

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.