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ANNOTATED EDITION
OF THE
LAND REVENUE CODE,

CONTAINING

BOMBAY ACT V. OF 1879
(AS MODIFIED UP TO DATE)

AND THE

REVISED RULES PASSED THEREUNDER,

WITH

Government Orders and High Court Decisions.

REVISED AND ENLARGED.

BY

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District Deputy Collector, Ahmedabad.

THIRD EDITION.

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PREFACE TO THE FIRST EDITION.

SOME seven years ago, a compilation containing the Bombay Land Revenue Code and the Rules thereunder, with the orders of Government interpreting the same, passed up to that date, was published by me and my then colleague, Mr. Dhondo Gopal Mujumdar of Sangli. To our great satisfaction the compilation found such favour with the public that the number of copies printed was soon exhausted. With a view to avoid such a contingency and, at the same time, to add to the usefulness of the book, I took upon myself to compile all the important rulings and orders of Government passed since the passing of the Code, by inserting them in their proper places and printing the whole in the form of a handy compilation. Permission of Government to publish these orders and rulings was necessary, and I obtained the same through the kindness of W. M. Fletcher, Esquire, late Acting Survey and Settlement Commissioner.

I have accordingly compiled all the important orders of Government passed up to date, and have arranged them in chronological order, under the several sections to which they refer in the body of the compilation; those that were passed before the passing of the Code being given as footnotes. Thus I have spared no pains to make the compilation as complete as possible; and I trust that it will, in its present form, meet the requirements of the general public—especially that class which is mostly concerned with land holding, collection of revenue, and general revenue administration of the Presidency.

I must acknowledge with thanks the assistance rendered to me in re-arranging the compilation by Mr. R. S. Barve, Head Clerk to the Collector of Thana; Mr. Sabaji Raghunath Tirodkar, Clerk in the Commissioner, C. D's, Office; and Mr. D. K. Nagarkar, in the Survey Commissioner's Office. My thanks are also due to Messrs. K. L. Gadre and B. W. Gokhale, Clerks in the offices of the Superintendents of Survey, who have helped me in a great measure to correct the proof sheets and re-arrange the compilation. To Mr. G. B. Keskar I am indebted for acting as my amanuensis.

My thanks are due to Mr. Dhondo Gopal of Sangli for having expressed his concurrence to my compiling the book independently of him. Although Mr. Dhondo Gopal was unable to take part in this compilation owing to his absence in Sangli, his Marathi version of it has been of great assistance to me.

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" 22nd ...	2211	214	15	320	" "	214	76	381
" 25th ...	1265	31	...	31					
	G. D.				1890.				
" 29th ...	2465	119	...	179	Jan. 10th ...	192	214	84	385
April 6th ...	139-A-686	214	37	336	" 11th ...	247	41	...	44
	P.W.D				" 29th ...	745	119	..	179
" 27th ...	3118	113	...	175	Feb. 1st ...	840	86	...	138
	F. D.				" 8th ...	1057	214	39	341
May 4th ...	3286	58	...	64	March 24th...	2156	214	91	390
" 7th ...	3346	217	...	251	" 31st ...	2302	198f	...	235
" 11th ...	2551	31f	...	25	April 14th ...	1993	113	...	175
	J. D.					J. D.			

Month Date	No. of Order.	Section.	Rule	Page.	Month Date.	No. of Order.	Section.	Rule	Page.
July 29th ...	5735	217	...	247	1898.				
August 30th ...	6629	66	...	93					
October 2nd... ..	7575	214	31	332					
" 12th ...	7969	"	93	394	Jan. 6th ...	127	65	...	84
1896.					" "	"	67	...	93
Jan. 2 nd ...	679	66	...	93	" 27th ...	611	35	...	36
Feb. 27th ...	1873	37	...	39	Feb. 4th ...	809	174	...	221
" "	"	61	...	66	" 16th ...	1194	152	...	208
March 27th ...	2712	107/	168	395	March 12th ...	1789	122	...	186
July 1st ...	6734	214	95	75	" 24th ...	2113	214	91	390
Dec. 1st ...	9661	37	...	39	May 2 nd ...	2913	...	AP.P	427
" "	"	61	...	75	June 4th ...	3733	58	...	64
1897.					" 10th ...	3865	86	...	139
March 8th ...	1831	214	73	379	July 9th ...	4492	198	...	236
" "	"	"	75	380	" 18th ...	4649	"	AP.P.	435
" 16th ...	2072	61f	...	75	August 2 nd ...	4956	48	...	54
" "	"	86	...	138	" 6th ...	5095	58	...	64
May 13th ...	3630	108	...	169	" " ...	"	85f	...	123
June 4th ...	4739	103	...	161	" 20th ...	6334	176	...	222
" "	4408	214	21	326	" 20th ...	"	AP.HH	...	261
" 16th ...	4558	113	...	175	1899.				
" 28th ...	4823	65	...	83					
July 12th ...	5206	214	73	379	Feb. 9th ...	1062	65	...	84
" 19th ...	5384	"	94	395	" 17th ...	785 s.r.	...	A.A.f	405
August 10th...	5909	55	...	60		G. of I.			
" 19th ...	6209	65	...	83		F. & C.			
Sept. 2 nd ...	6548	113	...	175		Dept.			
" 16th ...	6881	38	...	40	March 25th ...	2207	55	...	60
" 17th ...	6899	71	...	97	April 11th ...	2497	...	A. J.	416
" "	"	86	...	138	May 12th ...	3317	38	...	41
" "	12	214	10	315	" 23rd ...	3617	86	...	139
	73-17				June 30th ...	4567	3	...	6
	G. of I.				" 30th ...	"	150	...	207
Oct. 6th ...	7332	214	10	"	July 3 rd ...	4606	214	25	328
Nov. 1st ...	7902	"	AP.P	425	Oct. 30th ...	7702	65	...	83
" 29th ...	8669	65	...	84	Nov. 11th ...	8053	"	...	84
Dec. 7th ...	8904	...	AP.P	426	" 24th ...	8394	214	25	329
" 8th ...	8915	86	...	139	" 27th ...	8488	72	...	106
" "	"	203	...	238					

Month Date.	No. of Order.	Sec. tion.	Rule	Page.	Month Date.	No. of Order.	Sec- tion.	Rule	Page.
1900.					Sept. 28th...	6803	65	...	88
					Oct. 8th ...	7092	87	...	144
Jan. 4th ...	44	61	...	75	" 9th ...	2187	80	...	116
" 30th ...	705	86	...	139		192-22			
Feb. 2nd ...	800	102	...	159		G. of I.			
" 3rd ...	809	86	...	140	" 23rd ...	7444	"	...	"
" 12th ...	991	65	...	85	" " ...	"	AP.P		
" " ...	"	67	...	94			XVII	...	273
" 16th ...	1078	86	...	140	Nov. 6th ...	7803	...	A.P.	438
May 8th ...	2890	67	...	94	" 8th ...	7873	68	...	94
" 22nd ...	3169	37	...	40	" 26th ...	8281	65	...	88
June 2nd ...	3476	48	...	55	Dec. 6th ...	8516	61	...	68
August 8th...	4932	86	...	140	" 11th ...	8610	68	...	95
" 9th ...	4958	214	43	345	" 23rd ...	8932	150	...	206
Oct. 16th ...	6505	65	...	83	" 27th ...	8966	APP.		
" 19th ...	6575	183	...	225			XVI.	...	272
" " ...	6593	102	...	159	I. L. R, Bom.				
Nov. 5th ...	6915	109	...	170	Vol. XXIV...		216	...	247
" 21st ...	7332	214	103	403	1902.				
Dec. 22nd ...	8057	103	...	160	Feb. 4th ...	2			
" 28th ...	8151	213	11	306		292-2	...	Ar,R	413
1901.						G. of I			
Jan. 28th ...	534	214	68	376	" 15th ...	1071	65	...	86
" " ...	535	116	...	177	" 25th ...	1327	3	...	4
" 29th ...	555	38	...	41	March 12th ...	1663	61	...	76
" " ...	552	149	...	204	April 10th ...	2373	65	...	85
Feb. 27th ...	1447	103	...	161	" 28th ...	2827	86	...	140
March 7th ...	1610	65	...	89	May 5th ...	3019	65	...	89
May 27th ...	3609	"	...	83	" 31st ...	3391	216	...	247
June 13th ...	4054	61	...	76	June 4th ...	3782	87	...	144
" 24th ...	4325	65	...	83	" 21st ...	4236	APP.		
July 8th ...	4738	"	...	86	" 25th ...	4347	XIX	...	275
" " ...	"	APP.			" " ...	"	8	...	10
" " ...	"	XVIII	...	274	" " ...	"	12	...	12
" 16th ...	4931	87	...	143	" " ...	"	38	...	41
" 20th ...	5084	"	...	53	" " ...	"	55	...	60
" 31st ...	5370	98/	...	153	" " ...	"	61	...	67
August 8th ...	5603	153	...	210	" " ...	"	88	...	147
" " ...	5621	68	...	95	July 2nd ...	4503	68	...	95
					" 16th ...	4881	"	AP.R.	443
					" 21st ...	5024	73	...	106

Month Date.	No. of Order.	Sec. tion.	Rule	Page.	Month Date.	No. of Order.	Sec tion.	Rule	Page.
August 26th ..	5941	10	...	11	Oct 7th ..	6981	213	5A <i>f</i>	301
Oct. 3rd ...	6946	55	...	60	" "	"	"	9 <i>f</i>	304
Nov. 24th ...	8237	214	39	341	" "	"	"	15A <i>f</i>	307
Dec. 13th ...	8869	55	...	60	" 8th ..	748	10	...	11
1903.					" 19th ..	7314	214	15	321
Jan. 19th ...	321	63	...	78	" 29th ...	7537	87	...	144
" 20th ...	347	102	...	159	" 29th ...	"	88	...	148
" 24th ...	498	141	...	200	Nov. 5th ...	7724	4 <i>f</i>	...	47
" 31st ...	711	65	...	89					
Feb. 4th ...	811	"	...	83	1904.				
" 27th ...	1396	103	...	161	Feb. 13th ...	1188	App.	...	276
May 5th ...	2973	102	...	159			XX.		
" 25th ...	3371	65	...	89	March 7th ...	1788	55	...	60
" " ...	3194	43 <i>f</i>	...	46	June 11th ...	4450	88	...	148
June 14th ...	3168	12	...	12	" 16th ..	4582	App.	...	263
July 17th ...	4763	102	...	160			VI		
August 13th ..	5508	103	...	162	August 17th ..	5975	214	<i>f</i>	308
Sept. 7th ...	6141	107 <i>f</i>	...	168	Sept. 28th ...	7376	"	App.	438
" 12th ...	6364	65	...	89				P. <i>f</i> .	
Oct. 7th ...	6981	213	4 <i>f</i>	300					
" " ...	"	"	5 <i>f</i>	"					

(N. B.—Printed on one side for convenience of pasting.)
Corrections necessary in the draft rules under s. 214 of Land Revenue Code as they are published in the Bombay Govt. Gazette dated 29th June 1905 as final.

Page.	Line.	Rule.	For	Substitute.
308	1	...	...	Omit "Revised'.
308	22to24	Foot note (1)	Foot-note (1)	These rules have been finally passed by Government in their notification No. 5223, of 28th June 1905—pages 757-782 of B. G. G. Pt. I, for 1905.
311	37	order (4), para 1	...	After "Rule 3" insert "(now Rule 4)."
313	23	8	in order.	good and sufficient.
"	...	...	...	Above rule 9 add the following headings :— "Grant of occupancies" "(a) General." "(b) Occupancies revenue-free"
314	30	Heading	(1) Alienations.	occupancy.
"	...	10 marginal note	land,	
"	34	10	its sale	the sale of the occupancy.
315	1—2	10	no land of any description shall be sold.	The occupancy of land of any description shall not be sold.
"	5—6	10	Do.	Do.
"	20	11	No land shall be granted.	The occupancy of land shall not be granted.
316	1—8	12	Subject to the provisions of Rule 15..... educational edifices or institutions.	The occupancy of land may be granted revenue free, where, the value of the land estimated as a revenue
				Limit of revenue free grant by Commissioner for religious, charitable or educational purposes.

Page.	Line.	Rule.	For.	Substitute.
				free holding, does not exceed one hundred rupees in each case by the Commissioner, for the purposes of religious, charitable or educational edifices or institutions.:
316	23—24	13 (1)	a revenue free grant is made.	any occupancy is granted revenue free.
"	28	13 (2)	59	58
317	10	14 (1)	make a revenue free grant	grant revenue free the occupancy
"	16	14 (1) Proviso	made of land	made in respect of land
"	20—21	14 (2)	revenue free tenure is only granted.	occupancy is granted revenue free.
"	24	15 (1)	No revenue free grant of land.	Except as otherwise provided in rule 12, the occupancy of any land shall not be granted revenue free.
"	26—27	15 (1)	Shall be made to or exercised by a Municipality.	Shall be exercised to or by a Municipality.
322	1	16 (2)		Omit "only"
"	13	17		Read this as rule 35 on page 334 below the modified heading "(f) special rules."
323	1—12	18		For this rule substitute the following and read it as rule 59 on page 370 above the heading IX. Disposal of Forfeited Holdings:—


Page.	Line.	Rule.	For.	Substitute.
323	1-12	18		<p>"59 No new alienation be made except by Governm In every new alienation right of Government to mi and minerals should be exp sly reserved in the follow terms or in terms to the s effect, namely :— This grant is made sub to the reservation of the r of the Secretary of State India in Council to all m and mineral-products an full liberty of access for purpose of working searching for the same v all reasonable convenience</p>
323	13	Heading		Omit the following heading Grant of occupancies."
"	14	No.	(a)	(c)
"	15	19	19	17
"	28	20	20	18
"	29	20	19	17
324	14	21	21	19
"	31	22	22	20
325	27	22(f)	57	56
"	29	23	23	21
"	32	23	47	46
"	35	23	55	54
326	20	Heading	(b)	(d)
"	21	24	24	22
"	29	25	25	23
"	29	25	24	22
"		25	24	22
"		marginal note.		
"	35	26	26	24

Page.	Line.	Rule.	For.	Substitute.
327	17	26 II proviso	57	56
"	23	26 III	57	56
328	11	26 V	33 or 34	31 or 32
"	19	26 VI	57	56
"	23	27	27	25
"	24	27 (1)	26	24
329	4	28	28	26
"	8	28	27	25
"	12	29	29	27
"	14	29	27	25
"	35	30	30	28
330	6	30	57	56
"	9	Heading	(e) General Rules applicable to all occupancies.	(e) All occupancies.
"	10	31	31	29
"	18	32	32	30
"	21	33	33	31
"	25	33 (1)	34	32
331	21	order (2)	51 & 53	50 & 52
332	4	" (3)		Omit "(now rules 33 and 34)"
"	15	" (4)	34	32
"	34	34	34	32
"	35	34 (1)	33	31
"	40	foot note 1		Omit "(now rule 34)"
333	12	34 (1)	28	26
"	19	order (1)		Omit "(now rule 34)"
"	23	"		Omit "(now rule 33)"
"	28	35	35	33
"		35 (1)	28 (1) & 34	26 and 32
"		marginal note.		
"	33&34	35 (1)	28 Sub-rule (1) or Rule 34	26 or Rule 32
334	1	36	36	34
"	8	36 (2)	33, 34 or 28	31, 32 or 26
"	9	Heading	(d) special Rules for sites of certain towns and cities.	(f) special Rules.

Page.	Line.	Rule.	For.	Substitute.
334	...			Below the heading "(f) special Rule;" read rule 17 on page 332 as rule 35.
"	10	37	37	36
"	11	37	19 to 36	17 to 34
335	36	37 VI	34	32
336	11	Heading	(3)	(2)
"	12	38	38	37
337	1	39	39	38
338	10	40	40	39
"	18	40 (1) Proviso	41 and 42	40 and 41
342	14	41	41	40
343	21	41 (t)	40	39
344	18	42	42	41
"	26	Heading	(4)	(3)
"	27	43	43	42
345	10	44	44	43
"	23	45	45	44
346	3	45	47	46
"	6	46	46	45
"	14	47	47	46
347	1	48	48	47
"	22	49	49	48
"	29	49 (a)		Insert " or recognised foot path" after the word " road"
"	35	foot note 2		Omit "(now rule 49)"
348	1	49 (b)		Insert " or burning ground" after the words "burial ground"
349	1	50	50	49
350	3	51	51	50
"	"	51	50	49
"	15	52	52	51
"	30	53	53	52
351	7	54	54	53
"	25	55	55	54
"	27	55	23	21
352	2	56	56	55
"	9	foot note 1		Omit "(now rule 56)"
366	2	57	57	56
"	9	57	50	49

Page.	Line.	Rule.	For	Substitute.
367	12	57 II sub-para		Insert "for occupancy as building sites" after the word "sales."
"	27-32	Do.	in the latter case the agricultural assessment shall not be forgone full market value.	in the latter case the situation value shall be determined by deducting the estimated agricultural value of the land from its estimated market value for occupancy as building site and the percentage on the situation value so ascertained shall be levied in addition to the agricultural assessment.
369	25	58	58	57
"	"	58 (1)	57	56
370	3	59	59	59
370				After line 5 read draft rule 18, as corrected on page 323, as rule 59.
373	35	65 (c)	34	32
375	6	67	33 to 35	31 to 33
376	5	68 (1) proviso		After "alienated holding" insert "referred to in clause (d) of rule 65."
378			72	Add the following proviso to rule 72 at the end :— " Provided that, in places to which paragraph 2 of section 48 does not apply, the Collector may impose a fine not exceeding the amount of the difference between the agricultural assessment and the assessment which would otherwise be leviable from the date of the appropriation to any purpose unconnected with agriculture to the date of the next revision settlement."

Page.	Line.	Rule.	For App. L. (misprinted) substitute the following:— (Referred to in foot notes to Rules 19 and 31.)
419	...	APP. L.	<p><i>Form of lease to be granted to an occupant who takes up land on special terms under No. 19 of the Land Revenue Code Rules.</i></p> <p>This is to certify that, with the previous sanction of the Commissioner (in Sind, or as the case may be) of _____ has been granted the occupancy of survey No. _____ in the village of _____ in the _____ Taluka of the _____ District for a term of _____ years from the _____ day of _____ 18 subject to the payment of land revenue as follows (viz) :—</p> <p>(a) for the first _____ years, A. D. 18 to 18 _____, nil ;</p> <p>(b) for the next _____ years, A. D. 18 to 18 _____, a reduced assessment of Rs. _____ ;</p> <p>The reason for the grant of the said occupancy on the favourable terms aforesaid is that the lessee has undertaken, at his own expense within a period of _____ from the _____ day of _____ 18 _____, to carry out to the satisfaction of _____, the following work, whereby the cultivation of the said survey No. will be improved (or rendered feasible, or otherwise, as the case may be), viz :— (Here describe as accurately as possible the work to be executed.)</p> <p>The conditions on which this lease is granted are :—</p> <p>(1) That the lessee shall completely execute the work aforesaid to the satisfaction of the said _____ within the period abovementioned ;</p> <p>(2) that he shall keep the said work when executed in good order and repairs to the satisfaction of the said _____ until the expiry of this lease ;</p> <p>(3) that if the lessee shall fail to perform either of the aforesaid conditions he shall be liable, notwithstanding anything hereinbefore written, to pay the full assessment of the land comprised in this lease amounting to Rs. _____, for the year during which such failure shall take place and for every subsequent year of the term of this lease ;</p>

Page.	Line.	Rule.	
419	...	APP. L.	(4) that the lessee shall be entitled, on the expiry of this lease, to retain the occupancy of the land herein comprised, subject to the payment of the full assessment from time to time fixed thereupon under the law and rules in force in this behalf, on his executing an agreement in the form prescribed for persons who intend to become registered occupants. This lease is executed on behalf of the Secretary of State for India in Council, by order of the Government of Bombay in Council, by the Collector of _____ and under his seal of office, this day of _____ 18 .
			 (Signed) Collector.
			I _____ the aforesaid lessee do hereby accept this lease on the terms and conditions therein mentioned. Signed by _____ In the presence of _____ (Signed) Lessee.
			NOTE.—The above form has been sanctioned by G. R. No. 7033, dated 3rd September 1884.
420	1	APP. M	For 33 Read 31
422	2	" O	" 48 " 47

(N. B.—The numbering of rules Nos. 1 @ 16 and 60 @ 103 remain unchanged).

No. of rule as printed in Sathe's 3rd edition.	No. of rule as finally sanctioned by Government.	No. of rule as printed in Sathi's 3rd edition.	No. of rule as finally sanctioned by Government.
17	35	39	38
18	59 (corrected)	40	39
19	17	41	40
20	18	42	41
21	19	43	42
22	20	44	43
23	21	45	44
24	22	46	45
25	23	47	46
26	24	48	47
27	25	49	48
28	26	50	49
29	27	51	50
30	28	52	51
31	29	53	52
32	30	54	53
33	31	55	54
34	32	56	55
35	33	57	56
36	34	58	57
37	36	59	58
38	37	60	59

*Rules under the Record of Rights Act.

(Applicable to Sind only.)

In exercise of the powers conferred by sections 3, 5, 9 and 14 of the Bombay Land Record-of-Rights Act, 1903 (Bombay IV of 1903), the Governor in Council is pleased to make the following rules under the said Act for the Province of Sind, namely :—

1. In these rules, unless there is anything repugnant in the subject or context,—
 - (a) words and expressions which are defined in the Bombay Land Record-of-Rights Act, 1903, have the same meaning as in that Act ;
 - (b) “ section ” and “ sub-section ” mean respectively a section and sub-section of the said Act ; and
 - (c) “ Mukhtyarkar ” includes a Mahalkari.

[Sections 3 and 5.]

I.—Preparation of the Record.

2. As soon as it is decided to begin the preparation of the Record in any village, a Special Officer, hereinafter called the Inquiry Officer, or such other officer as the Collector may appoint in this behalf, shall cause notice thereof to be published by beat of drum throughout the village and shall post up a copy of the notice in a conspicuous place in the village ; and an entry should be made at the foot of the Record to the effect that such notice has been duly published accordingly.

3. Prior to the preparation of a final copy of the Record-of-Rights, which shall be termed the Permanent Record, there shall be prepared a Rough Copy of the Record. The Rough Copy shall be prepared, under the general control and supervision of the Collector and the Assistant or Deputy Collector in charge of the taluka in which the village is situated, by the Inquiry Officer, who shall make, upon such information as he can collect, or from such reports as may be received under section 4, all entries likely to be required for the Permanent Record. The Inquiry Officer shall make his inquiries at at least one central camp in each Tapa.

4. If there is a dispute about any entry proposed to be made in the Rough Copy, the Inquiry Officer shall merely ascertain who

*Published under Notification No. 8198 dated 27th October, 1904.

prima facie is in possession of the disputed right and enter his name and shall note in the remarks column thereof the serial number of the entry made by him (relating to the dispute) in a register of disputed cases which shall be kept by him containing the following particulars :

- (1) Serial Number ; (2) Number in column 1 of the Rough Copy of the Record ; (3) Survey Number ; (4) Area in column 5 of the Record ; (5) Names of disputing parties ; (6) Nature of disputed entry and particulars of dispute ; (7) Remarks (for orders of the Special Mukhtyarkar).

This register shall be the one in which the substance of objection shall be entered under section 5, sub-section (3).

5. The Inquiry Officer shall supply, free of charge, each of the parties interested in an entry with an uncertified extract thereof, as soon after making such entry as possible and before the attendance of the interested parties is dispensed with. Such extract shall be supplied even when there is no dispute.

6. The Assistant or Deputy Collector in charge of the taluk shall, during his tour in the season in which the preparation of the Record is progressing, test the entries made by the Inquiry Officer to such extent and in such manner as shall be prescribed by the Commissioner in Sind. He shall also see that the disputed cases are duly entered in the Registers prescribed for such cases. Any errors discovered by him should be communicated to the Inquiry Officer, who shall make such alterations, additions or omissions as may be directed by the Assistant or Deputy Collector, and shall once give written intimation to all the persons concerned, of all such alterations, additions or omissions. Each entry tested by the Assistant or Deputy Collector shall be initialled by him.

7. The correctness of every entry made by the Inquiry Officer shall be inquired into and the particulars thereof revised, if necessary, by an Officer hereinafter called the Special Mukhtyarkar. This Special Mukhtyarkar shall not begin his work in any village until a sufficient time has elapsed to permit of all persons concerned thorough understanding the entries made by the Inquiry Officer in respect of the lands of that village. The Special Mukhtyarkar shall call together at least one central place in each Tapa, call together

those who are affected by the entries made in the Record, and read out and explain each entry to the persons interested therein who are present. Where any such entry is admitted to be correct, it shall be initialled by the Special Mukhtyarkar in token of its correctness. Where there is a dispute regarding the correctness of any such entry, it shall be dealt with like other disputed cases in the manner herein-after prescribed.

8. In disputed cases the Special Mukhtyarkar shall, if possible, decide the matter on the basis of possession. When such a case has been decided under the Mamlatdars' Courts Act 1876, the entry shall be in accordance with the decision therein, unless it has been superseded by a subsequent decree of the Civil Court under section 18 of the said Act.

9. In all cases where the Special Mukhtyarkar makes an addition to, alteration in or omission from, an entry in the Rough Copy, he shall, as soon as possible and before the attendance of the parties interested is dispensed with, supply free of charge, each of the parties interested in the entry with an uncertified extract of the amended entry.

10. An appeal shall lie against the decision of the Special Mukhtyarkar to the Assistant or Deputy Collector in charge of the taluka, whose decision shall be final. The decision shall be at once communicated to the parties concerned.

11. It shall be within the discretion of the Assistant or Deputy Collector in charge of the taluka to test the correctness of any entry made by the Special Mukhtyarkar in cases where no appeal is made to him. Should he find it necessary to make any alteration, addition or omission, he may order this to be done, sending at once copies of the entries as amended to the parties concerned. Against such an order an appeal shall lie to the Collector, whose decision shall be final. The Collector's decision shall be at once communicated to the parties concerned.

12. The provisions of sections 205 to 209 of the Bombay Land Revenue Code, 1879, shall apply to any appeal made under Rule 10 or 11.

13. The Rough Copy shall, for the purposes of the Act, until the Permanent Record is prepared, be deemed to be a Register of Mutations, and all reports made under section 4 and entries authorized

under section 5 (2) shall be entered in it by the Inquiry Officers accordingly.

14. The Rough Copy of the Record shall be compiled in the appended form numbered Village Form No. 1-C and, when all the appeals have been disposed of, a Fair Copy of it shall be prepared by the Special Mukhtyarkar.

15. When the Fair Copy of the Record in any village is reported to be complete, the Collector or the Assistant or Deputy Collector in charge of the taluka shall fix a date for its final approval and shall cause publication thereof to be given, calling upon all persons interested therein to appear on that date at a specified place in, or in the immediate vicinity of, the village concerned.

16. On the date and at the place appointed, the Collector or the Assistant or Deputy Collector in charge of the taluka shall cause the record to be read over in the presence of such persons as are in attendance and, after such further corrections as may be then found necessary, the Collector or Assistant or Deputy Collector shall sign the Record and shall add at its foot an order declaring that it has been duly approved and promulgated. The Record so declared to have been duly approved and promulgated shall be styled the Permanent Record.

II.—Maintenance of the Record.

17. The Register of Mutations shall be prepared and maintained in each village by the Village Accountant or such other officer who may be specially appointed in this behalf, under the supervision of the Commissioner in Sind, the Superintendent, Land Records and Agriculture in Sind, the Collector and the Subordinate Revenue Officers of the district.

18. The Register of Mutations shall be compiled in the appended form numbered Village Form 1-D.

19. In the Register of Mutations the Village Accountant shall—

- (a) enter any report made to him under section 4 ;
- (b) record any transaction or change that may take place and affect the particulars entered in the Permanent Record ; and
- (c) when any error is alleged to have been made in the Permanent Record or the Register of Mutations, enter such details as appear to him to be correct.

20. The Village Accountant shall, under section 5, sub-section 3, keep a Register of Disputed Cases in which the substance of objections shall be entered. This Register shall contain the following particulars ;

- (1) Serial Number ; (2) Number in column 1 of the Register of Mutations ; (3) Survey Number ; (4) Area as in column 5 of the Register ; (5) Date of receipt of objection ; (6) Names of disputing parties ; (7) Nature of disputed entry and particulars of dispute ; (8) Remarks (for orders of Mukhtyarkar).

At the end of every month the Village Accountant shall send to the Mukhtyarkar an extract from this Register containing the entries made during that month by him or by the Supervising Tapedar as provided below.

21. The correctness of every entry made in the Register of Mutations by the Village Accountant shall be inquired into by the Supervising Tapedar. Every Supervising Tapedar shall, at intervals of not less than 3 months, visit each village in his charge, examine all the entries made in the Mutation Register since the date of his last examination, read them out and explain them to the parties concerned. If any objection is made to the correctness of any entry in the Register of Mutations, the Supervising Tapedar shall give a written acknowledgment of the receipt of the objection to the person making the same and shall enter the substance of such objection in the Register of Disputed Cases kept by the Village Accountant. If, on the entry being read out and explained to them, the parties concerned do not make any objection to it, the Supervising Tapedar shall record on the Register of Mutations the names of the parties concerned to whom he read out and explained the entry and the fact that they did not make any objection to it.

22. All errors (other than those in respect of which objections are made) discovered by a Supervising Tapedar in the Register of Mutations shall be at once reported by him to the Mukhtyarkar, who may order any alteration, addition or omission to be made therein that he deems fit and shall at once give written intimation of such alteration, addition or omission to the parties concerned.

23. The Mukhtyarkar shall also be an officer who shall under section 3, sub-section (4), inquire into the correctness of the entries in

the Register of Mutations and, if necessary, revise the particulars of them. Such inquiry shall be made in or near the village.

24. He shall inquire into the correctness of every entry that is disputed and shall, as far as possible, do so within 3 months of learning that the entry is disputed. Of the undisputed entries in any year he shall, within that year, inquire into the correctness of at least 20 per cent. In any case, whether disputed or undisputed, in which he finds it necessary to revise any entry by any addition, alteration or omission, he shall at once send written intimation of the addition, alteration or omission to the parties concerned.

25. Against any order passed by the Mukhtyarkar under Rule 22 or 24 an appeal shall lie to the Assistant or Deputy Collector in charge of the Taluka, whose decision shall be final.

26. The Assistant or Deputy Collector in charge of the Taluka shall test the entries in the Register of Mutations to such extent and in such manner as shall be prescribed by the Commissioner in Sind and shall revise the particulars thereof, if necessary. It shall be within his discretion to test the correctness of any entry made by the Mukhtyarkar in a disputed case where no appeal is made to him. Should he find it necessary to make any alteration, addition or omission, he may order this to be done and shall at once give written intimation of such alteration, addition, or omission to the parties concerned.

27. The Superintendent, Land Records and Agriculture in Sind, may, in the course of his tour, examine the entries in the Register of Mutations. Should he find it necessary to make any alteration, addition or omission, he may order this to be done in the Register of Mutations, and shall at once give written intimation of such alteration, addition or omission to the parties concerned.

28. Against any order passed under Rule 26 or 27, an appeal shall lie to the Collector, whose decision shall be final.

29. The provisions of sections 205 to 209 of the Bombay Land-Revenue Code, 1879, shall apply to any appeal under Rule 25 or 28.

30. No correction of any entry or addition to any entry in the Permanent Record shall be made without the sanction of the Assistant or Deputy Collector in charge of the taluka to such correction or addition.

31. The Permanent Record shall be corrected in order to bring it into accordance with the Register of Mutations, whenever the Assistant or Deputy Collector in charge of the taluka, in view of the number of entries in the said Register, shall so direct, and at intervals of not more than five years the Permanent Record shall be rewritten, unless, owing to the trifling number of corrections made or required, the Collector considers that re-writing is unnecessary.

[Section 9.]

32. Where a Revenue-officer or Village Accountant issues any summons or notice under section 9, he shall follow the provisions of section 190 or 191 of the Bombay Land-Revenue Code, 1879, as the case may be.

[Section 14.]

I.—Inspection.

33. The Permanent Record and the Register of Mutations shall be open to inspection free of charge in the office of the Village Accountant during the usual office hours except on Sundays and Public Holidays.

II.—Extracts and Copies.

34. Any person may himself make a copy, or employ his own agent to make a copy, of any of the documents or any portion thereof of which he has obtained inspection, but no copy so made shall be certified.

35. The certificate on all certified copies or extracts granted under the Act shall be in the following form, viz. :—

True copy (or true extract as the case may be).

Dated the of 190 .

(Signed) A, B.,

Mukhtyarkar or Village Accountant,

and shall be sealed whenever the officer granting certified copies or extracts is authorized by law to make use of a seal.

III.—Searches.

36. No search-fee shall be levied by a Village Accountant.

IV.—Copying Fees.

37. Subject to proviso (b) to section 14, the following copying fees shall be levied in cash under these rules viz. :—

(1) For every certified extract of a serial No. in the Record of Rights or Register of Mutations ...1½ annas,

- (2) For every certified copy of a map of a survey number, or of a recognised share of a survey number, or of a field, or of any (uncoloured) ordinary map or plan of any immovable property 4 annas.

38. Every fee payable in accordance with the foregoing table shall be paid in advance, and the applicant shall be given by the officer who receives the fee a receipt for the same.

39. The amount of all fees so received shall be entered in the book prescribed by No. 11 of the rules under section 213 of the Bombay Land Revenue Code, 1879, and shall be remitted before the close of each month to the nearest Government Treasury after deducting the amount payable in the case of certified copies and extracts to section-writers, viz., 1 anna for every certified extract of a serial No. and 3 annas for each map.

V.—Miscellaneous.

40. Every application for a certified extract or a certified copy shall be made in writing, and must, except in the case of an application for a certified copy required for the purpose specified in subsection (1) of section 10, bear a Court-fee stamp of one anna under the last clause of Article 1 (a) of Schedule II of the Court Fees Act, 1870.

41. Every such application shall be numbered and filed by the officer to whom it is presented, and shall be endorsed with a memorandum under his signature, stating the date on which it was presented, the amount of fees (if any) received either at the time of presentation thereof or subsequently at any time, and the date and manner in which the application was disposed of.

Record of Rights in Land, Village _____

Serial No.	AS IN LAND REGISTER, VILLAGE FORM No. I AND NUMBER SHUMARI (INSPECTION REGISTER) VILLAGE FORM No III.				SUB-DIVISIONS.		PARTICULARS OF POSSESSION.		
	Survey No.	Plot No. or Phauli No.	Holder's name.	Area.	Assessment.	Area.	Assessment.	Name of present occupant	Status.
1	2	3	4	5	6	7	8	9	10
1	1	...	A. B. ...	A. g. 50 10	Rs. a. p. 40 0 0	A. g. 15 0	Rs. p. a. 12 0 0	A. B. ...	Khatedar 1888.
2	...	...	...	...	...	10 0	8 0 0	E. F. ...	Mortgagee
3	...	...	...	...	...	25 10	20 0 0	E. F. ...	Purchaser
4	2	1	Cultivable waste.	40 0	20 0 0	...	...	...	.....
5	...	2	G. H. ...	20 0	10 0 0	8 0	4 0 0	G. H. ...	Khatear 1889.
6	...	...	...	...	...	12 0	6 0 0	E. F. ...	Mortgagee
7	3	...	A. B. ...	5 0	30 0 0	...	...	E. F. ...	Do.
8	4	...	P. Q. ...	20 0	16 0 0	10 0	8 0 0	P. Q. ...	Khatedar 1887.
9	...	...	...	...	...	5 0	4 0 0	R. S. ...	Brother of separated
10	...	...	...	...	...	5 0	4 0 0	R. S. ...	Do.
11	5	...	M. N. ...	15 0	20 0 0	7 20	10 0 0	M. N. ...	Khatedar 1889.
12	...	...	...	...	...	7 20	10 0 0	{ P. Q. ... R. S. ... }	{ Joint sha
13	6	...	Cultivable waste.	50 0	25 0 0	...	...	...	.....

Dated
(Signed)

Talpedar.

Examined
dated

Remarks on Village Form No. I-C.

(Record of Rights in Land.)

1. The form is to be written on one side of the paper only, on the lower side as the book is opened. On the upper side of the opposite page there should be drawn by the Village Accountant, where a survey number contains sub-divisions consisting of separate pieces of land, a map of the survey number showing those sub-divisions.

2. Maps of survey numbers should not be drawn contiguously. All maps should be separate and should bear consecutive numbers from left to right with the north side always at the top of the paper.

3. Erasures in the Permanent Record should be avoided so far as possible.

In the maps of the Permanent Record the sub-divisions of the survey numbers should bear the serial numbers entered in column 1 only and should contain no other details.

Since these serial numbers will not be entered till the Rough Copy is complete, sub-divisions in the Rough Copy of the map should contain initials to denote the occupant or tenant.

4. In column 1 is to be entered the serial number of each sub-division of land, that is, each separate occupancy or divided share or tenancy or separate piece. A serial number should, therefore be given—

(1) in the case of undivided survey numbers to the single entry in column 4 ;

(2) in the case of sub-divided survey numbers to each entry of a sub-division in column 7.

This column should be left blank until the Collector or Assistant or Deputy Collector shall have fixed a date for the final approval of the Permanent Record.

5. Columns 2 and 5 are to be copied from columns 1 and 4 of the Land Register Village Form No. 1, and column 4 from column 11 of the Number Shumari, Village Form No III. In column 6 the assessment last paid on the number should be entered. Columns 3 to 6 should first be filled in as regards each survey number, pot number or phalni number, leaving ample space below each entry for further sub-divisions. Columns 7 to 18 should then be filled in a information is obtained. A page will ordinarily suffice for two or three numbers, but will often be required for a single number.

6. Particulars of area and assessment are to be filled in columns 7 and 8 only for those sub-divisions which consist of separate pieces of land. When a sub-division does not consist of a separate piece of land but is merely a separate unlocalized fraction, in annas, of the whole survey number (or pot or phalni number), then particulars of its proportional area and assessment are not to be entered in columns 7 and 8 : but in column 7 there should be entered the fraction (of the whole), in annas, which each sub-division represents.

7. In column 7 is to be entered the area of each sub-division of a number or of a pot number which is held by a different holder or cultivated by a different tenant. These entries refer both to the occupancies in column 9 and to the tenancies in column 12. The areas should eventually be ascertained by actual measurement. For the present approximate areas should be entered.

8. Pot kharab included in the area in column 5 should be distributed among the several sub-divisions in proportion to their respective arable areas. If, however, in the case of any number or pot number the pot kharab is easily recognizable and is clearly within the limits of special sub-divisions, it should be assigned to those sub-divisions. If again the area is comparatively large or the sub-sharers object to the proportionate distribution, actual measurement should be made. In the case of pot kharab lands which remain in the joint possession and enjoyment of the several partners (such as cattle-grazing, etc.) or in cases in which the public have a right of use (such as roads, tanks, etc., Rule 48 of the rules under the Land-Revenue Code) the area should not be sub-divided. It should remain included in total area in column 5. An explanatory note should be added in the remarks column as to the kharab area not divided.

9. Column 8 should, so far as possible, show the assessment of each sub-division according to actual payment, except in the case of alienated land when the proportionate survey assessment and not the quit-rent, whether salami or other, should be shown. The actual quit-rent should be entered in the column of remarks.

In cases in which several numbers are divided among several sharers, but the assessment on their shares is not paid by them in proportion to their shares in the area in each number, the entry should be made as described in the following illustrations.

A is the registered occupant of Survey Nos. 10 and 11 measuring respectively 7 and 10 acres and assessed at Rs. 14 and Rs. 30, and holds them in partnership with *B* as shown below.

Survey No.	Area.	Assessment.	Names of sub-sharers.	SUB-DIVISIONS.	
				Area.	Assessment.
10	Acres. 7	Rs. 14	<i>A</i> <i>B</i>	Acres. 1	Rs. 2
				6	12
11	10	30	<i>A</i> <i>B</i>	4	12
				6	18

A and *B* do not pay the assessment of the two numbers in proportion to their areas in each number. *A* pays the assessment of the whole No. 10 and *B* of the whole No. 11. The entry should be as under.

1	2	3	4	5	6	7	8	9	10	Remarks.
1	10	0	<i>A</i>	7	14	1	14	<i>A</i>	0	<i>A</i> pays for Survey No. 10
2	...	...	...	...	...	6	30	<i>B</i>	...	<i>B</i> pays for Survey No. 11
3	11	...	<i>A</i>	10	30	4	...	<i>A</i>	...	See remarks against No. 10.
4	...	...	...	...	...	6	...	<i>B</i>	...	

The headings of the columns are the same as in Form 1-C.

10. In column 9 is to be entered the name of the actual owner, administrator or mortgagee of each sub division. These are the persons who can generally claim a right to be registered as holders in Village Form No. 1. In the case of an undivided family the name of the principal member of the family who manages the estate should alone be shown.

11. Column 10 shows whether the holder is the registered occupant or inheritor, or divided sharer, or purchaser, or grantee,

or recipient by exchange or by gift, or mortgagee with possession. The date of first entry as registered occupant should ordinarily be entered in the case of registered occupants, but if the name has been entered in Village Form No. 1 at the time of its preparation and the date of first entry cannot be easily ascertained, it is sufficient to enter the words "before survey," which should be understood to mean before the last survey, whether original or revision.

12. Column 11 gives further details of cause or causes of transfer from the holder named in column 4 to the holder named in column 9. If bonds or deeds have been executed, date and consideration should, if possible, be noted. If registered (R) should be added; if transfer has taken place by Civil Court's order (C) should be added. If the holder named in column 9 has obtained the holding by purchase or mortgage, the vendor's or mortgagor's name should be mentioned. In cases where the parties concerned withhold information regarding any particulars in the sale-deed and mortgage-bond the fact should be noted in this column.

13. In column 12 is to be entered the name of the actual cultivator of a sub division of land when he is not the same as the holder mentioned in column 9. If the holder cultivates himself or by labourers paid by wages columns 12 to 14 will be blank, but if he lets to a man who is paid by share of crop, the man's name should be entered in column 12 and the share paid to the holder in column 14. If a lease holder sub-lets to a sub-tenant, the name of the latter should be entered below the name of the former in column 12.

14. The names of annual tenants should be entered in column 12 as they stand at the time of the preparation of the Record. It is not necessary, however, to enter in the Record changes in annual tenancies which will be sufficiently recorded in the Register of Mutations.

15. The fact and the date of registration of leases should be noted in column 13. It should be noted whether an agreement is oral or written.

16. In column 14 should be entered—

- (1) A note whether the assessment is paid by the landlord or tenant.
- (2) Details of rent paid whether in cash or kind.
- (3) The weight in pounds of a measure kharar should be given at the top of the column on the first page, Village Account-

ants can obtain from the taluka office copies of jantries showing the pound equivalents of the different grain measures obtaining in the taluka.

17. The entries in column 16 will generally consist of mortgages without possession; but other contingent or vested interests, if clearly established, as by decree of Court (*e.g.*, decree for maintenance from the land), should also be entered here.

18. Column 18 will contain remarks, which cannot be made in any other column. If takavi has been given on the security of the number or pot number, the word "takavi" should be entered in this column and a reference given to the takavi order or bond communicatde to the Sub-Registrar or Viljage Registrar.

In this column of the *Rough Copy* there should be entered a reference to all reports made in accordance with provisions or section 4: such reports if made orally, shall be taken down in writing and be filed in an appendix to the *Rough Copy*.

19. The entries in the Record are to be tested by the special Mukhtiarkar and the Assistant or Deputy Collector as laid down in the rules on the subject. The Record is to be signed by the Inquiry Officer, the Special Mukhtiarkar, and the officer approving and promulgating the Record under Rule 16.

20. As soon after the preparation of the Fair Copy of the Record as possible, the Special Mukhtiarkar shall prepare and forward to the Mukhtiarkar of the Taluka an abstract of the Record as follows:—1, number of sub-divisions; 2, number of survey numbers; 3, number of pot numbers; 4, number of holders in Land Register (No. 1) 5 total area; 6, total assessment; 7, total area of sub-divisions; 8, total assessment of sub-divisions; 9, number of occupants; 10 (1) number of original holders; (2) number of purchasers; (3) number of mortgagees; (4) number of inheritors; (5) number of divided sharers (other classes, if any, should be mentioned); 11 (1) number of deeds of sale; (2) number of mortgage deeds; (3) number of sales by Court's order; (4) number of partitions by Court's decree (other important classes should be mentioned); (12) number of tenants; impoontant decree 13 (1) number of leases for long periods; (2) number of yearly leases. (3) number of tenants without leases; 14, rents most commonly paid;

21. The special Mukhtiarkar shall also compile the abstracts taluka by taluka and transmit one copy to the Collector through the

Assistant Deputy Collector, and the second copy to the Director, Land Records and agriculture, through the Superintendent.

22. The record is intended to last for five years or until further orders. A new Record is required when a revision survey is introduced. When the Record is re-written the old copy will be sent to the taluka for custody.

23. No changes are to be made in the entries in the Record of Rights except with the sanction of the Sub-divisional Officer under Rule 30. The serial number of the corresponding entry in the Register of Mutations will be noted in column 17 of the Record against the corrected entry.

VILL

Register of Mutations, Village _____

serial No.	AS IN LAND REGISTER, VILLAGE FORM NO. I AND NUMBER SHUMARI (INSPECTION REGISTER) VILLAGE FORM No. III.					SUB-DIVISIONS.		PARTICULARS OF T	
	Survey No.	Pot No. or Phalni No.	Holder's name.	Area.	Assessment.	Area.	Assessment.	Name of present occupant	status
1	2	3	4	5	6	7	8	9	10
				A. g.	Rs. a. p.	A. g.	Rs. a. p.		
1	1	...	A. B. ...	50 10	40 0 0	10 0	8 0 0	A. B....	Khatedar 1888.
2	...	...	...	...	...	5 0	4 0 0	S. B....	Purchase
3	2	2	G. H. ...	20 0	10 0 0	6 0	3 0 0	G. H....	Khatedar 1889.
4	...	...	...	...	...	2 0	1 0 0	B. H....	Mortgage
5	4	...	P. Q. ...	20 0	16 0 0	5 0	4 0 0	P. Q....	Khatedar 1887.
6	...	...	...	...	...	5 0	4 0 0	...	.....
7	5	...	M. N. ...	15 0	20 0 0	3 30	5 0 0	M. N....	Khatedar 1889.
8	...	...	...	...	...	3 30	5 0 0	M. L. ...	Purchase

FORM No. I-D.

Taluka _____, District _____, Year _____

FEE OR ALIENATION.	PARTICULARS OF TENANCY.			OTHER RIGHTS.		Number of entry in the record.	REMARKS.
	Cause of transfer or alienation.	Name of tenant.	Whether on lease and for how many years.	Rent and conditions.	Name of holder of right.		
11.	12	13	14	15	16	17	18
.....	} 1	
Sold by A B for Rs. 200.		
.....	} 5	
Mortgage-deed (R) from G. H.		
.....	} 8	
.....	S. L.	Yearly	Half produce and assessment.		
.....	} 11	
Sold by M. N. to M. L.		

Remarks on Village Form No. 1 D.

(REGISTER OF MUTATIONS.)

1. This is in the same form as the Record, the main heading of columns 9 to 11 being altered and the heading of column 17 being changed to "Number of entry in Record."

2. After the Record has been completed in whole or in part, whenever any new sub-division of land takes place or any change in the entry in the record regarding area (column 7), name of present occupant (column 9), or name of tenant (column 12), the entries in columns 2 to 6 of the Record should be copied in this Register. In column 1 the serial number of the mutation should be entered and in column 17 the number of the entry in the Record. Then the new entries should be written in the proper column. All columns excepting 2 to 6 in which no alteration is required should be left blank. The entries should then be dated and signed by the Patel and Accountant. If the change is sanctioned by any order, the order should be quoted in the remarks column.

3. Changes are to be entered when they come to notice, but inquiries should be specially made by the Accountant at the time of crop inspection whether any changes have taken place in areas or shares of fields, or in names of holders, subordinate holders, divided sharers, transferees or cultivators. If the same yearly tenant continues for another year, no change is necessary.

4. Any dispute about any entry should be noted in the column of remarks, and shall be entered in the register of disputed cases.

5. When an order affecting any entry in the Record is passed by a Civil Court, such entry will be made in the Register of Mutations as the Collector may direct. When an extract from the return of the Registration Department is received from the Mukhtyarkar, the extract should be compared with the corresponding entries in the Record and Register of Mutations and the necessary entries, if any, should be made in the latter form.

6. Changes need not be made in the Land Register (Village Form No. 1) until the form is re-written at revision settlement. The orders in paragraph 3 of the remarks on Village Form No. 1 should be held to apply to the Record and the Register of Mutations, the latter representing columns 18 and 19 of Village Form No. 1.

7. An annual return should be compiled showing for each year ending 31st March the number of entries in the Register of Mutations, the number of new sub-divisions in column 7, and the number of changes under each of the items in columns 9 to 16 of the Abstract of the Record.
