

CHAPTER VIII.

OF LANDS WITHIN THE SITES OF VILLAGES, TOWNS AND CITIES.

Application of Chapter. **121.** The provisions of this Chapter shall apply to all lands situated within the site of a village, town or city.

Limits of sites of villages, towns and cities how to be fixed. **122.** It shall be lawful for the Collector or for a survey officer acting under the general or special orders of the State Government, to ascertain and determine what lands are included within the site of any village, town or city and to fix and from time to time, to vary, the limits of the site determined as aforesaid, regard being had to all subsisting rights of landholders.

No land revenue to be levied in certain cases on lands within sites of village, town or city. **123.** No land revenue shall, in the following cases, be levied on lands situated within the sites of a village, town or city and not used for purposes of agriculture, namely :—

(a) lands which are exempted from the payment of assessment immediately before the commencement of this Code under the provisions of any law in force before such commencement or which are exempted by virtue of any custom, usage, grant, *sanad*, order or agreement ;

(b) residential building sites situated within the sites of a village, town or city, which is a non-urban area.

Right to exemption to be determined by Collector. **124.** (1) Claims to exemption under the last preceding section shall be determined by the Collector after a summary inquiry, and his decision shall, subject to sub-section (2), be final.

(2) Any person aggrieved by any order made under sub-section (1) may institute a civil suit to contest the validity of the order within a period of two years from the date of such order.

Pardi and *wada* lands exempted from payment of land revenue. **125.** *Pardi* land not exceeding one-fourth of an acre, and *wada* land, used only for an agricultural purpose or a purpose subsidiary or ancillary thereto, shall be exempt from the payment of land revenue :

Provided that, in the case of *pardi* land the holder thereof shall be liable to the payment of non-agricultural assessment and fine, as the case may be, under sections 44, 45 and 67 for alteration of the use for any purpose from agricultural use.

Survey of lands in village sites how to be conducted. **126.** If the State Government shall at any time deem it expedient to direct a survey of lands other than those used ordinarily for the purposes of agriculture only within the site of any village, town or city, under the provisions of section 79, or a fresh survey thereof under the provisions of section 83, such survey shall be conducted, and all its operations shall be regulated, according to the provisions of Chapters V and IX of this Code :

Provided that, nothing contained in section 80, 81 or 133 thereof shall apply to any such survey in any town or city having a population of more than two thousand persons.

127. (1) Where a survey is extended under the provisions of section 126 to the site of any village, town or city having a population of more than two thousand persons, each holder of a building site shall be liable to the payment of a survey fee assessed on the area and reteable value of such site.

In certain cases survey fee to be charged.

(2) The amount of survey fee payable under sub-section (1) shall be regulated by the Collector in accordance with rules made by the State Government in this behalf.

(3) The said survey fee shall be payable within six months from the date of a public notice to be given in this behalf by the Collector after the completion of the survey of the site of the village, town or city, or of such part thereof as the notice shall refer to.

128. (1) The results of the operations conducted under section 126 shall be recorded in such manner in such maps and registers as the State Government may prescribe.

Maps of village sites.

(2) If any village panchayat passes a resolution that a map of a village-site should be prepared showing the plots occupied by the holders and that it is willing to contribute to the cost of preparing such maps in such proportion as may be prescribed, the State Government may undertake the preparation of such maps.

129. Every holder of a building site as aforesaid and every holder of a building site newly formed or first used as such, after the completion of a survey under section 126 shall be entitled, where the holder is required to pay survey fee provided therefor, to receive from the Collector without extra charge one or more sanads, in the form of Schedule C or to the like effect specifying by plan and description the extent and conditions of his holding and where a holder is not required to pay any survey fee, he shall be entitled to receive such sanad or sanads on payment of a fee of one rupee per sanad. Every such sanad shall be executed on behalf of the Governor by such person as he may direct or authorise :

Sanad to be granted without extra charge.

Provided that, if such holder do not apply for such sanad or sanads at the time of payment of the survey fee or thereafter within one year from the date of the public notice issued by the Collector under section 127, the Collector may require him to pay an additional fee not exceeding one rupee for each sanad.

130. After a survey has been made under section 126, and after sanads have been granted under section 129, every holder of a building site as aforesaid whose holding is altered by increase, decrease, sub-division, alteration of tenure or otherwise shall be entitled on payment of a correction fee to be fixed by regulations made by the Collector with the sanction of the Commissioner for each village, city or town to receive from the Collector a fresh sanad in the form of Schedule C or to the like effect specifying by plan and description the extent and conditions of his altered holding or, as the case may be, to have the sanad already issued to him under section 129 amended by the Collector.

Grant of sanad on alteration of holding.

131. If any holder informs the Collector that the sanad granted to him has been lost or destroyed by accident, a copy of the sanad granted to him under section 129 or section 130 may be given to him on payment of such charges or fees, if any, as may be prescribed.

Duplicate sanads may be granted.