 'C' have been prepared and checked by the revenue officers the same shall be forwarded to the Tahsildar concerned.

15. Tahsildar to forward consolidated statement to the Collector.

- The Tahsildar shall have a consolidated statement prepared for his Tahsil in Form 'B' and submit it together with the statement in Form 'A' to the Collector by the twentieth April, every year.

16. Collector to suspend or remit the land revenue.

- On receipt of Form 'B' the Collector may remit the land revenue as proposed therein, if the total amount to be remitted for the Tahsil does not exceed Rs. [3,000] [Substituted for figure '2000' by G.S.R. 134 dated 16th May, 1964, previously figure '2000' was substituted for the figure '1000' by Financial Commissioner, Revenue, Punjab notification No. 3006-w-26/1085, dated 12th August, 1961.] or suspend it if it exceeds this limit and forward the proposal for remission to the Commissioner of the Division for sanction. The order of suspension or remission thus made by the Collector or the Commissioner, as the case may be, shall be conveyed to the Tahsildar concerned immediately who shall give effect to it. Necessary changes in the Dhal Bachh and other relevant papers shall be made accordingly.

17. Patwari to enter statements in daily diary.

- The Patwari shall enter in his daily diary the statement of all fields mentioned in Forms 'A' and 'C' for each village at the time of their submission to the Tahsildar.

18. [Manner of delivery of parcha to land-owners. [Rule 18 substituted by Notification No. G.S.R. 134, dated 16th May, 1964.]

- A parcha in Form 'D' of the field numbers mentioned in Form 'C' shall be delivered to the landowner in the manner laid down for the service of summons in sub-sections (1) and (2) of section 90 of the Punjab Tenancy Act, 1887.]

19. Procedure for revival of assessment.

(1)After the parcha has been delivered in accordance with the provision of rule 18 the landowner may, within a period of fifteen days of the date of its delivery, file his objections with the Tahsildar or NaibTahsildar concerned who shall after making such inquiries as he may deem proper pass such orders as he may deem fit. As far as practicable such orders shall be passed every year before the tenth of May.(2)After the objections have been disposed of under sub-rule (1) the Tahsildar shall forward a consolidated statement in Form 'E' of all the statements forwarded to him in Form 'C' along with a copy each of the orders passed by him on the objections preferred under sub-rule (1), to the Collector of the district who may confirm the revival of assessment of land revenue with or without amendment.

20. Statement to be furnished by Collector.

- The Collector shall furnish to the Financial Commissioner through the Commissioner a statement showing separately the total amount of land revenue remitted as well as the amount of land revenue with respect to which the assessment has been revived under these rules. Such statement shall be furnished before the 15th of June every year.

21. Repeal of existing rules.

- These rules shall supersede all previous rules [-] [The words 'if any' omitted by Notification No. G.S.R. No. 134, dated 18.5.1964.] in force in the State for suspension, remission or revival of assessment of land revenue of culturable areas rendered unfit for cultivation due to thur, kallar, rein, sem, cho or deposit of sand. Form A(See rule 12)List of fields damaged by thur, sem, cho or sand, requiring remission of fixed land revenue in Patwar Circle No. _____, Tehsil _____, District _____, for Rabi, 19____.

		Number of holding of last jamabandi Khewat			
Serial No.	Name of village with Topographical number	Khatauni	Names of landowners with brief description	Name of cultivator with brief description	
1	2	3	4	5	

Field No.	Area	Land Revenue	Cesses	Total	Remarks
6	7	8	9	10	11

Form B(See rule 15)Abstract of fixed land revenue remissible on account of thur, or sem, cho or sand for Rabi, 19____, in Tahsil _____, District _____

				Land Revenue remissible on area noted in column 4			
Serial No.	Topograpical No.	Name of village	Area in *[hectares] the land revenue of which was remitted onaccount of thur, sem, cho or sand, but which has since beensown	Land Revenue	Cesses	Total	Remarks
1	2	3	4	5	6	7	8

*Substituted for the word "acres" by GSR No. 2 dated 17-11-1966. Form C(See rule 12)List of fields for which revival of assessment of remitted land revenue is proposed in Patwar Circle _____

No _____, Tehsil _____, District _____ Rabi _____ Form D

(See rule 18)

(See rule 18)

Parcha relating to the revival of assessment of Land Revenue

Parcha relating to the revival of assessment of the land .revenue on account of cultivation of land affected by thur, sem,cho or sand

Number

Counterfoil Number Counterfoil

Name of malguzar with parentage, caste and residence

Field No.

Area

Land Revenue to be revived

Harvest from which proposed

Signature of Patwari with date of delivery

Signature, seal or thumb-impression of malguzar or lambardar. Form E(See rule 19) Abstract showing fixed land revenue to be revived on lands which are again cultivated after the Land Revenue has been remitted on account of thur, sem, cho or sand for Rabi _____, Tahsil _____

Land Revenue to be revived

Serial No.	Topographical number	Name of village	Area in *[hectares] the land revenue of which was remitted on account of thur, sem, cho or sand, but which has since been sown	Land Revenue	Cesses	Total	Remarks
1	2	3	4	5	6	7	8

*Substituted for the word "acres" by GSR No. 2 dated 17-11-1966.