

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA
OF MYSORE

THE
MYSORE VILLAGE MANUAL

PART III

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MYSORE VILLAGE MANUAL.

PART III.

CHAPTER I.

VILLAGE OFFICES REGULATION.

REGULATION No. IV OF 1908.

(Received the assent of His Highness the Maharaja on the 16th October 1908.)

A REGULATION TO CONSOLIDATE AND AMEND THE LAW RELATING TO VILLAGE OFFICES IN MYSORE.

WHEREAS it is expedient to consolidate and amend the law relating to village offices in Mysore; His Highness the Maharaja is pleased to enact as follows:—

1. (1) This Regulation may be called "The Mysore Village Offices Regulation, 1908."

(2) It extends to the whole of Mysore, provided that Government may, by notification in the official Gazette, exclude any local area from its operation and may, in like manner, amend or cancel such notification.

(3) It shall come into force from such date as may be notified by Government in the official Gazette.*

2. On and after that date, all existing rules and orders relating to village offices shall be repealed; provided that nothing herein contained shall be deemed to affect any right acquired, or to revive any right that has ceased to exist, or to affect any act done or liabilities incurred, under the said rules and orders.

Preamble.

Short title, extent and commencement.

Repeal of rules and orders; saving of rights already acquired.

* This Regulation came into force on 1st July 1909—vide Notification No. J. 1898—Legis. 17-04-21, dated 6th January 1909.

Disposal of suits, etc., pending at commencement of Regulation.

3. All suits, appeals and applications pending at the commencement of this Regulation shall be heard and disposed of as if they had been preferred under this Regulation.

Definitions.

4. In this Regulation, unless there is something repugnant in the subject or context,—

“Village.”

“Village” means any local area now recognised as a village or hereafter declared by Government to be a village.

“Village Office.”

“Village Office” means every office to which emoluments have been attached and which is held for the performance of duties connected with the administration or collection of the revenue, or with the maintenance of order, or with the settlement of boundaries, or other matters of civil administration pertaining to a village, whether the services originally appertaining to the office continue or have ceased to be performed or demanded, and by whatsoever designation the office may be locally known:

Provisos.

Provided as follows:—

(1) The Government may, by notification in the official Gazette, exclude any village office or offices from the operation of all or any of the provisions of this Regulation, and may, in like manner, amend or cancel such notification.

(2) The Government shall have power to decide, in case of doubt, whether any office falls under the definition of village office.

“Village Officer.”

“Village Officer” means an officer holding a village office or appointed to perform or performing the duties of a village office.

“Emoluments.”

“Emoluments” means and includes—

- (i) lands;
- (ii) assignments of revenue payable in respect of lands;
- (iii) fees in money or agricultural produce;
- (iv) money-salaries and all other kinds of remuneration;

granted or continued in respect of, or annexed to, any village office by the Government.

“Deputy Commissioner.”

“Deputy Commissioner” means the chief local officer in charge of the revenue administration of a district.

“Assistant Commissioner.”

“Assistant Commissioner” means an Assistant Commissioner in charge of a division of a district and includes any other Assistant Commissioner to whom cases under this Regulation have been transferred for disposal, in so far as such cases are concerned.

5. The emoluments of village offices, whether such offices be or be not hereditary, shall not be liable to be transferred, partitioned, or encumbered in any manner whatsoever, and it shall not be lawful for any Court to attach or sell such emoluments or any portion thereof.

Emoluments of village offices inalienable, impartible and not liable to attachment.

Provided that in the case of lands which are not assigned as emoluments to the holder of a village office under rules framed under section 22, nothing contained in this section shall be deemed to affect transfers, partitions or encumbrances, as between different members of a haddar's family.

Proviso.

6. (1) The Government may, with reference to rules made in this behalf under section 22, group or amalgamate any two or more villages or portions thereof so as to form a single new village, or divide any village into two or more villages; and may also direct that any village office in the villages, portions of villages or village grouped, amalgamated or divided as aforesaid, shall cease to exist, and that new offices shall be created for the new village or villages.

Villages may be grouped, amalgamated or divided.

(2) In choosing persons to fill such new offices, the Deputy Commissioner or Assistant Commissioner shall, subject to such rules as Government may make in this behalf under section 22, select the persons whom he may consider the best qualified from among the last holders of the offices which have ceased to exist or the members of their families.

Selection of persons to fill new offices.

(3) The Government may also direct that the number of village offices attached to a village or the number of village officers shall be—

Reduction or increase of village offices or village officers.

(a) reduced, and thereupon the Deputy Commissioner shall dispense with the services of the officers no longer required and shall retain those whom he may consider to be best qualified to discharge the duties of the remaining offices; or

(b) increased, in which case the Deputy Commissioner or Assistant Commissioner shall select the best qualified from among the members of the families of the existing officers.

7. (1) The Deputy Commissioner or Assistant Commissioner may, of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any holder of a village office, whether in an unalienated or alienated village, for misconduct or for neglect of duty or for incapacity or for non-residence in the village, except when

Power to punish village officers; procedure to be followed; and mode of recovering fines imposed.

such non-residence is permitted by the Deputy Commissioner, or for any other sufficient cause, provided that any order of dismissal or removal passed by an Assistant Commissioner shall be subject to the confirmation of the Deputy Commissioner.

(2) The Amildar or Deputy Amildar may, of his own motion or on complaint and after enquiry, fine, or subject to the confirmation of the Deputy Commissioner or Assistant Commissioner, suspend any holder of a village office whether in an unalienated or alienated village for misconduct or neglect of duty.

(3) The holder of an alienated village or where there are more such holders than one, any one of them, or the agent of such holder or holders may, when duly authorized in that behalf by a commission issued by the Government in the form of schedule A, exercise in the village aforesaid and in respect of all or any particular offices specified and without prejudice to the exercise by the Deputy Commissioner, Assistant Commissioner, Amildar or Deputy Amildar of the powers respectively vested in them by sub-sections (1) and (2), all or any of such powers of an Assistant Commissioner, Amildar or Deputy Amildar under those sub-sections, as may be conferred upon him by the commission.

(4) The officer or person taking action against a village officer under any of the preceding sub-sections shall hold the enquiry himself, record his proceedings in writing and furnish a copy of his order to such village officer. When such order is passed by the holder of a commission under sub-section (3), the proceedings together with a copy of the order shall also be forthwith reported by him to the Deputy Commissioner or Assistant Commissioner through the Amildar or Deputy Amildar for information and record or for confirmation, as the case may be.

(5) Subject to any rules which may be made by Government on this behalf under section 22, the Deputy Commissioner may declare, that the dismissal or removal of any village officer, whether in an unalienated or alienated village and whether ordered by himself or confirmed by him, shall entail a forfeiture of the right of succession of all undivided members of the family of the officer so dismissed or removed.

(6) Fines and suspensions under sub-sections (1), (2) and (3) shall be subject to such limitations as may be laid down by Government by rules made under section 22.

(7) All fines imposed under this section shall be recoverable as arrears of land revenue, the recovery in the case of fines payable by village officers in alienated villages being made by the Amildar or Deputy Amildar and credited to the public treasury.

8. When a vacancy occurs in the office of patel, shanbhog, nirganti, toti or talari of an unalienated village, the Deputy Commissioner or Assistant Commissioner shall fill up the vacancy in accordance with the provisions of the following sub-sections:—

(1) No person shall be eligible for appointment who—

(a) is not of the male sex;

(b) has not attained majority, that is, completed 18 years of age;

(c) is not physically and mentally capable of discharging the duties of the office;

(d) has not qualified according to the educational test, if any, prescribed for the office in question by rules made under section 22;

(e) has been convicted by a Criminal Court of any offence which, in the opinion of the Deputy Commissioner or Assistant Commissioner, disqualifies him for holding the office;

(f) has been adjudged by the Deputy-Commissioner or Assistant Commissioner after a summary enquiry held in accordance with the provisions relating to summary enquiries contained in the Mysore Land Revenue Code, IV of 1888, to be of general bad character.

Provided that, in the case of nirganti, toti and talari, the Deputy Commissioner or Assistant Commissioner may, for special reasons, make an exception in favor of females otherwise competent.

(2) Subject to the provisions of sub-section (1) and save as hereinafter separately provided in the case of minors, and subject also to any declaration made by the Deputy Commissioner under section 7, the succession in the case of a permanent vacancy (a) shall be regulated by the ordinary provisions of the personal law applicable to the last holder, provided that it shall devolve on a single heir and that where there are more persons than one who would, under the ordinary provisions of the said law, be entitled to succeed to the last holder of the office, preference shall be given to the eldest member of the eldest branch among those persons, and (b) failing these,

Rules to be observed in making appointments to the offices of patel, shanbhog, etc., in unalienated villages. General qualifications requisite in all cases.

Succession in case of permanent vacancy.

shall devolve on one of the duly recognised hakdars in the order of their importance as determined under rules made by Government under section 22 or on one of his heirs according to the order of precedence laid down above. In the absence of persons entitled as above under (a) and (b), the Deputy Commissioner or Assistant Commissioner may appoint any other person duly qualified under sub-section (1), subject to such appointment, unless sooner determined by a decree in a suit hereinafter provided for, being cancelled in favor of a person falling under (a) or (b), in the event of such person being forthcoming, at the end of three years from the date of the appointment.

Appointment in case of temporary vacancy.

(3) Where an office has become vacant by the dismissal, removal or suspension of the last holder, the Deputy Commissioner or Assistant Commissioner may, if he thinks proper, direct that, until the death or return to duty of such last holder, the duties of the office shall be performed by some person duly qualified under sub-section (1) who is not an undivided member of the family of such holder; but in making the selection the directions contained in sub-section (2) shall as far as possible be conformed to.

Provided that, when the officer who has been dismissed or removed dies, or if the officer who has been suspended dies while under suspension, the vacancy caused by such death shall be filled up in accordance with the provisions of sub-section (2).

Procedure to be adopted when successor is a minor.

(4) When the person who would otherwise be entitled to succeed to an office is a minor, the Deputy Commissioner or Assistant Commissioner shall register the minor as the successor of the last holder and appoint some other person qualified under sub-section (1) to discharge the duties of the office until the person registered as successor, on attaining majority or within three years thereafter, is qualified under sub-section (1) to discharge the duties of the office himself, when he shall be appointed thereto. If the person registered as successor under this sub-section dies, or if he remains disqualified under sub-section (1) for three years after attaining majority, the Deputy Commissioner or Assistant Commissioner shall fill up the vacancy in accordance with the provisions contained in sub-section (2).

9. When a vacancy occurs in the office of patel, shanbhog, nirganti, toti or talari of an alienated village, the holder of such village shall fill up the vacancy in accordance with the principles contained in section 8

Rules to be observed in making appointments to the offices of patel, shanbhog, etc., in alienated villages.

subject to the confirmation of the Deputy Commissioner or Assistant Commissioner.

If the appointment be not made by the holder of the village within such time as may be allowed by the Deputy Commissioner or Assistant Commissioner, it shall be competent to the Deputy Commissioner or Assistant Commissioner to make such appointment.

10. The succession to village offices in unalienated and alienated villages other than those of patel, shanbhog, nirganti, toti and talari shall devolve in accordance with the law or custom applicable thereto; and, in the absence of any such law or custom, in accordance with the provisions of sections 8 and 9, respectively.

Succession in the case of offices other than patel, shanbhog, etc.

11. (1) Any person may sue before the Deputy Commissioner or Assistant Commissioner for any village office in an unalienated or alienated village or for recovery of the emoluments of any such office, on the ground that he is entitled under sections 8, 9 or 10 of this Regulation, as the case may be, to hold such office and enjoy such emoluments; or being a minor, may sue before the Deputy Commissioner or Assistant Commissioner to be registered as successor of the last holder of any such office.

Suits for offices, for recovery of emoluments and for registry at successor.

Provided that no suit shall be entertained for a mere declaratory decree.

No suit for declaratory decree.

(2) If, at any time before the completion of the trial of a suit preferred under this section, it appears to the Deputy Commissioner or Assistant Commissioner that the claimant is not eligible for appointment on any of the grounds referred to in sub-section (1) of section 8, he shall pass an order rejecting the plaint.

Rejection of plaint when claimant is ineligible for appointment or for registry.

12. On a complaint being preferred by a nirganti, toti or talari of non-payment of the *miras* payable under rules framed under section 22 by any holder of land or other person from whom such contribution is due, the Amildar or the Deputy Amildar of the taluk or sub-taluk shall hold a summary enquiry in the manner laid down in the Land Revenue Code, IV of 1888, and pass a decision thereon; provided that the complaint is made in the year in which such *miras* is due or in the year immediately following it.

Procedure in case of non-payment of *miras* to nirganti, totor talari.

13. The Deputy Commissioner may transfer to his own file any suit on the file of any Assistant Commissioner, or transfer any suit from his own file or that of an Assistant Commissioner to the file of another Assistant Commissioner, for disposal.

Power of Deputy Commissioner in regard to transfers of suits.

Every enquiry to be deemed a judicial proceeding.

14. (1) Every enquiry under this Regulation shall be deemed to be a "judicial proceeding" within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

Procedure with regard to suits, etc.

(2) The procedure to be followed with regard to suits, appeals and applications under this Regulation shall be regulated by rules made by Government under Section 22.

Taxation of costs and execution of decrees and orders.

15. Decrees and orders passed in suits and enquiries under this Regulation may provide for payment of costs according to such scale and subject to such rules as may be prescribed by Government under section 22, and shall be executed in accordance with rules to be made under the said section and the corresponding provisions of the Land Revenue Code.

Jurisdiction of Civil Courts barred.

16. No Civil Court shall exercise jurisdiction in respect of any claim to succeed to, or to the possession of, any village office, or the emoluments thereof, or any question as to the rate or amount of such emoluments; but, when the claim is as between different members of a hakdar's family of patel or shanbhog in respect of land entered in the Government records or otherwise shown as service inam land connected with the office of patel or shanbhog, such claim may be entertained and adjudicated upon by a Civil Court.

Appeal against decree or order of Assistant Commissioner, holder of a commission exercising powers of Assistant Commissioner, and Deputy Commissioner.

17. (1) From every decree or order passed under this Regulation by an Assistant Commissioner and from every order passed by the holder of a commission exercising any of the powers of an Assistant Commissioner under sub-section (3) of section 7, an appeal shall lie to the Deputy Commissioner; and from every decree or order passed by a Deputy Commissioner, an appeal shall lie to the Revenue Commissioner. The decision on appeal of the Deputy Commissioner or the Revenue Commissioner, as the case may be, shall be final.

Second appeal in certain cases and appeal to Government.

Provided that, in cases of dismissal or removal under section 7 and in suits under section 11, a second appeal from the decision on appeal of the Deputy Commissioner shall lie to the Revenue Commissioner whose decision on such appeal shall be final, and provided further that nothing contained in this Regulation shall affect the right of appeal to Government under section 210, sub-section (2), of the Mysore Land Revenue Code.

Appeal against order of Amildar or Deputy Amildar or

(2) From every decision or order passed by an Amildar or Deputy Amildar under sub-section (2) of section 7 or section 12, and from every order passed by the holder

of a commission exercising any of the powers of an Amildar or a Deputy Amildar under sub-section (3) of section 7, an appeal shall lie to the Deputy Commissioner or Assistant Commissioner, whose decision shall be final.

holder exercising the powers of Amildar or Deputy Amildar.

18. If the officer to whom an appeal is presented under this Regulation happens to be the officer who in another capacity passed the decision which is appealed against, he shall report the fact to the authority to whom an appeal from his decision would lie, and such authority shall dispose of the appeal in accordance with law.

Disposal of appeal by officer who passed original order.

19. The Government and any revenue officer not inferior in rank to an Assistant Commissioner may call for and examine the record of any enquiry or the proceedings of any revenue officer subordinate to it or him and may pass such order thereon as shall seem fit; and the Government may also refer questions for the decision of the Chief Court. The provisions of the Land Revenue Code, IV of 1888, as regards revision of proceedings and reference to the Chief Court shall apply to revision of proceedings and reference to the Chief Court under this section.

Power to call for and examine the records and proceedings of subordinate officers and to refer questions to the Chief Court.

Explanation.—For purposes of revision of orders passed by the holder of a commission under sub-section (3) of section 7, such holder shall be deemed to be an Assistant Commissioner or an Amildar or a Deputy Amildar, according as he is invested with the powers of an Assistant Commissioner or an Amildar or a Deputy Amildar, respectively, under the above mentioned sub-section.

20. Subject to the provisions contained in section 21, every suit instituted, appeal presented and application made after the period of limitation prescribed therefor by the schedule hereto annexed, shall be dismissed although limitation has not been set up as a defence.

Dismissal of suits, etc., instituted, etc., after the period of limitation.

Provided that, in the case of a person who by reason of minority is disqualified from holding office, the right to sue for such office or for the recovery of the emoluments thereof shall accrue from the date of his attaining majority.

Notwithstanding anything herein contained, any suit the cause of action for which accrued prior to the commencement of this Regulation may be brought within three years next after the commencement of this Regulation, unless where the period prescribed for such suit by the law of limitation applicable to it hitherto shall have expired before the completion of the said three years.

Limitation in case of suits the cause of action for which accrued before the commencement of this Regulation.

Application of certain sections of the Limitation Act.

21. The provisions of sections 5 and 12 of the Indian Limitation Act, 1877, so far as they relate to suits, appeals and applications shall, so far as may be, apply to suits, appeals or applications for the execution of decrees or orders, instituted, preferred or made under this Regulation.

Government may make rules on certain subjects.

22. (1) The Government may, by notification in the official Gazette, make rules not inconsistent with this Regulation in regard to the following:—

(i) the division, grouping and amalgamation of villages and the selection of persons to fill the offices newly created under section 6;

(ii) the holding of enquiries and other matters coming under sections 6 and 7, and the hearing of appeals under section 17;

(iii) matters falling under sections 8 and 9;

(iv) the action to be taken in respect of any alienation of emoluments contrary to the provisions of section 5;

(v) the procedure to be followed in filing and in disposing of suits, appeals and applications and the registers to be maintained in connection therewith;

(vi) the execution of decrees and orders and the taxation of cost;

(vii) the emoluments to be assigned to the holders of village offices, and the method of assessment and payment thereof;

(viii) the duties of holders of village offices, and the descriptions and forms of the accounts and registers to be kept by them;

(ix) the custody, production and transfer of the accounts and other records kept by holders of village offices;

(x) any other matters calculated to enhance the efficiency of the village service, or connected with the carrying out of the purposes of this Regulation.

(2) Until rules are made by Government in respect of any of the matters referred to in the preceding sub-section, the rules, if any, in force with regard thereto at the time of the passing of this Regulation shall, so far as they are consistent with this Regulation, be deemed to have been made under the preceding sub-section.

Until such rules are made, existing rules to be in force.

SCHEDULE A.

Form of commission to be issued to the holder of an alienated village or to one of several holders thereof or to an agent under section 7 (3).



The Government of Mysore is pleased to confer on you (holder, one of several holders, or agent, as the case may be) power to punish village officers in the village ofto the extent described below :—

[Here enter description.]

The within delegated power is vested in you during the pleasure of and subject to recall by the Government of Mysore.

Secretary.

SCHEDULE B.

Description	Period of limitation	Time from which period begins
1. Suit for the recovery of a village office or of the emoluments of any such office.	Three years	When the plaintiff is entitled to the possession of the office or the recovery of the emoluments, or the date of the order which would become final, if no such suit be brought.
2. Appeal to the Deputy Commissioner or Assistant Commissioner.	Thirty days	The date of the decree or order appealed against.
3 Appeal to the Revenue Commissioner.	Ninety days	Do do

SCHEDULE B—*concl'd.*

Description	Period of limitation	Time from which period begins
4. Application for execution of decree or order	One year ...	(1) The date of decree or order. (2) (Where there has been an appeal) the date of the final decree or order of the appellate court. (3) (Where there has been a review of judgment) the date of the decision passed on review. (4) (Where there has been a revision of the decree or order) the date of the decree or order passed on revision. (5) The date of the last application for execution made in accordance with this Regulation.
5. Application for review of decree or order.	Ninety days	The date of the decree or order sought to be reviewed.
6. Applications not otherwise herein provided for	Do ...	When the right to apply accrues.

RULES UNDER THE VILLAGE OFFICES REGULATION.

PART I.

**The division, grouping and amalgamation of villages
and the selection of persons to fill the offices
newly created under Section 6.**

1. Each new village formed by division, grouping or amalgamation shall have a headman or Patel and such other village officers as Government may consider necessary in each case.

Provided that where the village consisted prior to the grouping or amalgamation of several villages or hamlets with separate Patels for each of them, the Patels of the several villages which have been grouped together or amalgamated may, in special cases, at the discretion of the Revenue Commissioner be allowed to continue to be Patels of those villages or hamlets and their heirs recognized as successors. The Deputy Commissioner will assign a suitable area for each village and hamlet, so that the Patels may be empowered to collect the revenue of those lands and be responsible for all duties connected with them.

2. The charges of Shanbhogs may be formed by grouping several villages whether amalgamated or not, and will be fixed so as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of one officiator, he will be required to give up the surplus villages, for which one or more new officiators will be appointed by Government. The new officiator or officiators will be appointed from the family in which the *hak* has hitherto vested, if a competent person can be found therein.

3. In large villages where there is no Patel or where both the offices of Patel and Shanbhog have been vested in the same person, the Government may themselves appoint a Patel or call upon the family holding both the offices to nominate a separate officiator for each office as may seem fit to them.

4. In arranging charges, except in the case of single villages, as a rule, no one officiator should hold charge of villages with a collection of more than about Rs. 2,500, and when five or more villages are combined in one charge, no one officiator shall as a rule hold more villages than give a revenue of about Rs. 1,600.

5. The Shanbhog's charges once determined by the Survey Department shall not be split up or rearranged without the special sanction of the Government.

6. In cases in which villages with different hakdars are combined and made into one firka, the person having the largest share will have the office and the names of all other sharers will be entered in the registers as subordinate hakdars for the combined village possessing a fractional share in it, the fraction being determined by the ratio which the revenue of the minor villages bears to that of the combined village at the time of the amalgamation. The minor hakdars will have a preferential claim to the entire *hak* when the major hakdars fail, or to officiate during the minority or other disability of the major hakdars.

7. Proposals for the grouping, amalgamation or division of villages shall, in the first instance, be published by the Deputy Commissioner in the *Mysore Gazette*, together with a notice calling on the persons interested therein to state in writing their objections, if any, to the proposals within a period of not less than one month from the publication of such notice. A copy of the notice shall also be affixed in some conspicuous part of the village or villages likely to be affected. On the expiry of such period as aforesaid, the Deputy Commissioner shall consult the Superintendent of Revenue Survey and shall submit his proposals to Government through the Revenue Commissioner with an abstract of the objections, if any received, and his remarks thereon. The Government will consider such objections and pass on the proposals such order as Government may deem fit. A copy of such order shall be published in the official Gazette.

8. In selecting persons to fill the new offices created under Section 6 (1) or those retained or increased under Section 6 (3), the Deputy Commissioner or Assistant Commissioner shall be guided generally by the provisions of Section 8 (1).

PART II.

The holding of enquiries under Section 7.

9. In holding enquiries under Section 7, the charges preferred against a village officer, the pleas urged by him in defence and the statement of witnesses except in trivial cases shall be recorded. All witnesses shall be examined in the presence of the accused. All documents produced shall be open to inspection by the accused and his remarks thereon shall be recorded. An enquiry may be made in the absence of the accused, when the Revenue Officer or holder of the alienated village holding the enquiry is satisfied for reasons to be recorded, that he has intentionally and contumaciously absented himself from the enquiry, or that he is incapable, by reason of illness, mental or bodily, from attending within a reasonable time, not being less than two months from the date of the order directing him to appear and answer the charges preferred against him. Before, however, proceeding with the enquiry in such a case, the Revenue Officer or holder shall issue a fresh notice to the accused intimating the fact that the said Revenue Officer or holder of the alienated village is satisfied as above and that the enquiry will proceed *ex parte* on a specified date.

10. In passing orders on the case, the Revenue Officer or the holder of the alienated village as the case may be, shall briefly sum up the evidence on the several charges and record either in English or in Kanarese a distinct order of acquittal or conviction on each charge with a concise statement of the reasons therefor and the sentence passed on conviction.

Hearing of appeals under Section 7.

11. When an appeal is preferred from an order passed under Section 6 or 7, the memorandum of appeal shall set forth concisely and under distinct heads the grounds of objection to the order appealed against, without any argument or narrative, and such grounds shall be numbered consecutively. The memorandum of appeal shall be accompanied by the copy of the order furnished to the petitioner or by an authenticated copy of such order.

12. When a memorandum of appeal is admitted, the appellate authority shall fix a date for the hearing of the appeal, and shall give due notice thereof to the appellant.

13. When the appeal is from an order passed under section 6, due notice thereof and the date of hearing shall be served upon the person whose appointment is objected to, who shall be the respondent in the said appeal. Such notice shall declare that if he does not appear on the day so fixed, the appeal will be heard *ex parte*.

14. On the day so fixed, or on any other day to which the hearing may be adjourned, the appellant (or his duly authorized agent) shall be heard in support of the appeal. When the appeal is from an order passed under section 6, the respondent shall also be heard, if present.

15. When an appeal is heard *ex parte* in the absence of the respondent and if decision is given against him, he may apply to the appellate authority to re-hear the appeal, if he proves that the notice was not served on him or that he was prevented by sufficient cause from attending when the appeal was called on for hearing.

16. If the appellate authority consider that further evidence is necessary, it may take such evidence itself or may direct the officer whose order is appealed against, to take the additional evidence and to transmit the record thereof to the appellate authority by a specified date.

17. In all cases where additional evidence is directed or allowed to be taken, the appellate authority shall specify the points to which the evidence is to be confined.

18. Nothing in rules 12 to 17 shall prevent the appellate authority from rejecting an appeal summarily, if, on perusal thereof and after hearing the appellant, it considers that there is no sufficient ground for interference. Nor shall an enquiry be held to be defective merely by reason of the non-observance of all the formalities laid down in rule 9 *supra*, unless it shall appear to the appellate authority that the appellant has thereby been materially prejudiced.

19. The officer hearing the appeal shall record the decision and the reason therefor in his own hand in English and shall furnish a copy of it to the appellant as well as to the Revenue Officer or holder, whose order is appealed against.

20. Rules 11, 16, 17 and 19 shall apply to appeals preferred to the Revenue Commissioner also.

Under sub-section (5) of section 7.

21. A hereditary Village Officer who has been convicted of a criminal offence may be dismissed from

employment, but his right to the office should not be confiscated to the detriment of his heirs, unless the criminal act was done in the execution of his office and affects the responsibility of the officer to Government, or a Patel or Shanbhog be dismissed for treason, serious defalcation, embezzlement of public money, for levying an illegal cess from the raiyats or for fraudulent or clandestine enjoyment of Government land or other offence of a similar serious nature, his emoluments and privileges may be declared to be forfeited and to pass away from his family. In such cases, a divided brother or a cousin of the dismissed individual having no joint interest with him may succeed to the office and the rights attached to it, provided he is qualified under section 8 (1).

22. In the event of no divided members with totally separate interest being available, a stranger may be appointed to the office for a limited period, with the reversion of the office at the end of that term to the heirs of the dismissed official, except in extreme cases when it is considered necessary that the family should be altogether deprived of its right to the office by the unqualified appointment of a stranger to it.

Section 7, sub-section 6.

Limit of fines and suspensions.

23. Fines imposed on Village Officers by the Deputy Commissioner or Assistant Commissioner shall not exceed two months' potgi in the case of Patels and Shanbhogs and shall not be excessive in the case of others. Amildars and Deputy Amildars are empowered to fine Village Officers up to a limit of Rs. 2 and the holders of alienated villages empowered by a commission issued under clause 3 of section 7 up to one rupee.

In fixing the term of suspension, regard shall be had alike to the gravity of the offence and the need of some guarantee to the stranger appointed to the office temporarily that he would not be required to quit the office within a definite period, so that there might be inducement for efficient men to accept the office. The term of suspension should depend on the circumstances of each case, and should not ordinarily exceed ten years.

PART III.

Matters falling under Sections 8 and 9.

Educational qualifications required for the holders of Village Offices.

Patels.

24. Until a regular test is prescribed, ability to write up Registers of Vital Statistics, to give receipts to raiyats and to write reports on ordinary occurrences, will be regarded as necessary qualifications for Patels.

These qualifications have been insisted upon from and after the 4th December 1909, and in filling up vacancies arising after that date, literate members of a hakdar's family will be preferred to illiterate persons.

Shanbhogs.

25. Claimants to Shanbhogi Offices shall be required to pass an examination in the following subjects which may be held on the occurrence of a vacancy or periodically as the Government may deem fit.

(1) Reading and writing Kanarese well and neat figuring;

(2) Arithmetic up to simple interest;

(3) Land Revenue Rules with special attention to the rules relating to the maintenance and repair of field boundary marks;

(4) Village Officers' Manual; and

(5) Drafting reports regarding occurrences in the village.

On the occurrence of a vacancy, the hereditary claimant shall be examined in the above subjects by the Deputy Commissioner or an Assistant Commissioner deputed by him for the purpose, unless he has qualified himself before and if the claimant be found fit he shall be appointed thereto, provided he is duly qualified otherwise.

PART IV.

The action to be taken in respect of alienations contrary to the provisions of Section 5.

26. The following rule shall be observed in regard to the alienation of service inam land made by any holder

of a village office contrary to the provisions of Section 5 of the Regulation:—

Where an alienation is made subsequent to the passing of the Village Offices Regulation either by the holder of a village office or in execution of a decree of a Civil Court or otherwise, the Deputy Commissioner or Assistant Commissioner shall at once resume the land or other emoluments concerned from the person or persons to whom the same may have passed.

27. The resumption shall be made in the manner laid down in Section 209 of the Land Revenue Code for evicting persons wrongfully in possession of land or in any other suitable manner.

28. In the cases where a holder of a village office alienates either wholly or in part any of the emoluments assigned to the holder of a village office for the performance of the duties of such office, the Deputy Commissioner or Assistant Commissioner may, in addition to taking action under the preceding rules, dismiss such holder from his office and may proceed to make a new appointment thereto under Section 8 of the Regulation, making over the land or other emoluments of the office to the person newly appointed, or allow the person who made such alienation to continue in office and restore the resumed emoluments to him after imposing on him a penalty according to the circumstances of the case, and on his binding himself against making any similar alienations in the future. In cases where the holder of the office is dismissed under this rule, it will also be open to the Deputy Commissioner to declare the right of such person and the right of his family to the office forfeited.

29. When the emoluments alienated have not been assigned as the emoluments of the holder of the village office and the alienations are contrary to the provisions of proviso to Section 5 of the Regulation, the Deputy Commissioner or Assistant Commissioner may, in addition to taking action under Rule 26, declare the right of the sharer or sharers who made the alienation and of their undivided family to the hereditary *hak* and its privileges forfeited or allow them to retain possession of the land or the emoluments alienated and enjoy the privileges attached to the *hak* on their paying a penalty to be fixed by him. In the former case, the resumed emoluments may be made over to the holder of the village office or to any other person sharing in the *hak* on such

conditions as the Deputy Commissioner or Assistant Commissioner may impose or may be dealt with in such other manner as the Deputy Commissioner may deem fit.

PART V.

The procedure to be followed in the filing and disposing of suits, appeals and applications and the registers to be maintained in connection therewith.

Suits.

30. Every suit under Section 11 of the Regulation shall be instituted by presenting a plaint in English or Kannada to the Deputy Commissioner or Assistant Commissioner, as the case may be.

31. The plaint must contain the following particulars:—

- (a) the name of the Court in which the suit is brought;
- (b) the name, description, age and place of residence of the plaintiff;
- (c) the name, description and place of residence of the defendant, so far as they can be ascertained, if the defendant is a minor, the name, description and place of residence, as far as ascertainable, of his guardian who should be made the active defendant;
- (d) a plain and concise statement of the circumstances constituting the cause of action and the date of accrual thereof;
- (e) the nature of the plaintiff's claim and the provision of law under which it is made; and
- (f) a demand of the relief which the plaintiff claims.

32. If the suit is for a village office, the plaintiff shall join as defendants all persons who he knows, or has reason to believe, are nearer heirs than himself to the office.

33. The plaint shall be accompanied by as many copies or concise statements thereof as there are defendants and shall be signed and verified at the foot by the plaintiff (or his duly authorised agent).

34. When the officer is of opinion that the plaint does not comply with the requirements of rules 30, 31, 32 and 33 he may either return it to the plaintiff or may permit the plaintiff to amend the same.

35. The plaint shall be rejected in the following cases :—

- (a) If the plaintiff is not eligible for appointment under Sub-Section (1) of Section 8 of the Regulation ;
- (b) if the suit appears from the statement in the plaint to be barred under Section 20 of the Regulation or any positive rule of law ;
- (c) if the suit is for a mere declaratory decree ;
- (d) if the plaint returned for amendment is not amended within the time specified ;
- (e) if the plaintiff fails to act in obedience to an order issued by the Court under Rule 44 *infra*.

When a plaint is rejected, the authority rejecting the same shall record the reasons therefor.

36. If at any time after the institution of a suit, the Court is satisfied on the application of the plaintiff :—

- (a) that the suit must fail by reason of some formal defect, or
- (b) that there are sufficient grounds for permitting him to withdraw the suit or to abandon part of his claim with liberty to bring a fresh suit for the subject matter of the suit or in respect of the part so abandoned, the Court may grant such permission on such terms as to costs or otherwise as it thinks fit.

If the plaintiff withdraw from the suit or abandon part of his claim without such permission, he shall be liable for such costs as the Court may award and shall be precluded from bringing a fresh suit for the same matter or in respect of the same part. Nothing in this rule shall be deemed to authorize the Court to permit one of several plaintiffs to withdraw without the consent of the others.

37. A plaintiff must file with his plaint all documents in his possession or power upon which he relies as evidence in support of his claim and a list of all witnesses whom he wishes to examine.

38. When the plaint is admitted and the necessary process fee is paid by the plaintiff, the authority concerned

shall issue a summons to each defendant and shall forward therewith a copy of the plaint or a concise statement mentioned in Rule 33. If, however, the defendant be present at the time of admission of the plaint, the officer may proceed at once with the trial or investigation of the suit.

39. The plaint shall be dismissed on failure of the plaintiff to pay within a reasonable time to be fixed by the officer concerned, the process fee for summoning the defendant.

40. The summons shall require the defendant to appear at the place therein named on the day fixed and to bring with him, subject to all just exceptions, all documents in his possession or power which the plaintiff may desire to inspect or upon which the defendant relies or intends to rely in support of his case.

41. No documentary evidence in the possession or power of any party which should have been, but has not been produced in accordance with the requirements of Rules 37 and 40 shall be received at any subsequent stage of the proceedings unless good cause can be shown to the satisfaction of the presiding officer for the non-production thereof. The officer receiving such evidence shall record his reasons for so doing.

42. On the date of the first hearing, each party shall be entitled to demand that any persons whose evidence the party requires shall be summoned and examined as witness or that any person shall be summoned to produce a document and the officer trying the suit shall comply with such demand, unless for reasons to be recorded he considers it unnecessary to do so.

43. Every summons under the above rules shall be prepared and served in the manner laid down in Section 198, Land Revenue Code.

44. If from the records of the case, from the petitions of the parties, or from the local officers' reports or otherwise, the Court has reason to believe, that besides the persons cited in the plaint as defendants under Rule 32 *supra*, there are others who possess hereditary claims superior to those of the parties already on the record, it may at any time direct the plaintiff to join such persons also as defendants and the procedure laid down in Rule 38 *supra* will apply.

45. If, on the day fixed for the trial of the suit or any subsequent day to which the hearing of the case may

be adjourned, neither of the parties appears in person or by authorised agent, the suit shall be dismissed.

46. If the defendant appears and the plaintiff does not appear, the Deputy Commissioner or Assistant Commissioner shall dismiss the suit unless the defendant admits the claim or part thereof, in which case he shall give judgment against the defendant on such admission with costs; provided that such judgment, if there be more than one defendant, shall be only against the defendant who makes the admission.

47. If the plaintiff appears and the defendant does not appear, the Deputy Commissioner or Assistant Commissioner upon proof that the summons was duly served on the defendant, shall hear the case and may pass judgment *ex parte* against the defendant.

48. In the case of a judgment by default or *ex parte*, the Deputy Commissioner or Assistant Commissioner shall, on good and sufficient cause being shown, pass an order to set aside the same and shall appoint a day for proceeding with the suit. Provided that no such decree shall be altered, modified or reversed unless the adverse party has been summoned and heard in support of it, if he appears.

49. When the defendant appears, the Deputy Commissioner or Assistant Commissioner shall ascertain from him whether he admits the claim made in the plaint, and if he does not, shall require him to state his objections. His statement shall be recorded in writing. In the case of a person who has been cited as a defendant under Rule 32 or Rule 44, the Court shall require him either to make a statement in writing renouncing his claim to the office or to oppose the claims of the other party by establishing the superiority of his own. Guardians acting on behalf of minors will not, however, be permitted to renounce the claims of the latter.

50. In the hearing of the suit, the examination of the parties or their authorized agents and of the witnesses shall be upon oath or solemn affirmation or otherwise, according to the law for the time being in force, relative to the examination of witnesses.

51. The evidence of the plaintiff, defendant and witnesses shall be taken down in the form of a narrative in English or Kanarese and shall be signed by the presiding officer after being read over and being explained, if necessary, to the deponent. In other respects, the

procedure laid down in Section 201, Land Revenue Code, for recording evidence in formal enquiries shall be followed.

52. The officer may call for any additional evidence or documents and summon any additional witnesses necessary to elucidate the case.

53. The officer may in any suit, grant time to the plaintiff or defendant to proceed in the prosecution or defence of the suit and may also, for any sufficient reason to be recorded by him, adjourn the hearing in such manner as to him may seem fit.

54. The record of the suit shall comprise the plaint, such summonses as may have been issued or copies of them, the examination of the plaintiff or his authorized agent, the statement taken from the defendant or his authorized agent, or any written statement which the defendant may have filed, the evidence of the witnesses and a list of the documents filed. Such documents when retained by the presiding officer shall be included in the record.

55. On the hearing of the suit being completed, the officer shall pronounce his judgment, which shall contain the material averments of the parties, the material portions of the evidence, the decision and the reasons therefor and shall be dated and signed by him at the time when it is pronounced.

56. If a person who has been joined as a defendant under Rule 32 or under Rule 44 *supra*, fails to appear in the day fixed by the officer or to take steps under Rule 48 *supra* to set aside any *ex parte* decree that may have been passed against him or if on appearing before the officer he renounces his claim to the office or fails to oppose successfully the claims of the other parties, such person shall be precluded from subsequently filing a suit for the same office.

57. The decree shall state the amount of costs incurred in the suit, the names of the parties by whom incurred, and the proportions in which such costs are to be paid.

58. Certified copies of the decree shall be furnished to the parties on application to the Court concerned and at their expense.

59. The death of a plaintiff or defendant shall not cause the suit to abate, if the right to sue survives.

Procedure in regard to appeals from decrees or orders passed in suits.

60. An appeal from a decree or order passed by a Deputy Commissioner or Assistant Commissioner in suits filed under Section 11, shall set forth concisely and under distinct heads, the grounds of objection to such decree or order without any argument or narrative and such grounds shall be numbered consecutively.

61. The memorandum of appeal shall be accompanied by an authenticated copy of the decree or order appealed against. When the Deputy Commissioner is the appellate authority, the memorandum shall be presented in person or by a duly authorized agent or pleader.

62. When the appeal is admitted, it shall be open to the appellate authority to reject it without calling for the records of the case if no ground for interference is disclosed. When the Deputy Commissioner is the appellate authority, he shall hear the appellant before so dismissing the appeal.

63. The provisions contained in Rules 38, 43-53 and 55-59, regarding the trial of suits, shall apply *mutatis mutandis* to the hearing of appeals, by the Deputy Commissioner.

64. The appellate authority may either take further evidence itself or may cause it to be taken by the Assistant Commissioner or by such other officer as it may direct, and may direct him to return a finding on such points as may be necessary. It may also issue orders staying the execution of the decree or order appealed against, pending final disposal of the appeal.

65. A copy of the decree shall be forwarded to the officer who tried the original suit. It shall be filed by him with the records of that suit and an entry shall be made in the register of suits. When the Revenue Commissioner is the appellate authority, copies of his decree shall be forwarded to the original Court and to the parties.

66. In a second appeal to the Revenue Commissioner the memorandum of appeal shall be accompanied by authenticated copies of the original and appellate decrees.

67. The Revenue Commissioner may call for the records of the case and may cause further evidence to be taken by the Assistant Commissioner or Deputy Commissioner and may direct him to return a finding on such points as may be necessary.

68. The Revenue Commissioner shall have full discretion to give and apportion or withhold costs of every application or appeal which comes before himself and may reverse, modify or supplement any order made by the lower court regarding costs incurred in any suit, application or proceedings which may come before the Revenue Commissioner on appeal or revision.

Registers to be maintained in connection with suits and appeals.

69. Three registers shall be maintained in the Forms I to III given in Appendix II, viz., (1) Register of suits, (2) Register of appeals, and (3) Register of summonses.

PART VI.

The execution of decrees and orders passed in suits and the taxation of costs.

A. Execution of decrees and orders passed in original and appeal suits.

70. When the holder of a decree or order desires to execute it, he shall submit to the Deputy Commissioner or Assistant Commissioner who passed the decree or order in the first instance an application in writing in the following form:—

Form of application for execution of decrees or orders passed in original and appeal suits.

Number of suit to which the application for execution relates.	Names of the parties to the suit.	Date of the decree or order.	Whether any appeal has been preferred against the decree or order.	Name of persons against whom decree or order is sought to be executed.	Mode in which the assistance of the court is required, whether by delivery of property, recovery of money, etc.	Whether the necessary process fee has been produced with the application, and if so, the amount thereof.	Previous proceedings, if any, taken in execution.

71. The application shall, on receipt, be dated, and shall then be entered in the register to be kept for the

purpose and also in the remarks column of the register of suits. If the application is not barred by limitation, and if, within 30 days from the expiration of the time allowed, no orders have been received from the appellate court staying the execution of the decree or order specified in the application, the Deputy Commissioner or Assistant Commissioner may proceed to execute such decree or order in the following manner:—

- (a) When any person is declared to be entitled to the possession of immovable property, by issuing a warrant under the hand and seal of the Deputy Commissioner or Assistant Commissioner addressed to some person named therein authorising such person to give possession of the immovable property according to the adjudication and to remove, if need be, any person bound by the decree or order who refuses to vacate the property.
- (b) When any person is declared to be entitled to a certain rent or revenue from land, by issuing a notice in writing and under the hand and seal of the Deputy Commissioner or Assistant Commissioner to the person who possesses the occupancy right in such land directing him to pay such rent or revenue to the decree-holder.
- (c) When any person is adjudged liable to pay mesne profits or costs or any sum of money, by proceeding in the manner provided for the recovery of arrears of land revenue.
- (d) In cases where any person is declared to be entitled to the possession of an office, by a notice in writing under the hand and seal of the Deputy Commissioner or Assistant Commissioner prohibiting the person or persons named therein from exercising the functions of the office or performing the duties thereof, or collecting the emoluments attached thereto, if any. In cases where rent or revenue from lands forms the emoluments of the office, notice shall also be given to the person who possesses the occupancy right in such lands directing him to pay the rent or revenue to the decree-holder.

72. No payment under a decree and on adjustment of it shall be recognized by the Deputy Commissioner or Assistant Commissioner, unless it be intimated to him for record in the Register of suits,

73. Registers of applications for execution and of warrant or other processes issued in execution of decrees shall be maintained in Forms IV and V prescribed in Appendix II.

Forms of the warrant and notices referred to in Rule 71 are printed as Forms VI, VII, VIII and IX in the same appendix.

B. Taxation of Costs.

74. The cost of all suits or appeals or of execution, shall be calculated with reference to the scale of fees prescribed in Appendix I. The payment of expenses of witnesses shall be regulated by Sections 2, 3 and 4 of Order XVI, Schedule I of the Code of Civil Procedure; and the scale of such expenses shall not exceed the scale from time to time prescribed for Civil Courts by the Chief Court.

In the case of witnesses summoned otherwise than at the instance of a party, the Revenue Court or authority may order, for reasons to be recorded by it that, the expenses of such witnesses be made costs in the enquiry, suit or proceeding and be made payable by such of the parties as it may direct.

PART VII.

The remuneration to holders of Village Offices.

75. The cash remuneration of Patels and Shanbhogs and the method of assessment thereof shall be regulated by the following rules:—

I. All official land, whether recorded as *inam* or *jodi inam*, or otherwise, shall be valued at the survey assessment of the same, less the amount of the *jodi* tax or other cesses to which it may be subject, as recorded in the public accounts of the year.

II. Cash allowances from the Government Treasury, under whatever name they may be entered in the public accounts, shall be recorded as the amount so entered in the accounts of the year.

III. The sum total of the emoluments valued according to the above two rules is to be taken as the existing valuation of the emoluments of the office.

IV. The officiating Patel and Shanbhog of each village shall hereafter receive for the performance of the duties of their offices, a remuneration in cash of at least the amount fixed by the following scale for these offices, respectively.

PATELS' SCALE.

V. For the first thousand rupees of the gross revenues of his village, three per cent; for the second thousand or any part of it, two per cent; and for the balance of gross revenue beyond two thousand rupees, one per cent. In the case of villages where the collections do not exceed Rs. 300, he shall, in addition to the above percentages, receive a fixed annual allowance of one rupee, when the gross revenue ranges from eleven to fifty rupees; of two rupees, when the gross revenue ranges from Rs. 51 to 300, or so much of it, when the gross revenue exceeds Rs. 250, as shall be required to make the salary up to, but not exceed, rupees ten per annum.

SHANBHOGS' SCALE.

VI. For the first thousand rupees of the gross revenue of the village, or villages forming a Shanbhog's charge, four per cent; for the second thousand, three per cent; for the third thousand, two per cent; for the fourth thousand, one per cent; and for the balance of gross revenue beyond four thousand rupees, one per cent.

VII. In addition to his salary, the officiating Shanbhog shall also receive an allowance for stationery as shown in the subjoined table, and the officiating Patel shall also receive the same allowance when he does not receive the extra allowance provided for in Rule XI.

Gross Revenue of village	Stationery allowance.			Gross Revenue of village	Stationery allowance.		
	Rs.	a.	p.		Rs.	a.	p.
up to Rupees 20	1	0 0	1,251	1,500	...	6 0 0
21 50	2	0 0	1,501	1,800	...	6 8 0
51 100	2	8 0	1,801	2,000	...	7 0 0
101 200	3	0 0	2,001	2,500	...	7 8 0
201 350	3	8 0	2,501	3,000	...	8 0 0
351 500	4	0 0	3,001	3,500	...	8 8 0
501 700	4	8 0	3,501	4,000	...	9 0 0
701 900	5	0 0	4,001	4,500	...	9 8 0
901 1,250	5	8 0	4,501	5,000	...	10 0 0

VIII.—The following table shows the amount of salary to be paid

Gross Revenue of the village	Patels' salary						
	Percentage				Amount	Additional fixed allowance	Contingent allowance under Rule VII or XI
	Rates						
	1st Thousand	2nd Thousand	3rd Thousand and upwards				
1	2	3	4	5	6	7	
Rs. 15	Rs. 3	...	...	Rs. a. 0-12	Rs. 1	Rs. a. 1-0
25	3	...	...	0-12	1	2-0
50	3	...	...	1-8	1	2-0
75	3	...	...	2-4	2	2-8
100	3	...	...	3-0	2	2-8
150	3	...	...	4-8	2	3-0
200	3	...	...	6-0	2	3-0
300	3	...	...	9-0	1	3-8
400	3	...	...	12-0	...	4-0
500	3	...	...	15-0	...	4-0
600	3	...	...	18-0	...	4-8
700	3	...	...	21-0	...	4-8
800	3	...	...	24-0	...	5-0
900	3	...	...	27-0	...	5-0
1,000	3	...	...	30-0	...	5-8
1,100	3	2	...	32-0	...	5-8	
1,200	3	2	...	34-0	...	5-8	
1,300	3	2	...	36-0	...	6-0	
1,400	3	2	...	38-0	...	6-0	
1,500	3	2	...	40-0	...	6-0	
1,600	3	2	...	42-0	...	6-8	
1,700	3	2	...	44-0	...	6-8	
1,800	3	2	...	46-0	...	6-8	
1,900	3	2	...	48-0	...	7-0	
2,000	3	2	...	50-0	...	7-0	
2,100 & so on	3	2	1	51-0	...	7-8	
to							
3,000	3	3	1	60-0	...	8-0	
3,100 & so on	3	2	1	61-0	...	8-8	

Note.—The stationery allowance in Rule VII shall, when there are more villages than

to officiating Patels and Shanbhogs according to the preceding scale:—

Patels' salary	Shaubhogs' salary						Station-ery allowance	Total including station-ery allowance
	Percentage					Amount		
	Rates							
Total salary and allowances	1st Thousand	2nd Thousand	3rd Thousand	4th Thousand				
8	9	10	11	12	13	14	15	
Rs. a.	Rs.	Rs.	Rs.	Rs.	Rs. a.	Rs. a.	Rs. a.	
2-12	4	...	...	...	0-10	1-0	1-10
3-12	4	...	...	...	1-0	2-0	3-0
4-8	4	...	...	...	2-0	2-0	4-0
6-12	4	...	...	...	3-0	2-8	5-8
7-8	4	...	...	...	4-0	2-8	6-8
9-8	4	...	...	...	6-0	3-0	9-0
11-0		...	...	...	8-0	3-0	11-0
13-8		...	...	...	12-0	3-8	15-8
16-0	4	...	...	...	16-0	4-0	20-0
19-0	4	...	...	...	20-0	4-0	24-0
22-8	4	...	...	...	24-0	4-8	24-8
25-8	4	...	...	...	28-0	4-8	32-8
29-0	4	...	...	...	32-0	5-0	37-0
32-0	4	...	...	...	36-0	5-0	41-0
35-8	4	...	...	...	40-0	5-8	45-8
37-8	4	3	...	...	43-0	5-8	48-8
39-8	4	3	...	...	46-0	5-8	51-8
42-0	4	3	...	...	49-0	6-0	55-0
44-0	4	3	...	...	52-0	6-0	58-0
46-0	4	3	...	...	55-0	6-0	61-0
48-8	4	3	...	...	58-0	6-8	64-8
50-8	4	3	...	...	61-0	6-8	67-8
52-8	4	3	...	...	64-0	6-8	70-8
55-0	4	3	...	...	67-0	7-0	74-0
57-0	4	3	...	...	70-0	7-0	77-0
58-8	4	3	2	...	72-0	7-8	79-8	
68-0	4	3	2	...	90-0	8-0	98-0	
69-8	4	3	2	1	91-0	8-8	99-8	

one, be calculated village by village and not on the gross revenue of the charge.

IX. The salaries of officiators fixed by the preceding rule, form the minimum rate of remuneration; but an addition to the fixed portion of the officiator's allowance, according to the scale, will be made in certain cases specified in the following subsidiary rules.

X. When the total emoluments (as found by Rules I and II), exceed the scale amount (as found by Rules V and VI), such excess up to a limit of Rs. 2, and if over Rs. 20, at two per cent, will be assigned to the officiator as a personal allowance in villages having a gross revenue of less than Rs. 500; up to a limit of Rs. 5 and if over Rs. 50 at 5 per cent in villages having a gross revenue of Rs. 500 but less than Rs. 1,000; and up to a limit of Rs. 10 or, if over Rs. 100, up to 10 per cent, in villages having a gross revenue of Rs. 1,000 or more.

XI. In the case of towns, large villages, and villages in the vicinity of Railway stations, camping grounds, large marts and similar localities, the Patels of which are ordinarily called upon to perform heavy miscellaneous duties, an extra allowance not exceeding Rs. 15 per annum will be assigned to the Patel (and where there are two officiating Patels to each Patel) in addition to the salary of the office fixed by the scales in Rule VIII.

XII. The gross revenue of the village, referred to in Rules V and VI, is the whole revenue leviable for any year before deducting any remissions.

XIII. Patels and Shanbhogs shall receive their emoluments by a deduction of the amount of the same from the assessment on their *kandayam* lands, the same being adjusted at each annual Jamabandi and duly shown accordingly in the village accounts, to prevent complications. Where the assessment on their lands is insufficient for this purpose, the balance will be made up by their deducting it from the last instalment of revenue, before paying such instalment into the Taluk Treasury. In this latter event, the receipt of the Patel or Shanbhog for the amount of such balance as so deducted shall be considered equivalent to the payment into the Treasury of an equal sum in cash.

XIV. The amount of quit-rent fixed under these rules on the holding of each shareholder is fixed for the term of settlement, but the total emoluments of the officiators will be revised once after ten years, if necessary, and will be modified according to the same scale in proportion to the revenues of the village as then realized.

XV. The assessment of the occupied Government land (plus 10 per cent of the assessment of the unoccupied assessed waste Government land but not thereby exceeding the gross assessment of the Government land of the village) in the year in which the settlement of remuneration of village officers is made, will be taken for the calculation of the remuneration of officiators.

XVI. The existing official emoluments valued as provided for in Rules I and II will be appropriated for the support of the officiator in the manner specified in the following rules, and the balance of emoluments remaining, after providing for the officiator, is to be disposed of for the future in the manner also provided for in these rules.

XVII. The emoluments derived from land as fixed by Rule I shall first be appropriated to provide the salary of the officiator.

XVIII. When the emoluments derived from land are insufficient to provide the salary of the officiators, the cash emoluments from the Government Treasury will next be appropriated to make up the salary of the officiator.

XIX. Any deficiency, after appropriating all the emoluments from land and cash, shall be made good from the Government Treasury.

XX. Any surplus on the existing emoluments in land and cash remaining over, after providing the salary of the officiator, shall be dealt with as follows.

XXI. If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional *jodi* equal to one-half the net profits on the above land.

XXII. Any surplus remaining out of the cash emoluments after providing the salary of the officiator, shall be at once resumed by Government.

XXIII. When the official land of any office is held in shares, and these shares with the amount of *jodi* and other cesses now payable on each, are separately recorded in the village accounts, then the additional tax imposed upon the whole official land of the office under this rule, is to be apportioned on the several shares in proportion to the sum by which the full survey assessment of the land of each share exceeds the present *jodi* and other cesses payable on the same, as shown in the following example, in which the emolument of an officiator amounts to Rs. 30:—

Names and shares	1	2 Survey assessment of the land of each share	3 Deduct <i>jodi</i> cess now paid on each share	4 Remaining profit on each share	5 Addition to <i>jodi</i> in column 3 apportioned on profit of ad- icator	6 [Inappropriated excess of pro- fits, being difference between columns 4 and 5]	7 Additional half <i>jodi</i> on excess in last column	8 Future <i>jodi</i> cess on each share and being sum of columns 5, 6 and 7
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1. Karibasavegowda's	...	16 0	23 0 0	.....	.....	.....	.....	23 0 0
2. Nimbegowda's	...	69 12	46 0 0	23 12 0	9 12 0	14 0 0	7 0 0	62 12 0
3. Basavegowda's	...	46 8 0	25 12 0	20 12 0	8 4 0	12 8 0	4 0 0	40 4 0
4. Lingegowda's	...	118 0	89 0 0	29 4 0	12 0 0	17 4 0	8 8 0	109 8 0
Total	...	250 8 0	188 12 0	73 12 0	30 0 0	43 12 0	21 12 0	235 8 0

XXIV. In settling the amount of *jodi* to be paid up on each share, fractions of less amount than $\frac{1}{4}$ rupee are

not to be admitted into the accounts in accordance with the rule followed in regard to all survey assessments.

XXV. Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed; and every such officer shall, at any time, whether at or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written *Razinama* any entire field or fields into which official land may have been marked off by the Survey, and on so doing the relinquished field is immediately to be entered in the accounts as Government land, and the total *jodi* now payable by the hereditary officer is to be reduced by the full amount of the survey assessment of the relinquished fields.

XXVI. The official land under the settlement prescribed in the foregoing rule will form no part of the remuneration of the officiator, who is to be paid wholly in cash, and the land will therefore remain in the possession of the sharers who may at present hold it.

XXVII. In small villages, where only one office, either Patel or Shanbhog at present exists, or where both offices are vested in one person, he shall receive the full salary shown by the Shanbhog's scale and 50 per cent of the Patel's salary according to scale so long as he continues to perform the duties of both offices.

XXVIII. While the survey valuation of pateli and shanbhogi service inams will be revised at each revision settlement along with all unalienated lands, the *Nime Jodi* heretofore paid will not be increased, but retained at the original amount except where it has to be reduced so as to correspond with half the net profits in those cases in which the revised survey valuation may result in a decrease.

*Method of payment of remuneration of Patels
and Shanbhogs.*

76. The remuneration of Patels and Shanbhogs shall be paid in the manner laid down in Rule XIII of the above rule, either at Jamabandi or soon after the close of the financial year for which the potgi is due, at the headquarters of the taluk. It shall not be drawn by Shekdars or other officers to be disbursed in the villages when they visit them. No payment which is not supported by the receipt of the person actually entitled to receive

the same shall be admitted in the Treasury. A permanent order in the form prescribed in Appendix III to these rules shall be issued to each taluk showing the salaries payable to each village officer. It shall be kept in a book form, a page being allotted to each village and each payment being entered in it with the date of payment or with the date and number of the cheque issued therefor and initialed by the Taluk Sheristadar.

77. A copy of the permanent order shall also be given to the officer concerned, and if he produces it, the payment shall be posted in the copy also. A separate receipt shall however be obtained from him and forwarded to the Comptroller as voucher for audit.

78. The potgi allowance, if in arrears for a period exceeding 12 months and not exceeding 24 months, shall be paid only with the previous sanction of the Deputy Commissioner, arrears for a period not exceeding 12 months being paid by the Amildar without the sanction of the Deputy Commissioner. For arrears exceeding 24 months, the sanction of Government must be obtained.

The Remuneration of other Village Officers.

79. The remuneration of village servants, *viz.*, totis, talaris and nirgantis in unalienated and alienated villages in the shape of fees in agricultural produce, shall, in the absence of any *manul* in the locality in which they serve, be regulated by the following rules:—

I. In settled taluks, the remuneration of the talaris of each village shall consist of an allowance or *miras* fixed at 3 seers of grain for each acre cultivated by him whether garden, wet or dry lands, payable by every raiyat holding land in the village.

Note.—In the case of lands cultivated with sugar-cane, cocoanut or other garden produce, the *miras* may be paid in paddy or ragi at the option of the occupier.

II. The rates to be paid by residents of the village who are not cultivators shall be in the case of mohatarfa payers, one anna per rupee of such mohatarfa, and for those who do not pay mohatarfa, two annas per house annually.

III. In settled taluks, the remuneration of the totis of each village shall consist of a *miras* allowance fixed at 3 seers of grain for each acre cultivated by him, whether garden, wet or dry lands, payable by every raiyat holding land in the village.

Note.—The *miras* will not be levied from non-agriculturists for the remuneration of village totis.

IV. In settled taluks, the remuneration of the village nirgantis shall consist of *miras* allowance fixed at 4 seers of grain for each acre of wet and garden land irrigated from tanks and channels.

Note.—(1) Cultivators of lands irrigated from wells are not chargeable with the *miras* allowance payable to village nirgantis.

(2) The *miras* will not be levied from non-agriculturists for the remuneration of nirgantis.

V. In regard to lands cultivated on batayi, the existing usage shall be followed as regards payment of the *miras* allowances.

VI. No class of lands shall be exempt from payment of *miras* under the above rules, whether such be Government, inam or service inam lands, as all classes equally benefit by the services of these village servants.

VII. Where the claim to *miras* is disputed and forcible recovery has to be resorted to, the maximum quantity of grain that could be levied from the defaulting raiyat should be fixed as the equivalent of one anna in the rupee of assessment calculated at rates prevailing at the harvest time of the year in which default is made.

80. The remuneration payable to village officers in alienated villages shall, in the case of a village into which a survey settlement has not been introduced, be governed by usage; and in the absence of any such usage shall be fixed by the Deputy Commissioner or Assistant Commissioner at a reasonable amount not exceeding the remuneration payable in accordance with the scale sanctioned for Government villages. In villages into which a survey settlement has been introduced, the scale of remuneration shall be the same as that sanctioned for Government villages. The remuneration so fixed may, if not voluntarily paid by the inandar or other person bound to pay the same, be recovered from him as an arrear of land revenue.

PART VIII.

The duties of holders of village offices and the description and the forms of accounts to be kept by them.

81. *Patel*.—The Patel will be the headman of the village and have the safe custody of all revenues collected by him. He will collect land revenue and grant receipts therefor and remit the same to the Taluk Cutcherry punctually as laid down in the Land Revenue Rules.

His other important duties in revenue matters are:—

- (1) To keep in order tanks and channels.
- (2) To look after village and district forests and detect offences.
- (3) To look after the avenue trees on the roadside and plant fresh trees, if necessary; and
- (4) To maintain in due repair the boundary marks in Government unoccupied lands attached to his village.

In Police matters.—The Patel should be vigilant, so that no murders, robberies, dacoities, thefts or other heinous crimes are perpetrated within the limits of his village; he should trace out offenders and bring to notice matters of importance; should report at once to the police officer of the taluk the arrival within the limits of his village of men who are said to be of bad repute or who have no ostensible means of livelihood or who are of thieving castes. He should also abide by the rules of the police.

82. *Shanbhog*.—The Shanbhog is the accountant of the firka or village as the case may be and shall perform the duties prescribed in the Manual of Village Accounts and the Land Revenue Code and Rules.

83. The right to a shanbhogi office is inseparable from the efficient discharge of duties connected therewith, the only exception allowed being in the case of a minor on whose behalf a gumasta may be appointed. Performance of shanbhogi duties by proxy cannot therefore be ordinarily allowed.

84. The totis are the responsible watchmen of the village and its crops. They are required to assist Patels and Shanbhogs in the collection of revenue; to act as guides to Government officers and travellers of importance; and, in the absence of the talari, have to perform the duties of that official in addition to their own.

85. The talari is the scout of the village. He traces robbers and thieves, watches the movements of suspicious characters in villages, and is in fact the policepeon to the Patel.

86. The nirganti regulates the supply of irrigating water to the wet lands of the village, whether belonging to the raiyats or Government. It is his duty to economise the supply of water for the purpose in every possible way, and to attend to its proper distribution bringing to the notice of the Patel and Shanbhog any infringement by the raiyats of any rule or practice with regard to the water-supply to the wet and garden lands below the irrigation work concerned. It is also his duty to see that no water is wasted by the cultivators in any way and that the supply and distribution in main channels are properly maintained and the supply of water therein is not interfered with by the raiyats. He should further look to the safety of the tank when any danger to the bund is apprehended. It is to be distinctly understood that the nirgantis are placed under the orders of the village patel or shanbhog and that no raiyat can call upon them to perform his directions and that it is no part of their duties to do the maintenance work of tanks and channels, *i.e.*, to remove weeds and silt from the distribution channels, a duty which clearly falls upon the raiyats concerned.

87. Besides the duties specified above, the village officers mentioned above shall perform such other duties as may be laid down from time to time by any law or rule having the force of law or by any competent authority.

Accounts and Registers.

88. The Shanbhog shall maintain such registers and accounts as may be prescribed from time to time under the Land Revenue Code and Rules and such other accounts as he may from time to time be required by competent authority to prepare.

The Patel shall keep such registers and accounts for statistical and other purposes as may be prescribed from time to time.

VI. Warrant under the rules framed under Section 22 of the Village Offices Regulation.

In the Court of the Deputy Commissioner of
Assistant Commissioner

Revenue Suit No. of 19

A. B. of

Against

C. D. of

To

WHEREAS in the occupancy of has been decreed to the plaintiff in the above suit, you are hereby directed to put the said in possession of the same and you are hereby authorized to remove any person bound by the decree who may refuse to vacate the same.

Given under my hand and the seal of the court, this day of

19

L. S.

Deputy Commissioner.
Assistant Commissioner.

VII. Notice under the rules framed under the Village Offices Regulation.

In the Court of the Deputy Commissioner of
Assistant Commissioner

Revenue Suit No. of 19

A. B. of

Against

C. D. of

To

WHEREAS has been declared, by a decree in the suit above referred to, to be entitled to the rent (or revenue) due on land on your occupation bearing survey No. in the village of in the District of you are hereby required to pay the rent (or revenue) to the holder of the decree or order above referred to.

Given under my hand and the seal of the court, this day of

19

L. S.

Deputy Commissioner.
Assistant Commissioner.

VIII. Notice under the rules framed under the Village Offices Regulation prohibiting persons other than the decree-holder, from exercising the functions of the office, or performing the duties thereof or collecting the emoluments attached thereto.

In the Court of the Deputy Commissioner of
Assistant Commissioner
 Revenue Suit No. of 19 .

A. B. of

Against

C. D. of

To

WHEREAS has been declared by a decree in the suit above referred to, to be entitled to the office of the village of in the District of you are hereby prohibited from exercising the functions of the office or performing the duties thereof, or collecting the emoluments attached thereto, *viz.*,

Given under my hand and the seal of the court, this day of
 19 .

L. S.

Deputy Commissioner.
Assistant Commissioner.

IX. Notice under the rules framed under the Village Offices Regulation to the person possessing occupancy right in lands, the rent or revenue from which constitute the emoluments of a village office.

In the Court of the Deputy Commissioner of
Assistant Commissioner
 Revenue Suit No. of 19 .

A. B. of

Against

C. D. of

To

WHEREAS has been declared by a decree in the above suit to be entitled to the office in the village of in the District of you are hereby required to pay the rent or revenue for the lands in your occupation which appertains to that office to the holder of the decree above referred to.

Given under my hand and the seal of the court, this day of
 19 .

L. S.

Deputy Commissioner.
Assistant Commissioner.

APPENDIX III.

Pay to the Patsi of _____ in the
Shanbhog of _____ taluk.

The year for which payment is due	Amount of pay	Date of payment	Initials of the Taluk ; Sheristadar
<i>1912.</i>	Rs. a. p.		
July	...		
August	...		
September	...		
October	...		
November	...		
December	...		
<i>1913.</i>			
January	...		
February	...		
March	...		
April	...		
May	...		
June	...		

CHAPTER II.

Statement showing the standard rates of produce (revised figures) per acre of different crops.

NOTE. Palla 100 seers (measure of capacity the standard for which is a hollow bronze cylinder capable of holding when filled to the brim 108 tolas (180 grains, troy, each) weight of distilled water at its maximum density and under the normal atmospheric pressure. Maund = 960 tolas or 24½ lbs.

District	Taluk	Paddy, Pallas	Ragi, Pallas	Cholam, Pallas	Horse gram, Pallas	Sugar cane, (Til), Pallas	Til, Pallas	Tengal gram, Pallas	Wheat, Pallas	Cotton, Maunds	
Bangalore	Bangalore ...	8	5	...	2	200	2	...	...	...
	Hoskote ...	7	6	...	2	180	1	1	...	...
	Dodballapur ...	4	4	...	2	100	1	1	...	...
	Nelamangala ...	10	6	...	2	190	2	...	...	...
	Kankanhalli ...	8	6	...	2	106	2	2	...	...
	Magadi ...	13	5	...	2	150	...	...	...	...
	Channarayana ...	13	6	2	2	100	2	...	...	...
	Anekal ...	12	6	...	2	150	2	...	...	...
	Devanhalli ...	5	5	2	2	150	...	...	...	...
	Chowpet ...	12	6	2	3	80	2	...	...	...
	<i>District Average</i>		9	5	2	2	150	2	1
	Kolar	Kolar ...	10	4	...	1	145	1
Bowringpet ...		12	7	4	4	213	4	4	6	...	
Chintamani ...		12	4	...	1	150	1	...	...	...

Statement showing the standard rates of produce (revised figures) per acre of different crops—contd.

District	Taluk	Paddy, Pallas	Ragi, Pallas	Cholam, Pallas	Horse gram, Pallas	Sugar-cane, Maunds	Til, Pallas	Bengal gram, Pallas	Wheat, Pallas	Cotton, Maunds	
Kolar—contd.	Mulbagal ...	9	3	...	2	189	1	...	...	...
	Sidlaghatta ...	9	4	5	2	200	2	...	...	...
	Chikballapur ...	9	5	4	2	100	...	4	...	...
	Bagepalli ...	10	4	3	1	180	1	2	2	...	
	Goribidur ...	6	4	5	2	126	...	2	2	...	
	Malur ...	8	5	6	3	106	2	2	...	...
	Srinivaspur ...	12	6	4	3	190	2	1	...	...
	Gudibanda ...	10	5	5	3	140	...	...	...	...
	<i>District Average</i> ...	10	5	4	2	144	2	4	...	5	...
	Tumkur ...	7	4	1	2	170
Tumkur	Maddagiri ...	10	8	8	3	150	1	...	3	2	
	Chiknayakanhalli ...	6	6	3	3	...	...	2	...	...
	Sira ...	13	5	5	3	100	3	3	8	5	
	Gubbi ...	10	6	1	1	40	1	1	...	...
	Tiptur ...	11	6	2	3	80	1	2	...	...
	Pavagada ...	10	6	5	...	100	...	...	3	5
	Kunigal ...	10	6	2	3	240	...	2	...	...

Statement showing the standard rates of produce (revised figures) per acre of different crops.—*continued.*

District	Taluk	Paddy Pallas	Ragi Pallas	Cholam Pallas	Horsegram Pallas	Sugar-cane Mounds	Til Pallas	Beleg gram Pallas	Wheat Pallas	Cotton Mound
1	2	3	4	5	6	7	8	9	10	11
Hassan	Channarayana	8	7	4	5	125	3	3	...	1
	Apsikere	8	5	5	3	55	3	3	...	...
	Hole-Narsipur	8	4	2	2	90	2	2	...	...
	Alur	10	5	...	2	40	...	1	...	...
	<i>District Average</i>	8	5	4	3	121	2	3	2	2
Shimoga	Shimoga	8	3	3	2	60	2	2	...	6
	Channagiri	6	1	4	2	50	1	2	...	6
	Honnali	6	4	4	2	30	2	2	1	6
	Shikarpar	9	3	2	2	100	2	1	...	...
	Sorab	8	2	1	1	45	1	1	...	4
	Sagar	9	2	...	1	40	...	...	...	...
	Nagar (Kallurkatte)	8	2	...	1	40	...	1	...	...
	Tirthahalli	9	...	...	...	45	...	...	...	...
	Kumsi	9	3	3	2	45	...	2	...	...
	<i>District Average</i>	8	3	4	2	65	2	2	1	6

Chikmagalur	...	9	5	4	3	106	4	4	4	2	...
Kadur	...	10	9	7	3	93	4	4	5	...	
Tarikere	...	10	5	4	3	80	3	2	2	10	
Koppa	...	8	3	...	2	60	...	...	...	...
Mudgere	...	8	4	...	...	15	...	...	...	...
Yedahalli	...	7	3	...	2	54	...	...	...	...
<i>District Average</i>											
Chitaldrug	...	10	7	6	3	88	4	3	4	10	
Challakere	...	6	5	6	2	65	3	2	2	12	
Chalchakere	...	9	6	3	2	...	2	1	1	11	
Hidiyur	...	8	4	4	2	50	4	3	2	12	
Holalkere	...	5	4	3	2	35	2	1	1	10	
Davangere	...	1	4	3	1	20	2	2	4	6	
Molakalmuru	...	8	6	5	1	70	1	1	3	10	
Jagalur	...	6	3	2	1	20	1	1	1	7	
Hosdurga	...	6	4	3	1	40	2	1	1	10	
<i>District Average</i>											
<i>Provincial Average</i>											
	...	9	4	3	2	46	3	2	2	10	
	...	9	4	3	2	113	2	2	2	9	

Kadur

Chitaldrug

GRANT OF OCCUPANCIES.

(Rules 41, 41A 42-44, 49A 50-52, 54 and 56 of the L. R. Rules).

41. The occupancy of any unoccupied survey number not specially reserved should be at once granted to applicants free of charge by Amildars or Deputy Amildars. When there are special reasons such as the existence therein of valuable fruit or other trees or wells or buildings or when there are two or more applications on the same day or, in short, any valid reason whatever for dealing with the application specially, the Deputy Commissioner may grant the occupancy upon payment of a price fixed by him or have it put up to public auction and sold, subject to his confirmation, to the highest bidder.

The power of selling occupancies may be delegated by the Deputy Commissioner to Amildars and Deputy Amildars and when the final bid at any such auction is for a sum not exceeding Rs. 50, the power of confirming the sale also may be so delegated by the Deputy Commissioner, in his discretion, under Section 10 of the Land Revenue Code.

*41 A.—Land containing sandal trees when granted for occupation shall always be sold by auction and the upset price to be levied shall be calculated so as to include the present value of the bonus which the applicant might become entitled to receive by virtue of his ownership of the land for the sandal trees thereon under the orders of Government for the time being in force in this behalf.

* Rule 41A inserted by Notification No. R. 7710—L. R. 319-08-4, dated 26th March 1909.

“Provided that Government may from time to time exempt any areas from the operation of the rule and allow Deputy Commissioners of district to grant lands containing sandal trees without recovering the upset price due on account of the bonus payable on sandal trees subject to the following conditions:—

(1) As regard land not containing a thick growth of sandals the applicant will be given the option either to accept the land under the ordinary condition in the rule or to forego the bonus payable on account of the sandal trees. In the former case, the land will be put up to auction and sold to the highest bidder. In exceptional cases, the Deputy Commissioner may allow payment of the upset price by instalments, but the title to the land will not be complete until all the instalments have been paid.

(2) Where the applicant is unwilling to make the payment required to confer on him a right to the bonus and there is no other applicant for the land, who is willing to take it subject to that condition, the land will be granted to the applicant under the ordinary Darkhast Rules and a Mutchalika taken from the grantee to the effect that he has no claim to any bonus on account of the sandal trees on the land that he will take proper care to preserve the trees in good condition. A note should be made in the Patta granted to him that he has no claim to bonus for sandal trees and a copy of the note forwarded to the Forest Department. He will also be subject to the obligations imposed by Sections 73 and 74 of the Forest Regulation.

(3) The above concessions will not apply to lands taken up for coffee or cardamom cultivation.

Before any land containing a large number of sandal trees is granted for cultivation, the Forest Department shall be consulted and if there is a thick growth of sandal trees on the whole survey number, such number shall be reserved for Government. If there is a growth only in a portion of the survey number and the remaining portion does not contain many trees, such remaining portion may be granted for cultivation after being formed into a separate survey number, provided the extent does not fall below the minimum for the tract. In special cases where it is possible to mark off the portion containing sandal trees and reserve such portion, even if below the prescribed minimum, may with the sanction of the Revenue Commissioner, be sub-divided and reserved to Government, the remaining portion of the survey number being alone granted for cultivation with a proportionate reduction of assessment.

42. If the survey number has not already been assessed, it shall be assessed in the manner provided for in Rule 30 (a) and the assessment so fixed shall hold good pending the period for which the current survey settlement for the village in which the land is situated has been guaranteed, and shall be liable thereafter to revision at every general Survey Settlement of the said village.

43. If the permission to occupy happens to be granted at a time of the revenue year when it is impossible to derive any crop from the land within that year, it shall be in the discretion of the Deputy Commissioner to direct that the liability to pay assessment shall commence from the ensuing year.

44. If it shall appear that the bringing of any survey number under cultivation will be attended with large expense, or if for other special reasons it shall seem desirable, it shall be competent to the Deputy Commissioner, with the previous sanction of the Government, to give the number revenue-free or at a reduced assessment for a certain term, or revenue-free for a certain term, and at a reduced assessment for a further term, and to annex such special conditions to the occupancy as the outlay or other reasons aforesaid may seem to him to warrant: provided always that, on the expiry of the term or terms so agreed upon, the land shall be liable to full assessment under the rules then in force for lands to which a Survey Settlement has been extended.

*49A. The occupancy of land near a Railway Station, and within half a mile thereof or such other distance from it as may from time to time be fixed by Government, may be given out for agricultural purposes at the discretion of Deputy Commissioners, subject to the condition that the land shall be liable to resumption without payment of compensation when it is required for public purposes; but such land shall only be given out for building purposes with the previous sanction of Government and subject to their orders in each case.

50. The occupancy of land to which one of the foregoing rules is applicable, and concerning which no special orders have been passed by Government, shall be disposed of in such manner, for such period and subject to such special conditions, if any, as the Deputy Commissioner, subject to the control of the Government, shall deem fit.

51. Whenever an occupancy is sold by public auction, an upset price shall, if the Deputy Commissioner thinks fit, be placed thereon in order to guard the revenue against loss and to prevent applications being made for such occupancies when they are not really wanted.

52. Whenever the occupancy of land is granted on special terms, whether as to the amount of assessment or as to the conditions of the tenure, a written lease shall be executed by the Deputy Commissioner, clearly setting forth the terms of the grant.

Every such lease shall be in a form sanctioned by Government, and if no suitable form has been already so sanctioned, reference shall be made and a sanctioned form obtained before the lease is executed.

A duplicate shall be kept of every lease executed under this rule.

53. The permission in writing to be given by an Amildar or a Deputy Amildar under Section 58 of the Land Revenue Code to enable an intending occupant to enter upon occupation, shall be in the form of Appendix D.

54. All such applications should be registered in the order in which they are received by the Amildar in a book to be opened for the purpose according to the form given in Appendix E.

* Rule 49A inserted by Notification No. R. 5854—L. R.—173-06-2, dated 10th Dec. 1906.

RULES FOR THE GRANT OF GOMAL LANDS FOR CULTIVATION.

Where there is no assessed unoccupied waste land in a village and the extent of gomal land is out of all proportion to the number of cattle, the Deputy Commissioner should investigate if there is demand for arable land for cultivation and take action to throw open as much as may be wanted.

2. Applications for small bits of land for cultivation out of gomal land should not be encouraged.

(Page 279, Revenue Manual.)

RULES FOR THE TEMPORARY GRANT OF SELECT PATCHES OF GOMAL LAND FOR GRAM CULTIVATION.

1. Whenever the whole body of raiyats in a village agree to take up a portion of their gomal for temporary cultivation, they may apply for the same through the patel or some recognised headman.

2. The application should be prepared in the form annexed and the shanbhog must fill up the particulars required at the instance of the raiyats.

3. The application should be presented before the Amildar in person by the villagers or their representative. The Amildar will at once verify the facts contained in the application and submit the application with his recommendation for the orders of the Sub-Division Officer. The assessment leviable should also be proposed, based on the average assessment on dry land in the neighbourhood.

4. The Sub-Division Officer will scrutinise the application without delay and if there is no objection, order the grant of the land, fixing the assessment to be recovered.

5. On receipt of orders, the Amildar will grant a temporary *saguvali chit* in the name of the recognised representative of the villagers who is liable to pay the assessment imposed thereon.

Provided that, when there is not sufficient time for the previous observance of these formalities, the villagers may proceed to occupy and plough the land after presenting the application to the shanbhog and patel for immediate despatch to the taluk and on the express condition to be stated in the application that they will abide by the orders of the Sub-Division Officer on their application.

6. The villagers must arrange among themselves for apportioning the area granted for cultivation and the recognised representative may collect the proportionate assessment from the raiyats.

7. Before the crop is harvested, the assessment imposed under Rule 4 should be paid up to Government and the Amildar shall have the power to prohibit the removal of the crop before payment of assessment.

In case of default, the crop may be sold by him, the sale being reported to the Sub-Division Officer within seven days from the date of such sale for confirmation. When the sale is confirmed, the excess amount realised, if any, over the assessment due, may be made over after notice to the villagers, to their representative. Should there be a deficiency, the amount of assessment still due may be ordered to be remitted by the Deputy Commissioner.

In sanctioning the grant, the following rules must be strictly adhered to:—

(a) The area of land granted for cultivation in any particular year should lie fallow during the next two years. This can be conveniently arranged by dividing the whole gomal of a village into three distinct plots and granting one plot each year so that by rotation each plot will be brought under cultivation every third year.

(b) The crop to be sown must invariably be confined to gram.

(c) Cultivation should on no account be allowed where it would lead to the destruction of scrub jungles or seedlings of trees.

Application for temporary cultivation of village gomāl,
 year.....1907.....village
Taluk.

Extent of existing gomāl		Extent applied for		Number of cattle in the village (sheep and goat separately)	Is remaining extent of gomāl enough?	Have the villagers no objection?	In whose name grant to be made?	Remarks
Survey No.	Extent	Survey No.	Extent					

We pray that the lands may be granted for the cultivation of gran.

We undertake to pay the kandyam for the year as fixed by Government, and to relinquish the land after reaping the crop.

Signature.

(Pages 281—282 of the Revenue Manual.)

RULES FOR THE GRANT OF TANK BEDS FOR CULTIVATION.

Beds of tanks should not be given for cultivation, but in special seasons of scarcity of rainfall, the Deputy Commissioner may, if he is satisfied that there is no prospect of storing any water during the season, and the cultivation of the bed would not affect the interests of the cultivators below the tank, or of the people generally, give the bed of any tank for cultivation for a season, subject to the condition that dry crops alone should be cultivated and manure should on no account be used. Further, the cultivator will not be entitled to claim any compensation on account of the submersion of such lands, from any cause whatsoever.

The beds of breached tanks which have not been permanently abandoned may be given out for cultivation as a temporary arrangement if, after communication with the Public Works Department, it be found that there is no prospect of the tanks being repaired immediately. The assessment fixed on such lands should not be less than the prevailing rates for neighbouring Government lands of similar quality. Every such grant, whether made before or after these rules come into force, shall be subject to the condition (whether expressed or not) that the cultivation shall be discontinued whenever the tank is taken up for

repair, either by Government or other agency, and that the cultivator is not entitled to claim any compensation on this account whether he has turned the land into garden or otherwise.

(Rule 16, L. R. Rules.)

RULES FOR THE GRANT OF LAND UNDER THE SCHEME FOR THE CREATION OF LARGE LANDED ESTATES, SANCTIONED IN GOVERNMENT ORDER NO. R. 4009-21—L. R. 522-13-5, DATED THE 1ST DECEMBER 1914.

1. Each estate will consist of one or more survey numbers situated in a compact block not less than 50 and not more than 200 acres, provided that no block shall contain more than 50 acres classed as wet or garden land.

2. Where a block consists of both dry and garden lands, and it is not possible to have them contiguous, each class may be in a separate block, situated within a reasonably convenient distance.

The following classes of land will be made available for farming such estates:—

(a) Assessed waste lands.

(b) Unassessed lands not allotted for any communal purpose.

(c) *Bechirakh* villages.

(d) Gomal lands which may be made available without prejudice to the interest of the village cattle.

(e) Date and forest reserves and Amrut Mahal kavals, which are not required by the Departments concerned.

3. A list of all available lands of the classes described above will be published in the Gazette from time to time by the Deputy Commissioners, and applications invited therefor. But applicants will be free to select lands not so notified, and apply to the Deputy Commissioner for their being granted under these rules.

4. Persons desirous of taking up lands under the scheme should after selecting the lands required by them apply to the Deputy Commissioner of the District in which the lands are situated, with a rough sketch or map of the lands selected by them showing also the boundaries thereof.

5. Each application should contain the following information:—

(a) whether the applicant is a native of Mysore, or whether he has settled down in Mysore, and how long he has resided there;

(b) what capital he is prepared to invest;

(c) whether he intends to introduce any new crops or new or improved agricultural processes;

(d) whether he means to undertake any special agricultural industries, such as dairy farming, cattle breeding, etc.; and

(e) whether he is likely to require the advice of the Agricultural Department.

6. Whenever an application is received for any block not advertised in the Gazette as available, a notice of such application will be published in the Gazette.

7. No application will be disposed of before the expiry of three months after a description of blocks applied for, and available has been published in the Gazette.

8. An upset price will be fixed for each block by the Deputy Commissioner with the sanction of Government. It will, however, be discretionary with Government in cases in which a large outlay is required to bring the lands under cultivation or for other reasons, to allow the upset price to be paid in instalments or in exceptional cases of hardship to remit it altogether.

(G. O. No. R. 8223-36 - L. R. 399-15-1, dated 23rd February 1916.)

9. Where more than one applications are received for the same block, it will be sold by public auction.

10. When an application has been received by the Deputy Commissioner, after causing such enquiry as he may consider necessary to make shall forward it to Government through the Revenue Commissioner with his recommendation for sanction.

11. Lands granted under the scheme will be held free of assessment for the first five years, on $\frac{1}{8}$ th, $\frac{1}{4}$ th, $\frac{1}{2}$ and $\frac{3}{4}$ ths assessment during the 6th, 7th, 8th and 9th years, respectively, and on full assessment from the 10th year and onwards from the date the land is taken possession of by the applicant. Preference will be given to such applicants as are willing to pay assessment from the date of grant of lands.

Government Order No. R. 631-43—L. R. 399-15-2, dated 13th July 1916.

12. The successful applicant will be at liberty to use a part of the land in providing pasturage for the cattle,

house sites for building houses for agriculturists employed on the estate, and in erecting farm houses and other buildings which may be considered necessary for the better cultivation of the land or its more convenient occupation for purposes of agriculture. The assessment will, however, be payable on the whole block granted to the applicant according to Rule 4.

13. The grantee should bring under cultivation 50 per cent of the area, remaining after deducting the portion utilised in the manner referred to in Rule 12 above, within the first five years from the date of occupying the block, and a proportionate area every year of the remaining period, viz., five years.

14. The grantee should also put up farm-houses and cattle sheds within the first year of the grant. But the Deputy Commissioner may relax this condition if he is satisfied that the applicant is otherwise making strenuous efforts to work the farm.

15. No private alienations by sale, gift, mortgage or otherwise of the blocks will be permitted or recognised by Government, and no loan will be sanctioned by Government on the security of the land included in the estate before full assessment is paid, and title deed granted by the Deputy Commissioner.

16. Each estate created under these rules will be regarded as a single unit, and may not be partitioned without the sanction of Government; and a breach of this clause will render the whole occupancy liable to forfeiture.

17. A mutchalika should be obtained from every grantee setting forth the conditions of the grant, and any breach thereof will render the grant liable to be cancelled by Government.

18. The Agricultural Department will, on application through the Deputy Commissioner, give free of cost such advice as may be conducive to the better cultivation of the holding.

19. Grants under these rules will be made only to *bona fide* subjects of the Mysore State, or to those who have settled down permanently therein as active agriculturists; and Government reserve to themselves the power to reject any application without assigning any reason.

(Pages 21 to 24 of the second supplement to the Revenue Manual.)

RULES FOR THE GRANT OF AMRUT MAHAL KAVALS FOR CULTIVATION.

All darkhasts for *bona fide* occupation on full assessment of lands within Amrut Mahal Kavals should as a rule be complied with. For many years to come it will be feasible for the Amrut Mahal Department to relinquish for private occupation portions of its grazing grounds without any appreciable inconveniences.

2. Under such circumstances, Deputy Commissioners are authorized to entertain *bona fide* darkhasts for occupancy rights in any Amrut Mahal Kaval provided that the tracts asked for are blocks such as can be conveniently sub-divided and separated without interfering with the use of the remainder of the Kaval by cattle of the Department. In respect of every such tract, the Deputy Commissioner, after making the needful enquiries and satisfying himself that the application is made in good faith, should place himself in communication with the officer in charge of the Amrut Mahal Department.

(Pages 384-5 of the Revenue Manual)

RULES FOR THE GRANT FOR CULTIVATION, OF LANDS INCLUDED IN DATE RESERVE LIST.

Applications for lands included in the Date Reserve list should not be summarily rejected but must be disposed of on the merits of each individual case.

2. Ordinarily in deciding cases under the rules, the proved requirements of *bona fide* cultivation shall have precedence over those of the toddy revenue in the case of all assessed lands and *vice versa* in the case of all unassessed lands.

3. When a darkhast for land is finally rejected under the rules, a note to that effect shall be made in the Khetwar Patrak and all subsequent darkhasts for the same land shall be summarily refused for a period of 3 full years ensuing.

(Pages 386-7, Revenue Manual.)

**RULES FOR THE GRANT FOR CULTIVATION OF LANDS
OVERGROWN WITH LANTANA OR PRICKLY-PEAR.**

In tracts to be notified from time to time in the official Gazette, assessed waste lands overgrown with lantana or prickly-pear and such portions of unassessed Government waste lands similarly overgrown as may be conveniently made available for cultivation will be granted to applicants free of assessment for a period not exceeding twelve years at the discretion of the Deputy Commissioner, when the assessment of the land does not exceed Rs. 25 on the following conditions :—

(i) Lantana or prickly-pear should be eradicated from a prescribed extent of land every year and the whole area taken up cleared of the pest and brought under cultivation within a period to be fixed by the Deputy Commissioner.

(ii) The period of concession in each case should be fixed with due regard to the extent of land overgrown with lantana or prickly-pear, the cost involved in eradicating the pest and the time which may elapse before the raiyat who undertakes such clearing, can expect to reimburse himself the outlay he has had to incur.

(iii) Failure to remove the lantana or prickly-pear from the area prescribed in any year, and to keep the area already cleared free from further growth, will render the grantee liable to pay full assessment from the date of such failure.

(iv) The Deputy Commissioner, may for sufficient reasons, extend the total period within which the entire area is to be cleared and condone any default that may have been made in clearing the prescribed extent in any year.

(v) The remission of kadayam on the lands granted as above will be sanctioned annually by the Jamabandi officer after satisfying himself that the conditions of the grant have been complied with. He may also reduce the amount of remission whenever necessary and direct payment of the balance. When the assessment of the land applied for exceeds Rs. 25 but not Rs. 50, the land will be granted by the Revenue Commissioner subject to similar conditions as above. All other cases should be submitted for the orders of Government with the recommendation of the Revenue Commissioner.

(2) All lands enjoying the benefit of the above concessions should be periodically inspected and steps taken in case of neglect, to enforce the conditions.

(3) Wide publicity should be given by the local officers to the concessions sanctioned by Government and every encouragement should be given to applicants for the grant of concessions.

(Pages 407-11 of the Revenue Manual)

RULES FOR THE GRANT OF LANDS FOR RUBBER CULTIVATION.

Future applications for lands for rubber cultivation will be dealt with in accordance with the rules contained in Appendix E. to the Revenue Rules of 1890, relating to the grant of lands for coffee cultivation. The lands will be sold by auction subject to an upset price of Rs. 10 per acre and granted on permanent tenure. They will be held free of assessment for the first three years and one-half assessment for the next two years, full assessment at Rs. 1-8-0 per acre being recovered from the 6th year. A title-deed in form A annexed to appendix E to the Revenue Rules of 1890 will be issued to the grantee whenever lands are given out for rubber cultivation, as above.

2. In the case of lands which have already been given out for rubber cultivation under the rules of 23th September 1906, the rate of assessment will be reduced from Rs. 3 to Rs. 2 per acre.

(Pages 39-40 of the 1st Supplement to the Revenue Manual, page 73, L. R. Rules)

RULES REGARDING CONCESSIONS TO BE GRANTED TO MAHRATTA KUMRI CULTIVATORS IN THE SAGAR AND NAGAR TALUKS.

(1) Each Mahratta Kunbi will be allowed 2 acres of land for Kumri every third year on the distinct understanding that he is to take up at the same time, a minimum of three acres of paddy land which he may be allowed to hold rent free for three years.

(2) A pair of bullocks and five rupees worth of seed grain will be supplied free to each Kunbi under the conditions abovementioned.

(3) A money grant not exceeding Rs. 20, according to the discretion of the Forest Sub-Division Officer, Sagar, for the maintenance of each new indigent family settling down, during the first year of settlement of the family.

(4) A sum not exceeding Rs. 10 as may be fixed by the same officer, for each family, to meet the actual expenses of journey from their old abodes to the new.

(¹) G. O. No: 4961-6 Ft 131-06-6, dated 7-2-1908

(²) R. 6024-6 Ft 19-13-4, dated 5-2-1914)

**RULES FOR THE GRANT OF ASSESSED WASTE LANDS
FOR EKSAL CULTIVATION.**

- (i) The Darkhast should relate to whole Survey numbers which have lain waste for three years or longer.
- (ii) An application for occupancy on ordinary terms will have preference over an Eksal Darkhast.
- (iii) The applicant for Eksal occupancy should pay up the whole assessment due before taking possession of the land.
- (iv) If there be more applicants than one for Eksal occupancy, the land may be given to the first applicant, and where precedence is doubtful, it shall be put up to auction in a summary manner.
- (v) The occupant will have no right to cut any trees, or remove earth, stones, buildings, etc., in the land, or excavate pits therein and render the land unfit for cultivation in any way. He should execute a Mutchalika to that effect. If he acts contrary to the terms of the Mutchalika he will be liable to a fine to be fixed by the Deputy Commissioner in his discretion, which will be recovered as a revenue demand.
- (vi) The occupant will have to quit the field by the end of the year and will be entitled only to take crops of the kind suited to the class of land, and cannot claim any consideration on account of improvements.
- (vii) The occupancy will terminate at the end of the revenue year for which it is granted and the land will be at the disposal of Government.

2. Lands (whether unassessed or assessed) reserved for communal or other public purposes, should not be given out for Eksal cultivation.

3. All lands given out for temporary cultivation under the above rules, should be inspected by the Shekdar at the end of the year for which they are granted, and a report made to the Amildar as to their condition. Such condition should also be entered in Pahani Takhta.

(Pages 23—24 of the 1st Supplement to the Revenue Manual).

**RULES REGARDING SUB-DIVISION OF SURVEY
NUMBERS.**

(Rules 71—75 of the L. R. Rules, pp. 25—27 and Appendix H to the L. R. Rules.)

1. Minima under Section 109 for the several classes of land in the various districts are given below:—

*Name of district	Class of land	Minimum area of sub-division	
		Areas	Guntas
Bangalore ...	{ Dry ...	4	0
Kolar ...	{ Wet ...	1	0
Tumkur and Mysore ...	{ Garden ...	0	20
Hassan ...	{ Dry ...	4	0
Shimoga and Kadur ...	{ Dry ...	5	0
Hassan, Shimoga and Kadur ...	{ Wet ...	1	0
	{ Garden ...	0	10
	{ Coffee ...	15	0
	{ Cardamom ...	5	0
Chitaldrug ...	{ Dry, black soil ...	10	0
	{ red soil ...	6	0
	{ Wet ...	1	0
	{ Garden ...	0	20

NOTE.—The minimum area for the sub-division of coffee lands shall be reduced to five acres in the following cases and subject to the following conditions:—

1. Where the land concerned is self-contained, *i.e.*, it does not adjoin other lands fit for coffee.

2. Where it adjoins lands fit for coffee, or when the application is for a portion out of a large area; provided that in such cases the lands be given out from one side of a survey number and in continuation of the existing cultivation without prejudice to the remaining portion of the survey number being made available for future applicants.

3. Where it adjoins the applicant's own ordinary agricultural lands.

4. When the land applied for is by the side of a stream, it shall be taken up on one side of it, and the usual margin of 50 yards shall be left free.

*(G. O. No. R. 3376—L. R. 590-05-9, dated
29th November 1907.)

*72. During re-survey, in regard to lands used, or which may be used, for purposes of agriculture, every occupancy separately recognized in the village accounts, if not less in extent than the minimum for survey numbers fixed in relation to such lands under Section 109, may be separately measured, classified and assessed and defined by boundary marks and made a survey number.

*73. Nothing in the preceding rule shall prevent the Superintendent of Survey at any time, subject to the provision of Section 109, from dividing any survey number, either occupied or unoccupied, into two or more survey numbers when considered necessary in the interests of Government or in order to rectify any case of hardship such as might result from enforcing the liability under Section 110 (b).

The Deputy Commissioner may direct or sanction the sub-division of a survey number under Sections 122 and 125; but he should not, under these or any other sections, make any sub-division or alteration of the boundary of any survey number in the field. Such work must invariably be carried out by the Survey Superintendent, to whom the necessary application should be made, and who will then give orders as to whether the necessary field work is to be executed by the District Surveyor with the consent of the Deputy Commissioner or by an official of the Survey Department.

†73A. Co-occupants or co-sharers, each of whose shares in a survey number is not less in extent than the minimum prescribed under Section 109, may, at any time present a written application to the Deputy Commissioner to have each such share treated as a recognised share of a survey number subject to the conditions laid down in Section 110: and the Deputy Commissioner shall, if there is no dispute regarding the extent of, or right to, such share, or where the right to such share has been established by amicable settlement with the registered occupant, or by a decree of Civil Court, proceed to have the share constituted into a 'recognised share of a survey number' in accordance with standing orders in this behalf. The recognized shares thus formed shall not be

* Rules 72 and 73 amended by Notification No. R. 2275, dated 26th November 1901, and No. R. 9598—L, R. 520-11-5, dated 16th June 1914.

† Rule 73A added by Government Order No. R. 2619-28—L. R. 270-12-1, dated 14th November 1912.

demarcated by bandhs and stones, but the taluk authorities will have each share measured and its proportionate assessment fixed in the same manner as is done at the time of Phut Pahani and original settlement. A Tippani book will be maintained showing the measurements and the position of the sub-divisions so formed. These recognized shares will be made into separate survey numbers during the re-survey under Rule 72. *But at other times, sub-division will be effected in the interests of co-occupants, co-sharers or holders of "recognized shares" in survey numbers only on the presentation of written applications by them to the Survey Superintendent who may direct that such sub-division shall not be effected until the cost of the survey operations involved or such portion thereof as he may deem necessary has been deposited by them.

†74. When, at the time of re-survey, land is held by two or more-occupants in shares and each of the said occupants has a separate account to which he pays his quota of the land revenue due in respect of the occupancy separately, but the proper share of each occupant has not been permanently divided from the rest, such land shall be measured as if it constituted one occupancy, and each co-occupant's share therein recorded in annas with a view to the proper assessment of each share being fixed at the introduction of the settlement and each share being constituted a recognized share of a survey number.

75. On written application being made for this purpose to the Deputy Commissioner, the names of the co-occupants of the registered occupant of any survey number and the share in fractional parts of a rupee of each such co-occupant in the occupancy may be entered in the records along with the name and share of the registered occupant of the number, provided that no such entry shall:—

- (a) affect the liability of the occupants to Government, or amongst themselves, for the land revenue of the number, or
- (b) be deemed to constitute the share to which it relates, a recognised share of the survey number.

* Added by Notification No. R. 4045—L. R. 595-14-3, dated 11th October 1915.

† Rule 74 amended by Notification No. R. 2275, dated 25th November 1901.

RULES FOR THE GRANT OF GOVERNMENT LAND FOR COFFEE OR CINCHONA CULTIVATION.

(Appendix E to the L. R. Rules of 1890.)

Applications for coffee or cinchona lands to be made to the Amildar.

Inspection of land by a higher Revenue Officer or the Forest Officer.

Due enquiry to be instituted as to the grant of land.

Limit of area to be applied for. Special discretion to Deputy Commissioner.

Land containing numerous valuable timber trees not allowed to be granted.

Demarcation and sale of land applied for.

What the fixed upset price of the land shall include.

Deposit to be made by applicant.

1. Applications for land for coffee or cinchona cultivation shall be made to the Amildar in the first instance, setting forth the area required, the survey number, the village and hobli in which the land is situated.

2. The land applied for, when more than 50 acres in extent shall be inspected by a higher Revenue Officer, and when situated in a valuable timber tract, by the Forest Officer.

3. In all cases due enquiry shall be instituted as to whether the land can be given out for cultivation without prejudice to the interests and rights of neighbouring village communities and of the Forest Department.

4. Ordinarily, no application shall be entertained for an area larger than 200 acres, but in special cases in which the Deputy Commissioner is satisfied of the applicant's ability to bring under cultivation a larger area within a reasonable time, an application may be entertained for such area as the Deputy Commissioner may consider reasonable.

5. No land containing numerous valuable timber trees which it is desirable that the Government should in the Forest Department conserve and work, shall ever be granted for coffee or cinchona cultivation.

6. When it has been ascertained that there is no objection to the grant of the land applied for, it shall be duly demarcated and shall ordinarily be sold by public auction, subject to an upset price of Rs. 10 per acre. Provided that, in exceptional cases where a sale by a public auction is undesirable, the Government may order the grant of the land to the first applicant or to any other person on a fair valuation.

7. The upset price fixed as above shall include survey expenses and the right of Government to all reserved trees except sandal, which shall always be reserved absolutely to the Government.

8. Before the land is advertised for sale, the applicant shall deposit with the Deputy Commissioner one-fourth of the upset price fixed as above.

9. Full notice of every intended sale shall be published in the neighbouring villages, and all sales of blocks of greater extent than 50 acres shall be advertised in the official Gazette. Publicity of sale.

10. The sale shall be by public auction under the usual conditions, and the land shall be knocked down to the highest bidder above the upset price fixed, whereupon the purchaser shall deposit a sum equal to 25 per cent of his bid, and in default of such deposit, the property shall forthwith be again put up and sold. The full amount of purchase money shall be paid before sunset of the 15th day from that on which the sale of the land took place, or if the said 15th day be an authorized holiday, then before sunset of the 1st office day after such 15th day. Sale how conducted and the disposal of the applicant's deposit.

10A. In default of payment within the prescribed period of the full amount of purchase money, the deposit after defraying thereout the expense of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may be subsequently sold, provided that in any case in which the enforcement of this condition may involve undue hardship, it shall be competent to the Deputy Commissioner to submit the necessary recommendation for the order of Government.

10B. If the proceeds of the sale, which is eventually made, be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Deputy Commissioner as an arrear of land revenue.

10C. The deposit of one-fourth of the upset price made by applicant under para 8 above, shall, if the land be knocked down to him at the auction, be credited towards his deposit of 25 per cent of the purchase money, and it shall be refunded to him, if the land is purchased by any other person in the auction.

11. The land sold under the above Rules shall be held free of assessment for the first three years, and on half assessment for the next two years, the full assessment at one rupee an acre, if the purchaser wishes to have the land on a guarantee for 30 years on the terms of Survey Settlement, or at 10 rupees an acre, if he wishes to have the land on permanent tenure, being payable from and after the 6th year. But before this concession is granted, the purchaser shall bind himself in writing to pay the full assessment from the 1st year in the event of his resigning Concession to the purchaser of the land. Provision against his wrong resignation of it.

the land after cutting down the timber on it or otherwise clearing any portion of it but without having made any *bona fide* attempt to bring under cultivation the arable area included in it.

Concession as regards land required *bona fide* for purposes of coffee cultivation, such as drying grounds, cooly lines, etc.

12. The Deputy Commissioner may, in his discretion, grant to the holder of a coffee estate, on a fair valuation and without an auction, any moderate extent of Kharab land adjoining his estate, which may be unfit for coffee cultivation, but required *bona fide* for purposes of coffee cultivation such as (1) drying grounds, (2) pulper buildings and washing cisterns, (3) store buildings, (4) cooly lines, and (5) bungalows. In making grants under this rule, due regard shall be had to the provisions of the preceding rules as far as they apply. Provided that in no case shall the extent of land to be granted by the Deputy Commissioners under this rule exceed ten acres for any single estate without the previous sanction of the Government.

Land granted under this rule shall be assessed at Re. 1 or Rs. 1-8-0 per acre, according as the estate for the service of which it is granted is settled on the 30 year or permanent settlement respectively.

The proprietor of a coffee estate may be allowed to erect cooly lines, store buildings, etc., on the assessed land under his occupation.

Issue of title-deeds.

13. For lands granted under these rules, title-deeds shall be granted to the grantees specifying the conditions and privileges of the grant in the appended Form A or B, according as the lands taken are on permanent assessment or on a guarantee of 30 years. In the latter case, however, if the area taken up does not exceed 20 acres, a Patta according to Form No. 4 of Appendix A can be given, but the tenure will be the same as if a title-deed in Form B had been granted.

Fee for title-deed.

14. A fee of one rupee for each title-deed shall be recovered from the grantee for cost.

Drawing toddy—how allowed and how restricted

15. The grantee can draw toddy from Bagani or other trees for the making of bread or other *bona fide* domestic purpose, but not otherwise, as the toddy contractor alone has the right to draw toddy for other purposes after obtaining the grantee's consent.

Form A.

Whereas under the rules for the disposal of lands for coffee cultivation, the land specified in the schedule here-

other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely:—

(a) That the said Government shall always on application concede to the said A B., his heirs, personal representatives or assigns, in preference to all other applicants, and upon the terms contained in the rules published with the notification issued by the Dewan of Mysore under date Bangalore the 26th July 1881, the right to work for and obtain precious stones, gold or other minerals or coal on or under the said land subject to the payment to the said Government of such royalty as the said Government may fix, not exceeding five per cent on the gross proceeds of such gold or other minerals or coal, and not exceeding 10 per cent on the saleable value of such precious stone as may be obtained or found on or under the said land.

(b) That the said Government shall not, by itself or its servants, agents or persons by it duly authorized, search for or work any mines upon the said land without giving to the said A.B., his heirs, personal representatives or assigns time within which to apply for the preferential right of working as above provided by serving upon them previous notice of not less than six months of its intention so to search for or work the said mines.

(c) That if the said A.B., his heirs, personal representatives or assigns do not as above provided apply for the preferential right to search for or work any mine on the said land, and if the said Government decides to search for or work any mine upon the said land either by itself or by its servants, agents or persons by it duly authorised, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorized in and upon the said land and premises and either with or without horses and other cattle, carts and waggons and other carriages, and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal, with

full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air-courses and water-courses and to use all water which may be lifted or raised from the same and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A.B., his heirs, personal representatives or assigns for all damages which the said A.B., his heirs, personal representatives or assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery, or works as are hereinbefore mentioned, or the exercise of all or any of the rights hereinbefore reserved to the said Government. PROVIDED ALWAYS that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A.B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A.B., his heirs, personal representatives or assigns, the amount of such compensation shall be settled in accordance with the procedure prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation; and

(d) That no royalty shall be leviable on limestone, granite and ordinary minerals other than metals or coal or precious stones which may be found on or under the said land and which may be applied to the *bona fide* private use of the said A.B., his heirs, personal representatives or assigns and not removed for purposes of sale.

6. Provided also that this title-deed shall not be considered in any way to grant to or vest in the said A.B., his heirs, personal representatives or assigns the right to sandal trees, which are hereby reserved to the Government of His Highness the Maharaja of Mysore.

the sum of Rs. _____ as the land revenue assessment of the land until the same is revised in accordance with the law for the time being in force.

1. Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

2. Provided also that the said A. B. or other lawful owner of the said land shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B., or other lawful owner.

3. Provided also that this title-deed in no way affects the liability of the abovesaid land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

4. Provided also that nothing in the title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

5. Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof— all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely:—

(a) That if the said Government decides to work any mine upon the land either by itself or its servants, agents and other persons by it duly authorized, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times

for itself and its servants, agents and workmen and for all persons by it duly authorized, in and upon the said land and premises and either with or without horses and other cattle, carts and waggons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal, with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air-courses and water-courses and to use all water which may be lifted or raised from the same and also to appropriate and use any part of the surface of the land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A.B., his heirs, personal representatives and assigns for all damage which the said A.B., his heirs, personal representatives, and assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A.B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A.B., his heirs, personal representatives or assigns the amount of such compensation shall be settled in accordance with the procedure prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation; and

(b) That the said A.B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any limestone, granite and ordinary minerals other than metals or coal or precious stones which may

**RULES FOR ENDOWMENTS OF LANDS TO CHATTRAMS, MUSA-
FIRKHANAS, TOPES, GUNTAS, AVENUE TREES AND
OTHER WORKS OF PUBLIC UTILITY.**

(Appendix G to the L. R. Rules of 1890) Section* 233(n).

Extent of land for a chattram or musafirkhana and its exemption from Government assessment.

1. The spot of ground to be granted for construction of a chattram or musafirkhana, including its backyard, may be altogether within one acre. Whatever extent of land may be given for this purpose should be exempted from the payment of the Government assessment.

Establishment for a chattram or musafirkhana and grant of concession therefor.

2. For the care of this building and to keep it clean, it is necessary that one Brahmin and one Sudra servant should be employed. For this purpose unoccupied lands assessed at 90 rupees will be given to chattrams or musafirkhanas, built at an outlay of about 500 rupees; and a Jodi equivalent to one-tenth of the assessment on the land will be fixed payable at shraya rates as specified below:—

First two years	...	...	Free.
Third year	...	...	One-third of the Jodi.
Fourth year	...	...	Two-thirds of the Jodi.
Fifth and subsequent years	...	...	Full Jodi.

If the cost of the chattram or musafirkhana is between 200 and 500 rupees, half the above may be allowed to pay one servant. No land of any quantity shall be given to any chattram or musafirkhana, the cost of which may be less than 200 rupees.

Chattrams, etc., open to whom.

3. The chattrams and musafirkhanas shall be open as to general benefits to all classes and castes, subject of course to such internal arrangements as may be in accordance with the habits and usages of the several sects.

How land for topes is to be given.

4. The ground required for topes, or groves of trees, shall be given exempted from demand. The tope should not consist of less than 100 trees bearing fruit and blossoms, and may probably require the employment of one gardener for ten years. For this purpose unoccupied land assessed at 27 rupees will be given on shraya jodi as above, but after ten years the land should pay half the assessment and the topes be thrown open to the public. No additional land will be given if the topes consist of a greater number than 100 trees, though the person planting them is at liberty to plant any number he likes in excess of 100.

*Amended by Government Notification No. R. 7142—L. R. 385-07-6 dated 11th March 1909.

5. The extent of land required to make a gunta (well) and to plant some trees in its vicinity— which should be not less than 50 will be given free of tax. One man will be quite sufficient to take care of everything connected with the institution. For this purpose unoccupied land assessed at Rs. 27 shall be given on shraya jodi as above.

How land for a gunta is to be given.

6. For all avenues of trees planted on the sides of the high roads and throughout the open country, consisting of not less than 200 trees bearing fruit and blossoms, and such as afford sufficient shade and useful timber, unoccupied land assessed at Rs. 36 shall be given on shraya jodi as above, but after ten years the land should pay half assessment. At this rate unoccupied land shall be given in proportion to the number of trees planted as avenues along the high roads and throughout the open country.

How land for avenues of trees is to be given.

7. The condition of the grant of jodi land for topes and avenues of trees is that the grantee or his representatives shall at all times preserve the number of trees from decay and injury and that any failure thereof will subject the jodi land to resumption.

Condition of the grant of jodi land under Rules 4 and 6, and the result of any failure thereof

8. It is also to be distinctly understood that any misappropriation of the produce of lands granted for chattrams, musafir khanas, topes, guntas and avenues of trees, or any neglect in keeping them in good repair, and ensuring their usefulness to travellers at all times, will subject the jodi lands granted to them to resumption.

Misappropriation in any of the foregoing cases to result in the resumption of the jodi lands.

In exceptional cases, however, if there are good and sufficient grounds for not enforcing the above conditions or resumption of the lands, the Government may make such orders as may be deemed proper upon a special report being made by the Deputy Commissioner on the subject.

Special orders by Government in exceptional cases.

9. No jodi lands are to be made over for the foregoing purposes until the works are completed.

Completion of the proposed work essential.

*10. No jodi land will be given for chattrams, musafir khanas, topes, guntas and avenues of trees in any district other than that in which they are situated.

Grant of jodi land to be confined to the district the proposed work is completed in.

11. No jodi lands will be given to any new topes that may be formed near the old ones or topes already existing, nor to chattrams or musafir khanas which may be built in places where there are other chattrams or musafir khanas, except under special circumstances in large and populous towns.

No jodi lands to be granted for additional topes, etc.

SCHEDULE.

District	Taluk	Village	DESCRIPTION OF LAND					Remarks
			Number	Name, if any	Boundaries	Extent	Assessment	
						A. g.	Rs. a. p.	

NOTE.—In the last column, say “free of assessment,” or “subject to the following payment of jodi only,”—as the case may be.

RULES FOR THE GRANT OF WASTE AND UNOCCUPIED LANDS FOR THE PLANTING OF TIMBER, FRUIT AND FUEL TREES.

(Appendix 1 to the L. R. Rules of 1890) *Section 233 (n).

1. For the planting of timber, fruit and fuel trees, unassessed Government waste land and assessed dry land, if unoccupied at the time for ten or more years continuously shall, where no objection exists to the grant, be given free of assessment for eight years from the date of the grant, after which the assessment which has been already, or is at the time of the grant, fixed, shall be levied as specified below. Provided, however, that when the grant exceeds 50 acres, it shall be made subject to the sanction of Government.

Grant of waste and unoccupied lands for timber, fruit and fuel plantations.

9th year ...	...	...	one-fourth assessment.
10th year ...	...	...	half assessment.
11th year ...	...	...	three-fourth assessment.
12th year and thereafter	...	...	full assessment.

2. The holder of the grant is at liberty to grow upon any or all the lands comprised in it, any timber, fruit, or fuel trees excepting only such trees as supari, cocoanut, etc., which fall under the head “Dhruvapairu.”

Trees to be planted by the grantee.

3. Twenty per cent of the land comprised in this grant shall be planted with trees within the second year

Conditions binding on the grantee in planting the trees.

* Vide Notification No. R. 7142—L. R. 385-07-6, dated 11th March 1909.

and another twenty per cent each succeeding year, so that the whole shall be planted within six years, or the grant shall be cancelled, unless good and sufficient reason can be shown for the contrary; but if the grantee thinks proper he can plant trees on a portion only paying for the remainder the full assessment, but each acre of land planted should contain forty standards at the least.

Permission to grantee to cultivate the land under the trees.

4. The grantee may also cultivate the land under the trees with cereal or other crops and shall not be charged any assessment upon such cultivation so long as the water supplied is from a private, not a Government source, and provided he does not grow coffee, mulberry, or sugar-cane, or jalari or lac trees. If, however, he chooses to make use of water from Government tanks or channels, etc., whether for cultivation or for plantation, he shall pay the water cess usually levied upon dry lands irrigated by Government water.

Assessment when the land is irrigated from Government sources at the end of 12 years from date of grant.

5. At the end of the twelve years, should the land continue to be irrigated from Government sources the assessment demanded shall be that of the neighbouring wet land.

Provision for re-planting trees.

6. All these favourable terms have been granted by Government to encourage the planting of trees and the consequent increase of vegetation over the face of the country, the grantee shall be bound to take proper care of and to maintain the trees and to re-plant for every tree felled, dying or otherwise disappearing, two others within a year.

How far the grantee shall abide by the Excise and Forest Laws.

7. The grantee shall also be subject to the Excise Laws so far as they refer to the extraction of toddy and other fermented liquors from the trees planted, and to the provisions of the Forest Laws which regulate the cutting and removal of trees or other forest produce from lands in the occupancy of private persons.

Inspection of the land by the Forest Department and inapplicability of the grant to waste land containing timber trees.

8. All blocks of land applied for under the above rules shall if above ten acres in extent, be inspected by the Forest Department before a grant for the same is issued, and the grant shall not apply to waste land in which timber grows already.

NOTE.—The rules are as amended by Government Notification No. R 63—R. F. 84-93, dated 3rd July 1902.

RULES FOR THE GRANT OF GOVERNMENT LAND FOR
GARDEN CULTIVATION ON FAVOURABLE TERMS.

(Appendix I to the L. R. Rules of 1890) *Section 233 (n).

1. Unassessed Government waste land applied for the Dhruvapairu garden cultivation will, where no objection exists to the grant, be given to the applicant, subject to the following rates of assessment, *viz* :—

Grant of waste land for Dhruvapairu cultivation.

A. For Arecanut Gardens in the Malnad.

- 1stly—For the first 12 years including the year of the grant, four annas per acre per annum.
- 2ndly—For the 13th, 14th and 15th years, at one-fourth, one-half and three-fourths, respectively, of the rate that may be fixed by the Survey and Settlement Commissioner.
- 3rdly—The full garden rate, fixed as above, to come into operation from the 16th year.

B. For Arecanut Gardens in the Maidan and for all Cocoanut Gardens.

- 1stly—For the first nine years including the years of grant, four annas per acre per annum.
- 2ndly—For the 10th, 11th and 12th years, at one-fourth, one-half and three-fourths, respectively, of the rate that may be fixed by the Survey and Settlement Commissioner.
- 3rdly—The full garden rate, fixed as above, to come into operation from the 13th year.

2. Within seven years of the date of grant, the land taken up shall be entirely planted up. The grantee shall be bound to plant up not less than one-third of the entire area at the end of the 3rd year of grant, two-thirds at the end of 5th year and bring the whole area under garden cultivation at the end of the 7th year. Failure to comply with these conditions as to planting shall render the entire land liable to full garden rate fixed in the manner aforesaid.

Conditions for planting up the lands taken up and consequences of failure to comply with them.

The grantee who fails to plant up the entire area of the grant within the prescribed time, will, however, be allowed to resign any portion of the grant in compact blocks of not less than two acres each in the case of cocoanut gardens and one acre each in the case of arecanut

* *Vide* Notification No. R. 7142—L. R. 885-07-6, dated 11th March 1909.

gardens. Provided that, should the grantee relinquish the land either in whole or in part for any reason whatever within seven years from the date of the grant, he shall, in the discretion of the Deputy Commissioner, be liable to pay a fine not exceeding the estimated value of the trees, if any, standing on the land at the time of grant but removed by the grantee during his occupation. Such estimated value shall always be entered in every "Kaul" granted under these rules.

3. No concession shall be granted under these rules for small and insignificant bits of land in maidan taluks, in spots such as feeders of tanks, tank beds, *vonis* and such like, which are purposely excluded from agricultural lands at the survey. The minimum area to be granted shall, in the maidan taluks, be one acre and in the malnad taluks 20 guntas.

4. The garden rate of assessment referred to in the preceding rules shall not be liable to revision otherwise than at a general revision of land revenue assessment throughout the taluk.

5. Grant under these rules shall be in the appended form.

6. Applications for lands under these rules shall be made in writing to the Amildar, who shall make such enquiry as may be necessary and submit the application to the Deputy Commissioner for orders with as little delay as possible.

7. In the case of arecanut and cocoanut gardens assessed at garden rates, which have, from any cause whatsoever, remained unoccupied for more than three years preceding the date of application for the land, the Deputy Commissioner may, in his discretion, grant such partial temporary remission of the existing garden assessment as may appear to him to be reasonable with reference to the present condition of the gardens, but not so as to exceed one-half of the term of favourable assessment allowable under Rule I.

Conditions on which these abandoned gardens are given on shraya and the penalties to be attached to breach of such conditions shall be specified in each grant.

*8. Cases falling under Rule 7 above, which in the opinion of the Deputy Commissioner may require more liberal concessions than are authorized by that Rule, shall be specially reported to the Revenue Commissioner after

* As amended by Notification No. R. 5732—L. R. 212-06-16, dated 9th January.

Minimum area to be granted.

When the above garden assessment is liable to revision.

Applications for lands to be made to the Amildar and the steps he shall take.

When the Deputy Commissioner may grant partial temporary remission of the existing garden assessment.

Orders of higher authorities necessary for more liberal concessions.

consultation with the Survey and Settlement Department. The Revenue Commissioner may pass final orders in every such case where the assessment of the lands does not exceed Rs. 500, cases in which the assessment of the lands exceeds Rs. 500 being reported to Government for orders.

9. Where delay is apprehended in fixing the garden rate referred to in Rule I, the Deputy Commissioner shall grant the lands applied for, reserving expressly for future decision, the rate of garden assessment to be fixed. In such a case the rate of garden assessment shall be fixed and duly entered in revised grants to be issued as early as possible in substitution of those already issued.

When revised grants shall issue.

Form of grant.

Title-deed granted by the Deputy Commissioner of the..... District to.....son of.....residing in the village of..... in the.....Taluk.

Under the Rules framed in this behalf, the land described below is granted to you for.....on the following terms :—

Taluk	Village	Survey number of the field	Area in acres	Whether the land is assessed or unassessed Government waste	If the land is already assessed		Remarks
					Whether dry, wet or garden	Present assessment	

I. The terms of assessment payable by you for the above land will be as follows :—

	Rate of assessment per acre per annum	Total annual assessments
(a) For the first 12 years, i.e., from 19 to 19 both years inclusive.	At 4 annas ... ..	...
For the 13th year, i.e., 19	One-fourth of the full garden rate i.e., ... ..	...
For the 14th year, i.e., 19	One-half of do i.e., ... ..	...
For the 15th year, i.e., 19	Three-fourths of the full garden rate, i.e., ... ..	...
From and after the 16th year, i.e., 19	Full garden rate, i.e. ... ..	...
(b) For the first 9 years, i.e., from 19 to 19 (both years inclusive).	At 4 annas ... ..	...
For the 10th year, i.e., 19	One-fourth of the full garden rate, i.e. ... ..	...
For the 11th year, i.e., 19	One-half of do i.e. ... ..	...
For the 12th year, i.e., 19	Three-fourths of the full garden rate, i.e. ... ..	...
From and after the 13th year, i.e., 19	Full garden rate, i.e. ... ..	...

NOTE.—(a) To be inserted when the grant is for arecanut garden in the maidan.

(b) To be inserted when the grant is for arecanut gardens in the maidan and for all cocoanut gardens.

II. You shall be bound to plant up not less than one-third of the entire area granted to you at the end of the 3rd year, *viz.*, 19 , two-thirds at the end of the 5th year, *viz.*, 19 , and bring the whole area under garden cultivation at the end of the 7th year, *viz.*, 19 ; and failure to comply with these conditions shall render the land liable to the full garden rate of assessment, *viz.*, Rs. from the 8th year, *viz.*, 19 .

III. Although you fail to plant up the entire area within the prescribed time, you will, however, be allowed to resign any portion of the grant in compact blocks of $\frac{2 \text{ acres each (a)}}{1 \text{ acre each (b)}}$ provided that should you relinquish the land, either in whole or in part, for any reason whatsoever within seven years from this date, you shall, in the discretion of the Deputy Commissioner, be liable to pay a fine not exceeding the estimated value of the trees, if any now standing on the land, but removed by you during your occupation, *viz.*, Rs. , which will be recovered as an arrear of land revenue.

NOTE.—(a) To be interested in the case of cocoanut, and
(b) in the case of arecanut gardens.

IV. The garden rate of assessment fixed as above, shall not be liable to revision otherwise than at a general revision of land revenue assessment throughout the taluk.

V. The annual assessment payable by you under clause (I) *supra*, shall be recovered in instalments as laid down in Rules 86 and 87, Chapter XIV of the Rules under the Land Revenue Code issued under Notification No. 264—R. 122 of the 10th July 1901.

Given under my land and seal this.....day of.. 19

Deputy Commissioner,
District.

NOTE.—The Rules in Appendix I to the Rules of 1890 are as amended by Government Order No. 4332—41, dated 30th June 1904.

**RULES RELATING TO THE REVENUE MONEY ORDERS FOR
THE MYSORE STATE FOR THE GUIDANCE OF LOCAL
OFFICERS.**

I. The object of Revenue Money Orders is to enable raiyats paying land revenue to Government, especially absentee pattadars and others interested in the land, to remit the amount due by them to the taluk through the shanbhog of the village in which the land on account of which the amount is payable, is situated.

II. Revenue Money Orders must be used only for the remittance of land revenue, cesses, and any other item which is due on account of land or is ordinarily payable with land revenue and cannot be used for any other purpose whatsoever.

III. Revenue Money Orders may contain pies (fractions of an anna) but not fractions of a pie.

IV. If a raiyat holds or is interested in lands covered by different pattas in the same revenue village, he may remit the land revenue due on all such pattas by a single Revenue Money Order, provided that full particulars of each patta are given in the Money Order.

V. The adoption of this system of payment is optional and no raiyat is compelled to resort to it unless he wishes to do so.

VI. The rules do not confer the right to pay land revenue direct into the Taluk Treasury without the intervention of the village shanbhog on any class of landholders except as subject to the exception already provided by Rule 91 of the Land Revenue Rules.

VII. The Revenue Money Order form which is appended to this order and copies of which will be available in all the Post Offices in the State, consists of three parts, *viz.*:—

- (1) The Money Order,
- (2) The acknowledgment,
- (3) The memorandum of particulars of remittance.

The first part is almost exactly like the corresponding portion of the ordinary inland Money Order Form. The upper portion is intended to be filled up by the Post Office and the lower portion by the remitter.

The second part is the acknowledgment for the Revenue Money Order which will be returned to the remitter through the Post Office duly signed by the village shanbhog. This part will be filled up by the remitter.

The third part provides headings for the entry of particulars of remittance which will also be filled up by the remitter for the information of the village shanbhog and the Amildar.

VIII. Revenue Money Orders will be delivered to the village shanbhog by the Branch Postmaster, Postman or village Postman as the case may be, *without cash*. The shanbhog will see that the amount of each order as entered in the Money Order (1st part) corresponds with that entered in the acknowledgment (2nd part) and in the memorandum of particulars of remittance (3rd part). If there is no discrepancy, he will sign the acknowledgment portion of each Revenue Money Order (2nd part), detach it and make it over to the Post Office Official who delivered the Money Order. The shanbhog will then grant a receipt for each Revenue Money Order and the coupon or memorandum of particulars delivered to him in the postman's book or village postman's register, which will be presented by the Post Office official along with the Revenue Money Orders.

IX. If either the acknowledgment or the memorandum of particulars of a Revenue Money Order is not completely filled up by the remitter, or if the remitter has omitted to affix his signature on the memorandum of particulars of remittance (3rd part), the shanbhog will return the Revenue Money Order to the Post Office official and will not grant a receipt in respect of such Revenue Money Order.

X. The shanbhog will then have the amount of each Revenue Money Order (which is in order and for which he has granted a receipt to the Post Office official) passed through his accounts treating the Revenue Money Order in every respect as cash or currency note. But the shanbhog will on no account detain the Post Office official who must be sent away immediately the acknowledgment portion of each Revenue Money Order is detached and given to him.

XI. The memorandum of particulars of remittance (3rd part) of each Revenue Money Order will then be carefully filed in monthly bundles by the shanbhog.

XII. If the amount of a Revenue Money Order falls short of the amount payable to Government by the landholder concerned, the amount must still be credited in the village accounts. If, on the other hand, the amount is in excess of the demand, the excess amount will be credited to surplus collections.

XIII. When the day for making the next remittance arrives, all the Revenue Money Orders taken delivery of by the shanbhog will be sent by him to the Amildar along with other collections duly entered in a list in the form appended to these rules.

XIV. The list will be received back from the Amildar duly signed by him or the Taluk Sheristadar or the Taluk Head Gumasta. The list will be filed by the village shanbhog with the memorandum of particulars of remittance (3rd part) of the Revenue Money Orders entered in it.

XV. The issue of a Revenue Money Order which is ultimately delivered to the shanbhog concerned too late for the Khist day does not exempt the remitter from the penalties prescribed in the Land Revenue Code and the rules framed thereunder.

XVI. Revenue Money Orders taken delivery of by the shanbhog, the amounts of which cannot be credited in the village accounts owing to an irregularity in the remittance or any other cause will be detailed on the reverse of the list and sent to the Amildar with the memorandum of particulars (3rd part) attached to the corresponding money order portion (1st part). The total amount of such Revenue Money Orders will not be included in the amount of remittance made to the Amildar.

XVII. Revenue Money Orders delivered to the village shanbhogs will be received in the Taluk Office invoiced in a list in the form prescribed in Rule XIII *supra*. If the amount of any Revenue Money Order has not been credited in the Revenue Accounts, owing to any irregularity in the remittance, the Revenue Money Order will be treated as "Refused" and sent by the Amildar to the Postmaster or Sub-Postmaster at his headquarters under receipt. All Revenue Money Orders will, if their amounts have been credited in the Revenue Accounts, be signed by the Amildar or in his absence, by the Taluk Sheristadar or the Taluk Head Gumasta, and presented daily at a convenient hour for payment by book-transfer at the Post Office (Head or Sub) at the headquarters of the Amildar whether such Post Office is the office by which the shanbhog's village named in the Money Order is served or not.

XVIII. The Postmaster or Sub-Postmaster at the headquarters of the Amildar will, in exchange for the Revenue Money Orders, give the Amildar a voucher in

duplicate representing the value of all the Revenue Money Orders presented to the former by the latter under the usual procedure prescribed for drawings from the Treasuries in the State. The words "Revenue Money Order" will be written in red ink at the top of the voucher. On the reverse of the voucher, the following entry will be made by the Postmaster or Sub-Postmaster¹ under his signature:—"Please debit the amount of this voucher to the Post Office by book transfer." The duplicate voucher should be signed and returned immediately. The amount of this voucher will be entered, like other drawings from the Taluk Treasury in the Treasury Pass Book, but in the column headed "Amount drawn by transfer for Revenue or other official money order payments." This entry will be attested by the Taluk Treasury Officer. The amount of Revenue Money Order vouchers will not be charged against the letter of credit of the Postmaster or Sub-Postmaster.

XIX. The amount of the original Revenue Money Order voucher will, on the day it is given by the Post Office, be shown in the Taluk Treasury Accounts on the receipt side as amount received on account of Land Revenue by book transfer and on the disbursement side as amount paid to the Post Office by book transfer.

XX. On receipt of these vouchers in the District Treasury along with the daily cash accounts of the Taluk Treasuries, they should be attached to His Majesty's Treasury Jamakarch account in support of the debit.

[Note.—This form is to be printed and supplied to shanbhogs by the Revenue Department.]

List of Revenue Money Orders sent to the Amildar atby..... village shanbhog of..... on the.....as part of the Irsal.

Number of each money order	Amount-of each money order			Remarks
	Rs.	a.	p.	
Total ...				

Signature of village shanbhog.

Received.....Money Orders amounting to Rs.
.....as per list above.

Dated the.....191 . Amildar.

List of Revenue Money Orders, the amounts of which have not been credited in the Village accounts owing to irregularities in the remittance and not included in the Irsal:—

Number of each money order	Amount of each money order			Nature of the irregularity
	Rs.	a.	p.	
Total ...				

Signature of village shanbhog.

Received..... Refused Money Orders
amounting to Rupees.....as per
list above.

Dated the.....191 Amildar.

FORM OF MONEY ORDER.

On Postal Service.



INLAND MONEY ORDER.

(LAND REVENUE.)

[Authorised for the Madras Circle]

To

The Postmaster.

.....
 *This will be the post office at the headquarters of the Amildar or Deputy Amildar mentioned on the reverse by the remitter, or its account office, if it is a branch office.

-----Fold here-----

N. B.—This space should be used for the post-marks of the offices of issue and payment.

-----Fold here-----

PARTICULARS OF LAND REVENUE.

(To be entered by remitter.)

1. Name in full of pattadar to whose credit the remittance is to be entered. }
2. Patta Nos.....
3. Survey Nos.....
4. Name of village, taluk and district in which the lands are situated. }
5. Name of the major village, the Shanbhog of which is empowered to collect land revenue. }
6. Official year for which the payment is intended. }
7. Name of khist.....
8. Explanation of remittance.....
9. Date of remittance.....

-----Fold here-----

INSTRUCTIONS FOR THE REMITTER'S GUIDANCE.

1. Revenue money orders must be made payable to the Amildar or Deputy Amildar of the taluk in which the land is situated.

2. Revenue money orders must only be used for the remittance of land revenue, cesses and of any other item which is due on account of land or is ordinarily payable with land revenue.

3. If the remittance is on account of lands covered by different pattas in the same revenue village, the amount paid in respect of each such patta should be separately entered against the respective patta number.

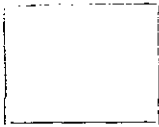
4. If full particulars are not correctly given in the order, mistakes may occur, for the consequences of which the remitter alone will be responsible.

5. No corrections will be allowed in a Revenue Money Order. If an entry has to be corrected a fresh form must be filled in.

6. The office of issue will help the remitter in making the entries and, if necessary will make entries for him, but no fee or other gratification is permitted to be accepted for this service.

7. The issue of a Revenue Money Order which is ultimately delivered to the Shambhog concerned too late for the khist day does not exempt the remitter from the penalties prescribed by the Revenue Department.

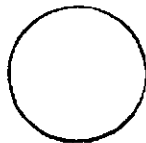
Month stamp.



Oblong M. O. stamp on issue.



A. O. stamp.



No. R..... Date.....

Rs. a. p.
 For

--	--	--

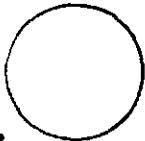
 (in words).....

M. O. Clerk.

Issuing Postmaster.

Received the sum specified above.

Date.....



Round M. O. stamp
 authorising payment.

Paid by me.

Signature (in ink) of payment.



Signature and designation of officer
 who paid the amount.

Oblong M. O. stamp on payment.

Remitter to fill up all entries below (except Money Order No.) and all entries on the reverse of the acknowledgment.

Amount in words.....

Name and address of the payee in full.) The Amildar or Deputy Amildar of..... Taluk

Name of village* in which remitter's land is situated.) District.

Date.....

Signature of remitter.

* If this village is a hamlet, the name of the major village to which it is attached should also be mentioned.

(On Postal Service).

ACKNOWLEDGMENT.

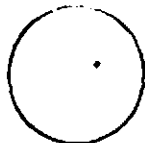
Money Order No.....

Amount of Land Revenue (in figures) Rs.a...p.....

(In words).....

Name and full address
of remitter. }

Signature of village shanbhog and date.

Date stamp of office
of delivery.

Name-stamp of office of issue.

COUPON.

(To be retained by the Shanbhog.)

Money Order No.....

Name in full of pattadar to whose credit
the remittance is to be entered. }

Patta Nos.....

Survey No.....

Name of village, taluk, and district in
which the lands are situated. }Name of major village, the Shanbhog of
which is empowered to collect land
revenue. }Official year for which the payment is in-
tended. }

Name of khist.....

Explanation of remittance.....

Amount of Land Revenue (in figures) Rs.a...p.....

(In words).....

Signature of remitter with date.....

Address of remitter.....

(pages 28 to 36 of the 1st Supplement to the Revenue Manual.)

INSTRUCTIONS TO VILLAGE IMPROVEMENT COMMITTEES
IN REGARD TO THE PLANTING UP OF TREES IN RURAL
AREAS.

(Circular No. 8910—Ft. 64-15-8, dated 18th March 1916.)

To

All the Village Improvement Committees.

One of the important items of work to be seriously taken up in connection with the improvement of villages by the Village Committees and the villagers in general is the systematic planting up of trees in the rural areas (goual and kharab lands, assessed wet lands, camping grounds, village sites, road sides, margin of tank-beds, banks of channels, etc.).

Government have already prescribed rules under the Land Revenue Code authorising the grant of liberal concessions for encouraging the planting of trees in Government waste and unoccupied assessed dry lands (*vide* Appendix H of Land Revenue Rules; also Appendix G regarding concessions for the planting of avenue trees.) But owing to the ignorance of those rules on the part of the raiyats or other causes, the concessions have not been availed of to any large extent.

2. The Village Forest Scheme has recently been sanctioned, under which Panchayets will be appointed in selected localities to begin with, for the protection and improvement of the lands from which the villagers usually draw their supply of fuel, timber and other forest produce for their domestic and agricultural needs and for educating the villagers to make a more economical and well regulated use of the forest resources at their disposal. It will, however, take some time before practical results will be achieved by the operation of this scheme.

3: The advantages of every village owning topes of various kinds for fuel, timber and manurial purposes or as pleasure resorts cannot be over-estimated. The maidan districts of Bangalore, Kolar, Tumkur and Chitaldrug and the maidan portions of the Mysore and Hassan Districts are in specially urgent need of attention in this direction. The Village Committees appointed under the Village Improvement Scheme in these places have a very good opportunity before them, of taking up the matter seriously and thus doing a real service to themselves and their

posterity. It is therefore hoped that they would give their best attention to systematic tree-planting on the road side, on the margin of the tank beds and banks of river channels, on the communal waste lands and other Government unassessed waste lands lying unoccupied for a long time in each village. They should also induce every large landholder to devote a portion of his lands for planting trees for his own purposes. In addition to arrangements for the planting of selected plots by batches throughout the convenient season and the arrangements necessary for the looking after the young growth, a day may be fixed in May or June every year to be called the 'Arbor Day' on which all the villagers will assemble and plant trees in all the selected localities in the village. This day may be made to synchronize with the Empire Day or the King Emperor's Birthday or His Highness the Maharaja's Birthday. This occasion can also be utilised for considering the effect of the previous year's operations and the arrangements necessary for the tending of the plants and saplings during the rest of the year. Where a Village Forest Panchayet has been constituted, its functions can be supplemented in the above manner and its work checked at the annual meeting of the villagers. A great deal can be accomplished in this way in the course of a few years in providing each village with tree growth sufficient to play an important part in the rural economy of the State.

4. The names of trees useful for their fuel, timber, seeds and fodder leaves, and fit for being planted in the maidan parts of the State, are given in the appended list which contains also a brief description of each plant. And in order to facilitate the operations of the villagers in the above direction, Government have ordered the establishment of nurseries in each district for raising seedlings of the several kinds of trees and supplying them to the villagers free of charge. The Village Committee or the patel of the village where there is no Village Committee for it, may after ascertaining the needs of the village, send an indent for the seedlings to the Amildar or the Deputy Amildar, who will arrange in communication with the District Forest Officer for their delivery in the village on payment of the actual cost of carriage.

LIST OF TREES.

1. Bevu—*Melia indica*. Very useful timber tree, yields valuable oil seed, and leaf fodder. It is fast growing and can be propagated easily either by direct seed sowing or by planting. It thrives in all soils.

2. Hutchu-bevu. Turukabevu—*Melina axedarach*. Very fast growing useful timber tree. Yields useful oil seed and fodder leaves. Coppices well and sends up root-suckers in large numbers. Thrives well in all soils. It can be raised easily both by direct sowing and planting.

3. Hunase—*Tamarindus indica*. Valuable for its fruits and fodder leaves. Thrives well in all soils. It can be raised easily by direct sowing. Useful for fuel.

4. Ippe—*Bassia longifolia*. Valuable for its seeds and corollas. It is a good shady tree. Can be raised by direct sowing. Useful both as a timber and fuel tree.

5. Honge—*Pongamia glabra*. Valuable for its seeds and manure leaves and firewood. It can be easily raised by direct seed sowing. It thrives well in loamy moist places.

6. Mavu—*Mangifera indica*. Valuable for its fruits and it is a useful timber tree. Thrives well in all soils. Can be easily raised either by direct sowing or by planting.

7. Halasu—*Artocarpus integrifolia*. Valuable for its fruits and leaves, and it is a useful timber tree, but requires a deep red loamy soil. Can be easily raised either by direct sowing or by transplanting in baskets.

8. Nerlu—*Eugenia Jambolana*. Valuable for its fruits and timber. Good shady tree. Can be raised by direct sowing or planting.

9. Aladamara—*Ficus bengalensis*. Valuable for fodder leaves and fruits. Thrives well in all soils and particularly in deep moist places. Can be easily raised by cuttings.

10. Gonimara—*Ficus mysorensis*. Can be easily raised by cuttings.

11. Basarimara—*Ficus Tsiela*. Can be easily raised by cuttings.

12. Attimara—*Ficus glaberrata*. Do do

13. Huvarsi—*Thespesia populnea*. Do do

Thrives well in deep soils. Useful timber tree.

14. Niranja—*Saliz tetrasperna*. Very fast growing. Thrives well along water courses and in swampy places below tanks. It coppices and pollards well. Yields moderately good timber and fuel.

15. Mugali—*Acacia Suma*. Very fast growing. Thrives well in swampy and water-logged places. Coppices and pollards well. Valuable for firewood.

16. Karijali—*Acacia arabica*. Moderately fast growing. Thrives well in clayey soils and in tank beds. Useful as a timber tree. Yields valuable fodder leaves and pods for goats. It yields valuable fuel and tan bark.

17. Bage—*Albezzia Lebbeck*. Moderately fast growing. Thrives well in any soil. Yields valuable timber and fodder.

18. Kyasarike—*Casuarina equisetifolia*. Fast growing. Can be raised by either basket or tile planting. Thrives well in deep moist soils in plantation. Valuable for firewood and is useful for poles.

19. Rain tree—*Pithecolobium Saman*. Very fast growing, but thrives well only in deep rich soils. Yields fodder leaves and pods. The wood is not much reputed even for firewood.

20. Biridi or Bindi—*Dalbergia Sissoo*. Moderately fast growing and yields valuable timber. Stony, gravelly and sandy soils are the most suitable for its growth.

RULES FRAMED FOR GRANTING LOAN FOR THE CONSTRUCTION AND IMPROVEMENT OF SAGUVALI KATTES.

1. These special rules shall extend to all those parts of the State where black cotton soil or other lands suitable for the construction of Saguvali Kattes exist.

2. Saguvali Kattes are "Vaddus" or dams put up for arresting surface water in order to increase the moisture in the beds of such Kattes to allow of their being cultivated and sown with javari, wheat, Bengal gram, cotton, etc., Such Saguvali Kattes are hereby declared to be land improvements within the meaning of the Land Improvement Loans Regulation.

3. These rules shall apply to the construction of new Saguvali Kattes, as well as for the improvement of existing ones, and the restoration of breached ones.

4. No single loan under these rules for a new Katte shall ordinarily exceed the sum of Rs. 300, but in exceptional cases, the Deputy Commissioner may sanction one up to Rs. 500. The loan for the improvement or restoration of an existing Katte shall not ordinarily exceed Rs. 50, but may, in special cases, amount to Rs. 100.

5. The construction, restoration or repair, as the case may be, of the Katte in respect of which a loan is obtained under these rules, shall be commenced within 15 days, and completed within six months, after the loan is received. The Deputy Commissioner, however, may, on satisfactory grounds being shown for it, extend the time for the commencement or completion of the work to such period as he may deem proper, not exceeding one year.

6. The rate of interest chargeable on such loans shall be 4 per cent per annum.

7. In all matters not specially provided for by these rules, the rules in Notification No. R. 4319—Agri. 91-08-4, dated 2nd January 1909, shall be followed.

(Pages 772-3 of the Revenue Manual.)

RULES FOR THE CUTTING AND REMOVAL OF DATE LEAVES,
ETC., FROM LANDS AT THE DISPOSAL OF GOVERNMENT
OTHER THAN STATE FORESTS.

In exercise of the powers conferred by the Mysore Forest Regulation, XI of 1900, and of all other powers enabling them in this behalf, the Government of Mysore are pleased, in supersession of the existing rules on the subject, to prescribe the following rules to regulate the cutting and removal of leaves from the trees, and of dead date wood, on lands at the disposal of Government other than State Forests.

"I. A license under the Excise laws or rules does not entitle the holder to cut or use leaves from date trees except such as must necessarily be removed for the purpose of drawing toddy.

IA. No person shall cut or remove dead date wood or leaves from date trees except under a license obtained in accordance with the rules herein laid down.

II. (a) In localities where date groves are in excess of the demand for toddy or may not be required for the supply of toddy elsewhere, or where *Kir ichal* (*Phœnix farinifera*) is not available, cultivating raiyats who are not professional rope-makers, basket-makers or mat-makers will be allowed, free of charge, the use of date leaves required for making ropes or for other *bonâ fide* agricultural purposes.

(b) In localities to be specified by the Deputy Commissioner, manufacturers of jaggory, as well as potters who pay mohatarfa tax, may be permitted to remove dry date leaves for fuel, free of charge.

III. Professional rope-makers, basket-makers, mat-makers, and others not entitled to use date leaves free of charge, will be granted licenses for the removal of date leaves upon payment of fees according to the following scale, namely :—

For six months or less	....	....	Rs. 2
For more than six months or the entire year		„	4

Provided that no such licenses shall be granted in localities where *Kir ichal* is available for making baskets, mats, etc., or where date trees are scarce or not more than sufficient for the purposes of toddy revenue.

IV. The licenses mentioned in Rules II and III shall be obtained, on payment of the fees if any payable, from the Taluk Amildar, the District Excise Officer or

other officer empowered by the Deputy Commissioner in this behalf. Applications for licenses may be presented in person or through the village patel or hobli shekdars.

V. The licenses granted under Rules II and III shall be in the form appended to these rules; and shall specify the number of head or cart loads permitted to be removed at a time during the period for which the licenses are granted; and it shall be discretionary with the officer granting the licenses to fix the number of head or cart loads to be entered in such license, with reference to the requirements in each case.

VI. The licenses aforesaid shall not be transferable, and no person other than the license-holder or his *bona fide* servant or a member of his family living with him shall cut date leaves under the license. The licenses shall be produced for inspection whenever required by any officer of the Forest, Excise, Police, or Revenue Department or village patel; and they shall be returned to the officer issuing them immediately on the expiration of the period mentioned therein.

VII. In the cutting of date leaves, the following directions shall be observed:—

- (a) No leaves shall be cut or removed from groves set apart by the Deputy Commissioner to meet the requirements of toddy vend farmers; nor from groves other than such as may be specified in the license,
- (b) No leaves shall be cut from any tree from which toddy is being actually drawn or which is reserved for the purposes of toddy revenue.
- (c) No leaves shall be cut from young immature trees the trunks of which are less than 6 feet in height from the ground to the springing of the branches.
- (d) Only two leaves from each tree shall be removed in any one year.
- (e) The four tender leaves including the central shoot shall on no account be removed.

VIII. In localities where it is customary to use dead date wood for building purposes, raiyats may obtain, for such purposes, date trees not fit for tapping, under licenses granted by the Deputy Commissioner or other officer empowered by him in this behalf, on the same terms as are applicable to other kinds of jungle wood.

IX. In localities where fuel is scarce, raiyats may be permitted to take free of charge dry date leaves, and dead wood unserviceable except as firewood, for *bonâ fide* private use, but not for sale.

X. In seasons of famine, scarcity or drought, raiyats may, subject to the provisions of Rule VII, be allowed to cut date leaves as fodder for cattle, in such groves as may not be reserved for the purposes of toddy revenue.

XI. The above rules shall, as far as may be, apply to the cutting and removal of bagani and palmyra dead wood, and of leaves from bagani and palmyra trees, but not to *Kir* or *Hul ichal*.

XII. Any person breaking any of the foregoing rules or any of the conditions specified in a license granted thereunder shall be liable on conviction to fine which may extend to Rs. 50, and also to the forfeiture of any license granted under these rules.

XIII. The fees levied under these rules shall not be let in farm."

Form of license under Rules II and III.

1. Taluk
2. Village
3. No. of license
4. Name and address of licensee
5. Profession of licensee
6. Quantity covered by the license
7. Date groves from which date leaves should be cut
8. For what purpose date leaves are required
9. Time within which the license should be returned
10. Date

*Signature and designation of
officer issuing the license.*

RULES FOR THE MANAGEMENT OF VILLAGE FORESTS.

Under Section 32 of the Mysore Forest Regulation, (XI of 1900) the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules

for the management of Village Forests constituted under Section 31 thereof:—

1. The management of a Village Forest shall be vested in a Panchayet consisting of the Patel and the Shanbhog of the village for the benefit of which the Village Forest is constituted and other members not less than three and not more than seven in number, as may be fixed by the Deputy Commissioner of the district in each case. No one who does not either permanently reside in the village concerned or hold lands therein will be eligible as a member.

2. The members of the Panchayet other than Patels and Shanbhogs shall be either selected by the Amildar of the taluk in which the village is situated or elected by the residents of the village duly qualified to vote, or partly selected and partly elected as may be determined by the Deputy Commissioner in each case. The members of the 1st Panchayet shall, however, be selected by the Amildar subject to the approval of the Deputy Commissioner.

3. For the election of the members of the Panchayet, all adults of either sex paying land tax or mohatarfa shall have the power to vote and each voter shall have as many votes as there are places to be filled up by election.

4. Disputes regarding election shall be promptly decided by the Amildar from whose decision an appeal shall lie to the Deputy Commissioner. The decision of the latter shall be final.

5. Each Panchayet shall hold office for a period of three years at the end of which the members thereof will be eligible for reappointment. The Amildar shall have the power to fill up casual vacancies.

6. A Chairman shall be elected by the Panchayet from among its own members for each year.

7. The Panchayet shall meet for transaction of business at least once a month and record the proceedings of the meeting in a book maintained for the purpose which shall be signed by the Chairman.

8. Every Panchayet shall maintain regularly such accounts and books and in such form as may be prescribed by the Deputy Commissioner and submit such of them to the Amildar at such periods as the Deputy Commissioner may direct. The accounts shall be audited once a year under the orders of the Amildar.

9. The removal of wood and other forest produce from the Village Forest shall be regulated by permits

issued by the Panchayet either free or for a fixed fee according as the applicant for the permit is or is not entitled to the free removal of the produce as per rules in force for the time being regulating the use of forest produce in District Forests and lands at the disposal of Government.

10. Grazing shall be free in all gomal lands included in the Village Forest, but it will not be allowed in the rest of the forest except on payment of a fee fixed by the Panchayet with the approval of the Deputy Commissioner.

11. Lands included in a Village Forest shall not, ordinarily, be given out for cultivation or for any other purpose without the consent of the Panchayet.

12. The Panchayet shall have power to divide the Forest into blocks and work each of them in rotation in accordance with a working plan furnished by the Deputy Commissioner.

13. The Panchayet will have the power to stop the exercise of any of the privileges in the Forest by the villagers, if they fail to pay the dues of the Panchayet or to conform to any of the rules made by the Panchayet. It will have also the power to exclude the cattle of such persons from the Forest and to impound the cattle allowed to enter the Forest contrary to the rules made by the Panchayet.

14. It shall also have the power to close any portion of the Forest for grazing or for the exercise of any other privileges and against any class of cattle for any period considered necessary.

15. The Panchayet shall have power to dispose of all trees and grass and other forest produce except Thaugadi and such trees and shrubs as may have been reserved by Government, in accordance with the rules in force for the time being relating to District Forests and lands at the disposal of Government in the Malnad or Maidan, subject, however, to the rights of the villagers for free grazing or for the free removal of any forest produce.

16. It shall be the duty of the Panchayet to suitably demarcate the Forest and to maintain the demarcation in an efficient condition.

17. It shall be the duty of the Panchayet to improve the condition of the growing stock and to plant fuel, timber, manurial and other trees in the Forest and in this respect they will be guided by the advice of officers of the Forest Department.

18. It shall be the duty of the Panchayet to undertake measures for the improvement of the growth of grass and to arrange for the growth of fodder and other quick growing crops in years of plentiful rainfall when a smaller area of the Forest is sufficient to meet the requirements of the village.

19. All realisations from the sale of grass and other forest produce (either by the permit system or otherwise) shall be constituted into a Village Forest Fund which should be deposited in the Government Savings Bank in the name of the Panchayet. The Chairman and another member of the Panchayet appointed for the purpose will be authorised to operate upon the account, whenever necessary. The funds shall be used solely for the purpose of the protection and improvement of the Village Forest.

20. The control over the Panchayet shall vest in the Deputy Commissioner who will have power to delegate it to the Assistant Commissioner in charge of the Sub-Division.

21. The Deputy Commissioner will have power to remove any Panchayet or any member thereof for sufficient reasons. On the removal of a Panchayet, the management of the Forests and the control over the funds relating thereto will rest in the Deputy Commissioner.

22. The District Forest Officer or any of his subordinates not lower in rank than a Ranger shall inspect the Village Forest and the accounts pertaining thereto at least once a year and report the result of such inspection to the Deputy Commissioner through the proper channel.

23. The Revenue Sub-Division Officers and the Amildars may also during their tours inspect the Village Forests and the accounts and registers maintained by the Panchayet.

24. The provisions of sections 24 (a), (b), 25 (b), (c), (d), (e) and (f) and 26 of Chapter II of the Forest Regulation shall be applicable to Village Forests also.

25. In all cases of trespass and other offences relating to Village Forests, the Chairman of the Panchayet shall have the power to compound the offence on payment of a compensation not exceeding Rs. 10.

GENERAL RULES FOR THE MANAGEMENT OF DISTRICT
FORESTS AND OTHER LANDS AT THE DISPOSAL OF
GOVERNMENT.

The Government of Mysore are pleased to make the following rules under Section 35 of the Mysore Forest Regulation (1900) for the regulation of the use of the forest produce and of the pasturage of lands at the disposal of Government and not included within the limits of:—

- (a) A State Forest ;
- (b) A Village Forest ;
- (c) A grazing kaval managed by the Amrut Mahal Department ; or
- (d) A Municipality, in respect of lands assigned to it.

These rules shall apply to all districts, but shall not affect the existing raiyats' privilege rules for the districts of Shimoga, Kadur and Hassan, so far as they relate to taluks and parts of taluks specified therein as "Malnad."

1. Subject to all rights now legally vested in individuals and communities, the use of the pasturage and of the forest produce of land at the disposal of Government shall be regulated by the following rules within the limits set forth in the preamble.

2. Land at the disposal of Government may, for the purpose of these rules, be classed as follows:—

(a) Land of which the Government has acquired the ownership or possession by purchase, lease or otherwise.

(b) Assessed but unoccupied land.

(c) Unassessed and unoccupied land.

(d) Land assigned as free grazing ground or for other communal purposes.

3. "Reserved land" includes all land notified under Section 4 of the Forest Regulation and any area specially declared to be reserved land in the manner prescribed in Rule 6.

Land at the disposal of Government which is not set apart as "reserved land" (or otherwise specially assigned by Government) will be held to be "unreserved land."

4. Trees of the various species shown in the subjoined table are "reserved trees" wherever found, whether in reserved or in unreserved land. Such of the remaining trees as it is considered desirable to conserve will be

divided into classes in accordance with the local requirements of the several districts, and lists of such trees and the seigniorage to be charged thereon will be published from time to time, under the sanction of the Government, in the *Mysore Gazette*. These trees will be called classified tree, "and any trees not included in the lists published as prescribed above are in the schedule of reserved trees will be called unclassified trees."

List of reserved trees.

Sl. No.	Botanical Name	English Name	Kanarese Name
1	<i>Santalum album</i> ...	Sandal ...	Gandha
2	<i>Tectona grandis</i> ...	Teak ...	Sagavani
3	<i>Dalbergia latifolia</i> ...	Black wood ...	Bite
4	<i>Pterocarpus marsupium</i>	Kino ...	Honne
5	<i>Terminalia chebula</i> ...	Myrobolam or gall-nut	Alale
6	<i>Shorea lacifera</i> ...		Jalari
7	<i>Lagerstroemia lanceolata</i>	Benteak ...	Nandi
8	<i>Chloroxylon swietenia</i>	Satin wood ...	Huragalu
9	<i>Sapindus emarginatus</i>	Soapnut ...	Antawala
10	<i>Hardwickia binata</i> ...		Karachi, Kamra
11	Do <i>pinnata</i> ...	Oil tree ...	Yenne mara
12	<i>Artocarpus hirsuta</i> ...		Hebhalasu
13	<i>Diospyros ebenum</i> ...	Ebony ...	Kari mara or Bale
14	Do <i>melanoxy- lon</i>		
15	<i>Xylocarpus dolabriformis</i> ...	Iron wood ...	Jambe
16	<i>Calophyllum elatum</i>	Poonspur ...	Sri Honne
17	<i>Chickrassia tabularis</i>	Chittagong wood	
18	(a) <i>Hopea parviflora</i>		Kirabagi
19	(b) <i>Dysoxylum malabaricum</i>	White cedar ...	Derargage

Save as provided by Rule 11, no person shall fell, up-root, lop, burn or otherwise damage or remove any reserved trees.

5. Save with the written permission of the Deputy Commissioner or other officer duly empowered, no tree, shrub or bamboo shall be cut or burnt, nor shall any grass or other forest produce be burnt, within (a) 50 yards of the banks of a hill stream or any of its feeders; (b) a radius of 50 yards from any spring of water; or (c) 50 yards of any public road.

6. So much of the four classes of land, specified in Rule 2, as the Deputy Commissioner of the District and the Conservator of Forests consider should be placed under special protection under Section 35 (iii) of the Regulation, either in view to the constitution of a State Forest or to the safeguarding of the supply of timber, of fuel or of fodder, or for purposes of protecting hill sides, or water supplies, may be declared to be reserved land " by a Notification of Government published in the *Mysore Gazette*."

Kari mathi and Bile mathi were expunged from the original list (No. 4,439, It. 95-04-2, dated 22nd November 1904), (a) and (b) were added to the list by Notifications Nos. R. 428-46-4, R. 736, It. 155-04-6, dated 17th July 1905.

7. On land declared "reserved land" under Rule 6, no fresh clearing shall be made for cultivation, or for any other purpose, without the permission of the Deputy Commissioner, which shall only be granted with the concurrence of the Conservator of Forests.

8. After the limits of any reserved land have been duly notified in the *Mysore Gazette*, no person within such land shall—

(a) set fire to any trees, timber, grass or other forest produce, or shall kindle or keep burning any fire except at such places and subject to such precautions as may be prescribed by the Deputy Commissioner or other person duly authorised in that behalf;

(b) fell, remove, girdle, mark, lop, tap, up-root or burn, or strip bark or leaves from or otherwise damage any tree growing on such land, or use or injure or remove any forest produce found thereon, unless such person be duly authorised in this respect.

Provided that, subject to such special rules as may hereafter be issued in respect of any such land, the words "forest produce" in the foregoing clause (b) shall not be held to include grazing on land assigned as free grazing ground, nor shall it include the following produce which may be removed for the *bona fide* home use of the neighbouring villages.

(a) Fallen dry wood (other than of the reserved kinds) for fuel.

(b) Grass cut for fodder or grazed by "cattle" (not being goats or kids) when the pasturage of the area concerned has been sold under the hulbanni system or otherwise to the villagers collectively.

9. On all unreserved land in any village, the cutting of grass for thatching, the collection of dry wood other than of the reserved kinds, thorns, leaves of trees and shrubs that are not reserved, and the felling of trees, other than all trees required for house-building as well as those included in the lists of reserved or classified trees, will be allowed free of charge and without permit, provided that the grass, wood, thorns, leaves or trees are required by the inhabitants of that or of neighbouring villages for agricultural or domestic use and not for sale or barter. On all unreserved land, dealt with under the hulganni system or such other system as may be approved by Government, grazing of "cattle" will be allowed subject to the payment of the fee or price fixed.

No person shall set fire to any trees, timber, grass or other forest produce in any unreserved land.

10. For the purpose of Rules 8 and 9, the Revenue officials of the taluk and especially patels of villages will be held responsible for seeing that the privileges of obtaining forest produce free of payment or at reduced rates are not abused. Patels of villages shall interfere for the purpose of preventing, and shall report, any breach of these rules of which they may become cognizant. In the case of disputes, the Deputy Commissioner will, after considering the area and productive capacity of the forest concerned, decide which are "neighbouring villages" within the meaning of the rules.

11. Subject to the exceptions provided for in Rules 8 and 9, the felling, conversion or removal of trees or timber and the collection or removal of other forest produce in reserved or unreserved lands may be effected in one or other of the following ways, but in no other way:—

(a) Departmentally, that is, by the officers of the Forest Department having control over the produce or by persons acting under the immediate superintendence, control or orders of such officers.

(b) By persons holding permits duly issued by a Forest officer or other authorised person.

(c) By any person holding the right under a lease, contract or permit granted by the Deputy Commissioner or by any officer duly authorised by him.

12. The Deputy Commissioner may appoint, by notification in the *Mysore Gazette*, any person or class of persons, by name or by virtue of his office, to issue or

recover permits under the foregoing rules, and may also prescribe tannas or places at which the timber or other forest produce shall be brought for examination and where permits shall be checked or recovered or way permits be issued. Except as provided in Rule 9, permits must be obtained before any felling, conversion, collection or removal is commenced. Permit-holders must comply with the Regulations of the Forest Department and the conditions entered in the permit.

13. No person shall boil catechu, distil wood-oil, or burn lime or charcoal in any reserved land except in such places as may be specially set apart for the purpose by the Deputy Commissioner.

14. Quarrying in land at the disposal of Government will be regulated by the Rules under the Land Revenue Code, care however being taken by the Deputy Commissioner to see that it is not ordinarily permitted in places where damage is likely to be caused to forest growth.

15. Any breach or infringement of Rules 4, 5, 7, 8, 9, 11, 12, 13, or 14 will render the offender liable to imprisonment of either description as defined in the Indian Penal Code, which may extend to one month, or to fine which may extend to Rs. 200, or to both.

(Notification No. 245-1300, dated 2nd October 1901.)

THE MALNAD RAIYATS' SPECIAL PRIVILEGES RULES.

In supersession of the Rules published in Notification No. 6084—Ft. F. 105-95, dated the January 1896, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules under Section 34 and 35 of the Mysore Forest Regulation, (XI of 1900), defining the privileges of raiyats in the "Malnad" in regard to the use of forest produce from Village and District Forests and lands assigned at the Survey Settlement as free grazing grounds.

1. These Rules shall apply to taluks and parts of taluks specified as "Malnad" in the Appendix, and the privileges granted hereby to the raiyats will be exercised by them within the limits of Village Forests wherever specifically assigned, and when Village Forests have not been so assigned, within the limits of District Forests or such portions thereof as may be set apart for the purpose.

Provided, however, that these Rules shall not apply to Coffee Planters.

2. These Rules shall not affect any existing privilege of grazing in District Forests, nor will they affect existing rights of owners of gardens in their Soppinabettas, or rights in the Kans in the Malnad. But nothing herein contained will prevent a District Forest from being placed under special protection under the provisions of Section 35 (iii) of the Forest Regulation, XI of 1900.

Definitions.

3. "Agricultural implements" means and include ploughs, harrows, clod-crushers, hoes, seed-drills, namti-handles, gudli or pick-axe handles and all other agricultural implements.

"Malnad" means the taluks and parts of taluks mentioned in the Appendix.

"Raiyat" means a pattadar, khatedar, or registered occupant of Government land or minor Inamdar, and includes the co-holder or tenant of all the above descriptions of land-holders.

4. Raiyats shall not fell, lop or otherwise damage under these Rules any tree bearing minor forest produce, such as Cinnamon (*Cinnamomum iners*), Tamarind (*Tamarindus indica*), Gallnut (*Terminalia Chebula*), Kachu (*Acacia catechu*), Geru (*Semicarpus anacardium*), Gamboji (*Garcinia morella*), Antavala (*Sapindus trifoliatum*), and Halmaddi (*Canarium strictum*); nor any of the reserved trees mentioned in the subjoined table, which will be entirely at the disposal of the Forest Department.

Serial No.	Botanical name	English or popular name	Kanarese name
1	<i>Santalum album</i> ...	Sandal ...	Gandha.
2	<i>Tectona grandis</i> ...	Teak ...	Sagavani.
3	<i>Dalbergia latifolia</i> ...	Blackwood	Beeti.
4	<i>Shorea Talura</i> ..	.....	Jalari.
5	<i>Diospyros ebenum and melaoxylon.</i>	Ebony ...	Kari mara or bale.
6	<i>Xylia dolabriformis</i> ...	Ironwood ...	Jambe.
7	<i>Calophyllum elatum</i> ..	Poonspar ...	Srihonne.
8	<i>Hopea parviflora</i> ...	.....	Kiralbhogi or bogi.
9	<i>Dysoxylum malabaricum</i> ...	White cedar	Devagarge.
10	<i>Pterocarpus Marsupium</i> ..	.....	Honne.
11	<i>Chikrassia tabularis</i> ...	Chittagong wood	Kalgarge.

5. Save with the written permission of the Deputy Commissioner or other officer duly empowered, no trees, shrub or bamboo shall be cut or burnt; nor shall any grass or other forest produce be burnt, within (a) 50 yards of the banks of a perennial hill or stream or its feeder; (b) a radius of 50 yards from any spring of water; or (c) 50 yards of any public road.

6. No person shall set fire to any tree, timber, grass or other forest produce in a District Forest.

7. For the purpose of these Rules, trees other than those mentioned in Rule 4, will be divided into three groups as given hereunder:—

Group I.

No.	Botanical name	Kanarese name
1	<i>Artocarpus integrifolia</i>	Halasu.
2	<i>Do hirsuta</i>	Hebbhalasu.
3	<i>Terminalia arjuna</i>	Bili-matti.
4	<i>Do tomentosa</i>	Kari-matti.
5	<i>Lagerstroemia lanceolata</i>	Nandi.
6	<i>Mesua ferrea</i>	Nagasampige.

Group II.

No.	Botanical name	Kanarese name
1	<i>Terminalia paniculata</i>	Hunal or Hulve.
2	<i>Sterculia villosa</i>	Massi.
3	<i>Adina cordifolia</i>	Yettega or Arsinatega.
4	<i>Albizzia odoratissima</i>	Bilwara.
5	<i>Grevia tiliafoeia</i>	Tadasal.
6	<i>Schleicheru trijuga</i>	Kondala or Sagade.
7	<i>Albizzia Lebbek</i>	Bage or Tirchal.
8	<i>Cornus macrophylla</i>	Hadaga.
9	<i>Mimusops Elengi</i>	Nanja or Bakula.
10	<i>Michelia champaca</i>	Sampige.
11	<i>Poecilneuron indicum</i>	Ballagi.
12	<i>Artocarpus Lakucha</i>	Vate.

Group III.

"Jungle wood" consisting of species not included in Groups I and II above.

8. Subject to Rules 1 and 4, raiyats in the Malnad will be entitled to remove from District Forests the following forest produce without payment or permit:—

(1) Jungle wood for agricultural implements. But, wood of group II may be taken for this purpose with the written permission of the patel. Only mature and knotted trees unfit for timber should be cut. When jungle wood is wanted for sugar-cane mills, paddy husking mills and troughs for cattle, free permits should be obtained from the Amildar, and these should be returned to the taluk within the time specified with the endorsement of the patel of the village in which the wood has been cut as to the quantity removed under the permit; except in the magnis noted on the margin where no permits are required.

(2) Jungle wood stakes, brushwood and bamboo thorns for fences and hedges and dams and for fuel.

(3) Jungle wood and bamboos including vate or reed bamboos required for cattle pens, for sheds, pandals, small huts and "Machans" to be put up in fields and for stack floor;

(4) Branches of jungle wood trees for manure and litter;

(5) Grass for thatching or fodder;

(6) Thorny bamboos for hedges and fences;

(7) Dead date, or bagani palm trees required for agricultural implements, sugar-cane hedges and water-courses, and canes for agricultural purposes; and

(8) Dead wood of all kinds other than those referred to in Rule 4 may be removed as firewood.

NOTE.—In addition to the above, the raiyats may also cut and remove grass gratis from the State Forests with the permission of the District Forest Officer.

9. Raiyats in the Malnad can obtain wood and bamboos for building and agricultural purposes on licenses which will be issued on payment of favourable rates of seigniorage as hereunder mentioned. Provided, however, that the wood or bamboos thus obtained shall be used for the construction and repairs of their farm buildings and dwelling houses in the village to which the forest is

attached or has been assigned, and that no license will be issued for felling wood or bamboos in Malnad "Kans."

	Rs. a. p.
Wood included in Group I, per cart-load ...	3 0 0
Honne and kiralbogi per cart-load ...	5 0 0
Jamba per cart-load ...	1 0 0
Wood of the Group II, per cart-load ...	1 0 0
Jungle wood per cart-load and kiribidarus per 100	0 8 0
Jungle wood poles or maragalas, per cart-load...	0 8 0
Garte or small solid bamboos, per 100 ...	0 4 0
Hebbidarus, per 100 ...	2 0 0

N. B.—Sawn timber will be charged for 50 per cent, in addition.

NOTE.—The term "cart-load" shall mean a country cart drawn by two bullocks or buffaloes. The rate for a cart-load drawn by four bullocks or buffaloes to be double that for a cart drawn by two buffaloes, and so on for every additional pair of bullocks or buffaloes employed in dragging the cart.

10. The concessions accorded to raiyats in Rules 8 and 9 are intended solely for their own *bona fide* use. They shall not transfer, sell or barter for purposes of trade, any materials obtained under the aforesaid rules. Provided, however, that the license and materials obtained under these rules may be transferred to any member of the license holder's family or to any Malnad raiyat.

11. The Deputy Commissioner may appoint, by notification in the *Mysore Gazette*, any person or class of persons, by name or by virtue of his office, to issue or recover paid permits under the foregoing rules, and may also prescribe tannas or places to which the timber or other forest produce shall be brought for the examination of such timber or other forest produce, the checking or the recovery of permits, and the issue of way permits. Except as provided in Rule 8, permits must be obtained before any felling, conversion, collection or removal is commenced. Permit-holders must comply with the regulations of the Forest Department and the conditions entered in the permit.

12. Free permits prescribed in Rule 8 will be liable to inspection by Forest, Revenue and Police Officers, who will be bound to see that the terms of the license are not exceeded or broken.

13. Any breach or infringement of Rules 4, 5, 6, 8, 9 and 10 will render the offender liable to imprisonment of either description as defined in the Indian Penal Code, which may extend to one month, or to fine which may extend to Rs. 200, or to both in addition to the withdrawal of the privileges connected to him by the foregoing rules.

APPENDIX.

SHIMOGA DISTRICT.

“The whole of the Sagar, Nagar and Tirthahalli Taluks, whole of the Kumsi Sub-Taluk, except the portions of the Harnahalli hobli lying to the right of the Bangalore-Honnavar road, the Kasaba and Belundur hoblis of the Shikarpur Taluk and the Kasaba Chandragutti and Ulvi hoblis of the Sorab Taluk.”

KADUR DISTRICT.

“The whole of the Mudgere and Koppa Taluks and of the Yedahalli Sub-Taluk, the Lingadahalli and Lakkavalli hoblis of the Tarikere Taluk and the whole of the Chikmagalur Taluk with the exception of Mirle and its hamlets in Amble hobli and the whole of the Lakya hobli.”

HASSAN DISTRICT.

“The whole of the Manjarabad Taluk and of the Alur Sub-Taluk and the Madihalli, Bikkodu, Arehalli and Kasaba hoblis of the Belur Taluk.”

14. (1) With a view to encourage the construction of more suitable dwellings in the Malnad, Government are pleased to extend to non-agriculturists, for a period of three years, the concessions granted to agriculturists by the Malnad Raiyats' Special Privilege Rules published under Government Notification No. R. 7375—Ft. 164-04-9, dated the 17th March 1909, and amended from time to time and to direct that building materials of the classes specified in paragraph 9 of the Rules be sold to the people residing in the Malnad, for their *bona fide* personal use at half the seigniorage rates prescribed therein.

(2) The Deputy Commissioners of the Malnad Districts are requested to guard against an abuse of these concessions and to see that there is no excessive or wasteful felling of timber.

(3) Government are, as a rule, averse to the grant of concessions in the State Forests, but in very exceptional circumstances, where there is no District Forest within convenient distance of a village, the Deputy

Commissioner may grant materials from the nearest State Forest under the concessions sanctioned herein.

(4) Government also approve of the suggestion to extend the Malnad Raiyats' Special Privileges Rules to all the tracts to which the Malnad Improvement Scheme has been made applicable.

15. Government are pleased to direct that the privileges of the malnad raiyats, specified in Government Order No. R. 7375—Ft. 164-04-9, dated 17th March 1909, aying down the Malnad Raiyats' Special Privileges Rules e extended to the raiyats of the marginally noted villages of the Shimoga District only so far as the agricultural requirements are concerned.

No.	Chetnahalli Magni	No.	Chinnikatte Magni
1	Gadikatte	1	Joga
2	Koogenhalli	2	Bedarhalli
3	Kunkuva	3	Yellapura
4	Dasarahatti	4	Gundichatnahalli
5	Palavanhalli		
6	Chetnahalli		
7	Sogilu		

CHAPTER III.

Schedule of offences under the Indian Penal Code, referred to in Chapter III of the Village Manual.

Sections	2	3	4	5	6	7	8
Offence	Whether the Police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable	
1	2	3	4	5	6	7	8
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.	Shall not arrest without warrant.	Warrant	Not bailable ...	Not compoundable.	Death or transportation for life, and forfeiture of property.	Court of Session.
121A	Conspiring to commit certain offences against the State.	Do	Do	Do	Do	Transportation for life or any shorter term, or imprisonment of either description for 10 years.	Do
122	Collecting arms, etc., with the intention of waging war against the Queen.	Do	Do	Do	Do	Transportation for life, or imprisonment of either description for 10 years and forfeiture of property.	Do
123	Concealing with intent to facilitate a design to wage war.	Do	Do	Do	Do	Imprisonment of either description for 10 years and fine.	Do
124	Assaulting Governor-General, Governor, etc., with intent to compel or restrain the exercise of any lawful power.	Do	Do	Do	Do	Imprisonment of either description for 7 years and fine.	Do

124A	Sedition	Do	...	Do	...	Do	...	Do	...	Transportation for life or for any term and fine, or imprisonment of either description for 3 years and fine, or fine.	Court of Session, District Magistrate or Magistrate of the first class specially empowered by the Government in that behalf.
125	Waging war against any Asiatic power in alliance or at peace with the Queen, or abetting the waging of such war.	Do	...	Do	...	Do	...	Do	...	Transportation for life and fine, or imprisonment of either description for 7 years and fine, or fine.	Court of Session.
126	Committing depredation on the territories of any power in alliance or at peace with the Queen.	Do	...	Do	...	Do	...	Do	...	Imprisonment of either description for 7 years and fine, and forfeiture of certain property.	Do
130	Aiding escape of, rescuing or harbouring, such prisoner, or offering any resistance to the recapture of such prisoner.	Do	...	Do	...	Do	...	Do	...	Transportation for life, or imprisonment of either description for 10 years and fine.	Do
143	Being member of an unlawful assembly.	May arrest without warrant.	...	Summons	...	Bailable	...	Do	...	Imprisonment of either description for 6 months or fine, or both.	Any Magistrate.

Schedule of offences under the Indian Penal Code, referred to in Chapter III of the Village Manual—*contd.*

Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bail-able or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
1	2	3	4	5	6	7	8
144	Joining an unlawful assembly armed with any deadly weapon.	May arrest without warrant.	Warrant	Bailable	Not compoundable.	Imprisonment of either description for 2 years, or fine, or both.	Any Magistrate.
145	Joining or continuing in an unlawful assembly, knowing that it has been commanded to disperse.	Do	Do	Do	Do	Do	Do
147	Rioting	Do	Do	Do	Do	Do	Do
148	Rioting armed with a deadly weapon.	May not arrest without warrant.	Summons	Do	Do	Imprisonment of either description for 3 years, or fine, or both.	Court of Session or Magistrate of the first class.
176	Intentionally omitting to give notice or information to a public servant by a person legally bound to give such notice or information.	Shall not arrest without warrant.	Do	Do	Do	Simple imprisonment for one month, or fine of 500 rupees, or both.	Magistrate of the first or second class.
187	Omission to assist public servant when bound by law to give such assistance.	Do	Do	Do	Do	Simple imprisonment for one month, or fine of 200 rupees, or both.	Do

	Intentional omission to give information of an offence by a person legally bound to inform.	Shall not arrest without warrant.	Summons	...	According as the offence of giving such evidence is bailable or not.	Not compoundable.	Imprisonment of either description for 6 months, or fine, or both.	Magistrate of the first or second class.
262	Intentional omission to give information of an offence by a person legally bound to inform.	Do	Do	...	Bailable	Do	Imprisonment of either description for one year, or fine, or both.	Do
264	Fraudulent use of false instrument for weighing.	Do	Do	...	Do	Do	Do	Do
265	Fraudulent use of false weight or measure.	Do	Do	...	Do	Do	Do	Do
266	Being in possession of false weights or measures for fraudulent use.	Do	Do	...	Do	Do	Do	Do
267	Making or selling false weights or measures for fraudulent use.	Do	Do	...	Do	Do	Do	Do
302	Murder	May arrest without warrant.	Warrant	...	Not bailable	Do	Death or transportation for life and fine.	Court of Session.
303	Murder by a person under sentence of transportation for life.	Do	Do	...	Do	Do	Death	Do
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with intention of causing death, etc.	Do	Do	...	Do	Do	Transportation for life, or imprisonment of either description for 10 years and fine.	Do
	If act is done with knowledge that it is likely to cause death, but without any intention to cause death, etc.	Do	Do	...	Do	Do	Imprisonment of either description for 10 years, or fine, or both.	Do

Schedule of offences under the Indian Penal Code, referred in Chapter III of the Village Manual—*contd.*

Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bail-able or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
1	2	3	4	5	6	7	8
382	Theft, preparation having been made for causing death, or hurt, or restraint, or of death, or of hurt or of restraint, in order to the committing of such theft, or to retiring after committing it, or to retaining property taken by it.	May arrest without warrant.	Warrant	Not bailable ...	Not compoundable.	Rigorous imprisonment for 10 years and fine.	Court of Session or Magistrate of the 1st class.
392	Robbery	Do	Do	Do	Do	Rigorous imprisonment for 10 years and fine.	Do
	If committed on the high way between sunset and sunrise.	...	Do	Do	Do	Rigorous imprisonment for 14 years and fine.	Do
393	Attempt to commit robbery...	Do	Do	Do	Do	Rigorous imprisonment for 7 years and fine.	Do
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person jointly concerned in such	Do	Do	Do	Do	Transportation for life or rigorous imprisonment for 10 years and fine.	Do

Schedule of offences under the Indian Penal Code, referred in Chapter III of the Village Manual—*concl'd.*

Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Whether bailable or not	Whether compoundable or not	Punishment under the Indian Penal Code	By what Court triable
	2	3	4	5	6	7	8
456	Lurking house-trespass or house-breaking by night.	May arrest without warrant.	Warrant	Not bailable ...	Not compoundable.	Imprisonment of either description for 8 years and fine.	Court of Session or Magistrate of the 1st or 2nd Class.
457	Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.	Do ...	Do ...	Do ...	Do ...	Imprisonment of either description for 5 years and fine.	Do
	If the offence is theft ...	Do ...	Do ...	Do ...	Do ...	Imprisonment of either description for 14 years and fine.	Do
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, etc.	Do ...	Do ...	Do ...	Do ...	Imprisonment of either description for 14 years and fine.	Court of Session or Magistrate of the first class.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	Do ...	Do ...	Do ...	Do ...	Transportation for life or imprisonment of either description for 10 years and fine.	Court of Session.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, etc.	Do ...	Do ...	Do ...	Do ...	Do ...	Do

CHAPTER IV.

MYSORE VILLAGE COURTS REGULATION.

REGULATION VII OF 1913.

A REGULATION FOR THE ESTABLISHMENT OF VILLAGE
COURTS IN MYSORE.

(Received the assent of His Highness the Maharaja on the
11th day of October 1913.)

Whereas it is expedient to provide for the establish- Preamble.
ment of Village Courts in Mysore; His Highness the
Maharaja is pleased to enact as follows:—

CHAPTER I.

Preliminary.

1. (1) This Regulation may be called "The Mysore
Village Courts Regulation, 1913." Title, com-
(2) It shall come into force on the first day of mencement
January 1914. and local ext-
(3) It shall extend to such village or villages in tent.
Mysore as may, from time to time, be notifi-
ed by Government in the official Gazette.
2. In this Regulation, unless there is something Interpretation
repugnant in the subject or context:— clause.
"Village" means a local area recognized by Govern- "Village."
ment from time to time as a village for purposes of collect-
ing the land revenue and includes any area for which a
Village Court may be established under this Regulation.

PART III OF THE VILLAGE MANUAL.

Village Courts Regulation, VII of 1913.

*	*	*	*
†	*	*	*
†	*	*	*

Section (1).

Section (2).

District Judge
and Munsiff.

“District Judge” means the District Judge of the District in which the Village Court is situate.

“Munsiff” means the Judge of the lowest grade appointed under the Mysore Civil Courts Regulation, I of 1883, to exercise the jurisdiction of a Civil Court over the locality in which the Village Court is situate.”

“Deputy
Commissioner.”

“Deputy Commissioner” shall mean the Deputy Commissioner of the District in which the Village Court is situate.

CHAPTER II.

Establishment and Constitution of Village Courts.

Establish-
ment of Vil-
lage Courts.

3. The Government may, from time to time, by notification published in the official Gazette,—

- (1) establish a Village Court for any village or specified area;
- (2) group two or more villages and establish a Village Court for them;
- (3) constitute divisions in any village and establish a separate Village Court for each of such divisions.

A Village Court established under this Regulation shall be held before a Village Munsiff appointed, or a Bench of more than one Judge constituted, as hereinafter provided.

4. Village Munsiffs shall be appointed by the Deputy Commissioner of the District subject to such rules as the Government may, from time to time, prescribe; provided that no person not residing within the village shall be eligible for that office.

5. The Deputy Commissioner of the District may suspend or remove a Village Munsiff for incapacity, neglect of duty, misconduct, or other just and sufficient cause, and shall do so, on a requisition made by the District Judge for like cause appearing in the judicial proceedings of a Village Munsiff.

From every order suspending or removing a Village Munsiff, an appeal may be preferred within three months to the Revenue Commissioner if the order was passed by the Deputy Commissioner without a requisition from the District Judge, or to the Chief Court, if passed upon such requisition. The decision of the Revenue Commissioner or the Chief Court, as the case may be, on all such appeals shall be final.

Appointment
of Village
Munsiffs.

Suspension or
removal of
Village Mun-
siff.

Appeals from
the above or-
ders to whom
lie.

6. (1) For every village in respect of which a Village Court is constituted, and subject to any rules which the Government may make on this behalf, the Deputy Commissioner shall prepare and maintain a list of persons residing in the village and qualified to sit as members of a Bench for the trial of suits brought under this Regulation. Such list shall also be hung up in the Court-house of the Village Munsiff.

Provisions concerning Benches.

List of persons qualified to serve as members of a Bench.

(2) In any suit which may be instituted before a Village Court under this Regulation, the plaintiff in his plaint or the defendant in his answer may claim that the suit shall, instead of being tried by the Village Munsiff, be tried by a Bench of three Judges, and nominate as a member of such Bench any person named in the list mentioned in clause (1).

Either party to a suit may claim a trial by Bench.

(3) When the plaintiff has nominated such a person in his plaint, the defendant shall, by the summons, be requested to nominate one also. When the defendant has demanded a Bench and nominated such a person, the plaintiff shall be required to nominate one also. When any person nominated to serve on a Bench declines or is unable to act, the party who nominated him shall be required to make a fresh nomination.

If a requisition under this clause has not been complied with within two clear days after it is made, the Village Munsiff shall himself select from the list a person to serve on the Bench on behalf of the party so making default.

Provided that the person nominated under this section shall not be the servant, dependant, relative or tenant of the party on whose behalf he is nominated, and shall not be personally interested in the result of the suit.

(4) The Village Munsiff shall summon the two persons nominated or selected as aforesaid to sit together with himself for the trial of the suit.

Member of Bench to be summoned by Village Munsiff.
Procedure.

(5) The Village Munsiff shall be the President of such Bench and shall regulate the procedure and issue all summonses, notices and the like in his own name, but the decree shall run in the name of all the three members of the Bench. If the members of the Bench cannot agree, the opinion of the majority shall prevail.

(6) No person summoned under this section to serve on a Bench shall be bound to sit for more than three days in a month; provided that every such person shall be bound to attend the trial of any case which has been commenced before him until its completion.

Liability to serve on Bench.

Penalty for refusing or omitting to serve.

(7) Whoever, being duly summoned under this section to serve on a Bench, declines or omits to do so, without reasonable excuse, shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 20.

Register of suits filed and record of proceedings held, before Village Courts.

7. The Village Munsiff shall keep a register of suits filed in the Village Court and shall write the proceedings of the Court, and may, if necessary, employ any person in the village to assist him in keeping the register and in writing the proceedings.

Seal.

8. Every Village Court shall use a seal with the name of the Court inscribed in Kannada characters and shall use it for stamping summonses, decrees and copies of documents issued by it.

Service of summonses, etc.

9. It shall be the duty of the village servant usually employed in carrying messages to serve all summonses, notices and orders issued under this Regulation and to act under the orders of the Village Munsiff in seizing, delivering and selling movable properties attached under this Regulation.

Power of Deputy Commissioner to appoint persons to perform duties mentioned in Sections 7 and 9.

10. The Deputy Commissioner of the District may, with the previous sanction of Government, appoint any other person to perform the duties prescribed by Sections 7 and 9, respectively.

CHAPTER III.

Jurisdiction, Res Judicata and Limitation.

Cognizance of suits by Village Courts.

11. The following are the suits which shall be cognizable by Village Courts, namely;—

Claim based on contract for money due, or claims for movable property, or for the value of such property, when the debt or demand does not exceed in amount or value the sum of rupees twenty, whether on balance of account or otherwise.

Proviso.

Provided that no action shall be brought in any such Court—

- (1) on a balance of partnership account unless the balance shall have been struck by the parties or their agents;
- (2) for a share or part of a share under an intestacy, or for a legacy or part of a legacy under a will;
- (3) for the rent for land unless such rent is due upon a written contract signed by the defendant;

(4) by or against public officers in their official capacity ;

Jurisdiction with consent.

(5) by and against minors or persons of unsound mind.

12. With the written consent of both parties executed before the Court, a Village Court may hear and determine suits of the nature described in Section 11, the amount or value of which shall not exceed Rs. 200.

Exclusive jurisdiction of Village Courts in cases cognizable by such Courts. Proviso.

13. No suit cognizable by the Village Court under this Regulation shall be entertained, heard or determined in any other Court having jurisdiction within the local limits of the jurisdiction of such Village Court.

Provided that all such cases pending in any Court at the time this Regulation comes into force shall be heard and determined by such Court ; and decrees passed in suits, which shall not have been satisfied prior to such time, shall be executed by such Courts.

14. Subject to the provisions contained in Section 15, every suit brought under this Regulation shall be instituted in the Village Court within the local limits of whose jurisdiction all the defendants at the time of the commencement of the suit reside or carry on business or personally work for gain.

Court in which suits to be instituted.

15. No Village Munsiff shall try any suit to which he is a party, or in which he is personally interested, or shall adjudicate upon any proceeding connected with or arising out of such suit.

Suits in which the Village Munsiff is personally interested.

16. No Village Court shall try any suit brought on a cause of action which has been heard and determined by a Court of competent jurisdiction, in a former suit, between the same parties, or those under whom they claim.

Res judicata.

17. Every suit instituted in a Village Court shall include the whole of the claim which the plaintiff is entitled to make in respect of the cause of action, but he may relinquish any portion of his claim in order to bring the suit within the jurisdiction of such Court.

Suit to include whole claim.

If a plaintiff omits to sue in respect of, or intentionally relinquishes, any portion of his claim, he shall be precluded from bringing a fresh suit for, or in respect of, the portion so omitted or relinquished.

Relinquishment of part of claim.

18. If in the decision of a suit cognizable by a Village Court under Sections 11 and 14 it becomes necessary to decide incidentally any matter in dispute between the parties to the suit concerning title to immovable property,

Incidental determination of matters not cognizable by Village.

or the legal character of either of them, or of those under whom they claim, or the existence of any contract or obligation, which, if it had been the immediate subject matter of the suit, would not be cognizable under this Regulation by a Village Court, it shall be competent to the Village Court to decide such question of title, legal character, contract or obligation as far as may be necessary for the determination of such suit, but such decision shall not be evidence of such title, legal character, contract or obligation in any other action, though between the same parties or their representatives.

19. The provisions of the Mysore Limitation Regulation shall apply to suits and applications under this Regulation.

Provided that no suit or application shall be entertained by a Village Court after the expiration of three years from the time when the right to sue or make the application first accrued.

20. The Munsiff may, on the application of any of the parties, withdraw, for just and sufficient cause, any suit from a Village Court and try the suit himself, as if it had been instituted in his Court, or transfer it for trial to any other Village Court within the local limits of his jurisdiction.

Provided that any party applying to have a suit withdrawn from a Village Court and tried by the Munsiff shall, before any such order of transfer is made, pay the amount of the fees payable under the Mysore Court Fees Regulation, 1900, in respect thereof.

CHAPTER IV.

Of the Institution and Frame of Suits, Recognized Agents, the Issue and Service of Summons on Parties, Adjournment and Consequences of Non-appearance.

21. Every suit under this Regulation shall be instituted by presenting a plaint to the Village Munsiff together with as many copies thereof as there are defendants. One copy shall be delivered or affixed as herein-after provided together with the copy of the summons.

22. The plaint shall be written in Kannada and signed by the plaintiff or in his absence by an agent duly authorised by him, and it shall contain the following particulars;—

Limitation.

Proviso.

Transfer of suits.

Suit to be commenced by plaint.

Particulars to be contained in plaint.

- (a) the name, description and residence of the plaintiff and defendant;
- (b) a concise statement of the cause of action and when it arose;
- (c) the relief prayed for and the total amount or value of the claim.

23. No agent except a relative or servant is empowered by a written instrument shall be allowed to appear on behalf of any party to a suit in a Village Court; provided that in all cases, a Village Court shall be competent to order the personal appearance of any party.

Appearance in person or by agent.

24. When the plaint has been duly presented, the Village Munsiff shall cause it to be registered and shall, by a summons in writing, require the defendant to appear and answer the claim on a specified day.

Registry of plaint and issue of summons.

The summons shall be accompanied by a copy of the plaint and shall require the defendant to bring his witnesses, if any, on the date fixed for hearing, the plaintiff being likewise directed to appear on that date with his witnesses.

The summons shall be served on the defendant personally and a copy thereof delivered to him.

25. If the Village Munsiff is satisfied that the defendant is evading service of the summons, the Village Munsiff may order that it be served upon, and a copy thereof delivered to, an adult male member of the family of the defendant residing with him, or that a copy thereof be affixed upon some conspicuous part of the house in which he generally resides and another copy to the Court-house of the Village Munsiff.

Mode of service when defendant evades service.

26. Whenever it may be necessary to serve the summons upon a defendant beyond the local jurisdiction of the Village Court, it shall be forwarded to the Munsiff, who shall cause it to be served as if it had been a summons issued by himself and shall then return it to the Village Court together with a report of such service. Such report shall be *prima facie* evidence of the facts stated therein.

Mode of service when defendant is beyond local jurisdiction of court.

27. If a defendant does not appear in person or by agent on the day fixed, and it is proved that the summons was duly served at least two clear days before the date of hearing, the Village Court may proceed *ex-parte*.

Procedure if defendant does not appear.

If it is not proved that the summons was duly served, the Village Munsiff shall issue a fresh summons.

Process to be served at expense of party issuing.

28. Every summons served under this Regulation otherwise than by the village servant shall be served at the expense of the party on whose behalf it is issued and the amount of fee leviable for such service shall be fixed by Government from time to time and shall be levied by the Village Munsiff in such manner and subject to such rules as may be prescribed in that behalf by Government.

Procedure where plaintiff does not appear and defendant does not admit claim or where summons is not served through plaintiff's default.

29. If, on the day fixed for the defendant to appear,—

- (1) neither party appears, or
- (2) the plaintiff does not appear and the defendant appears and does not admit the claim, or
- (3) the summons has not been served owing to the plaintiff's default and the defendant does not appear, the suit shall be dismissed unless the Village Court, for good and sufficient cause, otherwise directs.

Procedure where plaintiff does not appear and defendant admits claim.

30. If the plaintiff does not appear, but the defendant appears and admits the claim wholly or in part, the Village Court shall pass judgment against the defendant in accordance with such admission, and where part only of the claim is admitted shall dismiss the suit so far as it relates to the remainder.

Setting aside order under Section 29 on cause shown.

31. (1) Whenever a suit is dismissed under clause (1) or clause (3) of Section 29, the plaintiff may bring a fresh suit, and if within the time allowed by the law of limitation, the plaintiff satisfies the Village Court that he was prevented by any sufficient cause from appearing, the Court shall set aside the dismissal and shall appoint a day for proceeding with the suit.

Setting aside order under Section 29 (2) and 30.

(2) When a suit is dismissed under Sub-Section (2) of Section 29 or partially dismissed under Section 30, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action, but he may within the time allowed by the law of limitation, apply for an order to set aside the dismissal and if he satisfies the Court that he was prevented from any sufficient cause from appearing, the Court shall make an order setting aside the dismissal and shall appoint a day for proceeding with the suit.

Setting aside *ex-parte* decree against defendant.

32. Any defendant against whom a decree has been passed *ex-parte* may, within the time allowed by the law of limitation, apply to the Village Court to set it aside; and if satisfied that the summons or notice was not duly served or that the defendant was prevented by any suffi-

ent cause from appearing, the Court shall set aside the decree and shall appoint a day for proceeding with the suit.

33. No dismissal or decree shall be set aside on any application under Section 31 or Section 32 unless notice has been served on the opposite party.

No decree to be set aside without notice to opposite party.

CHAPTER V.

Of the Hearing, Withdrawal or Compromise of Suits, and of the Summoning and Examination of Witnesses.

34. When the defendant appears, the Court shall ascertain from him whether he admits the claim made in the plaint. If he admits the claim, or if the suit is compromised, such admission or compromise shall be recorded in writing and signed by the parties, and the Court shall pass a decree in accordance therewith. If the defendant does not admit the claim, he shall be required to state his objections either orally or in writing, and the Court may, if it thinks fit, adjourn the case to enable him to file a written statement.

Procedure on appearance of both parties.

35. If the plaintiff wishes to withdraw the suit, he shall signify the same in writing to the Court which shall strike the suit off the file and no fresh suit shall be brought on the same cause of action.

Withdrawal of suit.

36. If either party is willing to let the suit be settled by the oath of the other, and such other party assents and takes the oath, the Court shall give judgment according to such oath.

When suit may be settled by oath.

37. The defendant may set-off any amount legally due to him by the plaintiff for which he could bring a suit in a Village Court. If such set-off is established, the decree shall be for any sum which finally appears to be due to either party.

Set-off.

38. When the defendant's statement has been made, the Court shall proceed to examine the truth of the claim, and shall summon the witnesses cited by either party who are not present.

Witnesses not present to be summoned.

39. Any witness residing within the jurisdiction of the Village Court may be summoned verbally or in writing. Any witness residing within five miles beyond the Court's jurisdiction may be summoned in writing, and such summons shall be served through the Village Munsiff within

Summons to witness how served.

Interrogatories.

whose jurisdiction he resides, or if for such place there is no Village Court, through the patel of the village in which the witness resides. If any witness resides more than five miles beyond the jurisdiction, the Court may call on the parties to frame written interrogatories and shall forward such interrogatories with a letter to the Village Munsiff or if there is no Village Court for such place, to the Amildar or Deputy Amildar within whose jurisdiction the witness resides, and such Village Munsiff or Amildar or Deputy Amildar shall forthwith summon and examine the witness upon the interrogatories, and shall return his answers to the Court in which the suit is pending.

Summons to appear and give evidence or produce document.

40. A summons may direct the party summoned either to appear and give evidence or to produce or cause the production of a document.

Liability of witnesses to attend and give evidence or produce document.

41. Witnesses summoned by a Village Court to give evidence or to produce a document shall except for reasonable cause, be bound so to attend and give evidence and produce or cause the production of the document summoned.

Exemption of certain persons from personal appearance.

42. Women who, according to the customs and manners of the country, ought not to be compelled to appear in public, persons exempted from personal appearance in Court, and any person who, by reason of sickness or bodily infirmity, cannot attend without serious inconvenience, shall not be summoned; but when the evidence of any such person is necessary, the Village Court shall examine such person at his or her residence.

Examination of witnesses.

43. Witnesses shall be examined in open Court on oath or affirmation, but it shall not be necessary for a Village Court to take down depositions of witnesses in writing.

Adjournment in view to amicable settlement or for other cause.

44. If it appears likely that the parties will settle the matter amicably, or for any other sufficient cause, the Village Court may adjourn the hearing to a day to be fixed in the presence of the parties or in cases in which the defendant does not appear, in the presence of the plaintiff. If, on such day, the parties or any of them fail to appear, the Village Court may proceed to dispose of the suit in one of the modes prescribed in that behalf by Sections 29 and 30, or make such other order as it thinks fit.

CHAPTER VI.

Of the Decree and its Execution.

45. When the parties or their agents have been heard, and the evidence on both sides considered, the Village Court shall pass such decree as may seem just, equitable and according to good conscience.

On conclusion of hearing, Court to pass decree.

46. The decree shall contain the number of the suit, the names of the parties, the particulars of the claim, the names of the witnesses examined, the titles of the exhibits read, the decision thereon, and the reasons for such decision. It shall specify the sum of money adjusted, the movable property to be delivered, the sum to be paid in default of delivery, and the amount of costs to be paid and by what parties and in what proportions such costs shall be paid.

Contents of decree.

The decree shall be dated on the day on which it is passed, and signed by the Village Munsiff. When the suit has been heard by a Bench, the decree shall be signed by the members of such Bench concurring therewith. Each party shall be entitled to receive a copy of the decree on application.

47. In suits for money, the Village Court may decree interest on the sum decreed not exceeding 12 per cent per annum from date of suit till date of payment.

Decree may award interest or order payment by instalments.

When a Village Court decrees the payment of a sum of money, it may direct that it be paid by instalments, with or without interest at the above rate.

48. The decree shall be executed by the Village Court which passed it or by a Village Court or Munsiff to whom it is sent for execution under the provisions hereinafter contained.

Court by which decree may be executed.

49. If the decree is for any specific movable, it may be enforced by the seizure of the property, and its delivery to the decree-holder. If the seizure of the property is not practicable, the decree shall be executed by enforcing payment of the sum decreed as an alternative.

Decree for specific movable how executed.

50. All money payable under a decree passed by a Village Court shall be paid to the decree-holder or his agent specially authorized in writing, in the presence of the Village Munsiff whose duty it is to execute the decree; but if the decree is otherwise adjusted to the satisfaction of the decree-holder, the nature of such adjustment shall be recorded in writing, and signed by him or his agent in the presence of, and attested by, such Village Munsiff.

Payment of money under a decree or other adjustment to be made or recorded in the presence of the Village Munsiff.

Such payment or adjustment shall be endorsed by the Village-Munsiff on the decree, and recorded in the register of suits mentioned in Section 7.

No payment under a decree, and no adjustment of a decree in whole or in part, shall be recognised, unless it has been made or recorded in the manner prescribed by this section or in the Court of the Munsiff.

51. Except where the decree is executed by a Munsiff, no judgment-debtor shall be arrested and no immovable property attached in execution of a decree of a Village Court.

52. On the application of the decree-holder, the Village Court shall attach any movable property within its jurisdiction belonging to the judgment-debtor pointed out by the decree-holder to the value of the sum payable under the decree: provided that the following properties shall not be liable to such attachment, *viz.* :—

- (a) the necessary wearing apparel, cooking vessels, beds, and bedding of the judgment-debtor, his wife and children, and such personal ornaments as, in accordance with religious usage, cannot be parted with by any woman;
- (b) tools of artizans and, where the judgment-debtor is an agriculturist, his implements of husbandry and such cattle and seed-grain as may in the opinion of the Court, be necessary to enable him to earn his livelihood as such;
- (c) books of account;
- (d) stipends and gratuities allowed to pensioners of the Government or payable out of any service family pension fund notified in the official Gazette by Government in this behalf, and political pensions;
- (e) the salary due to a public officer or to any servant of a Railway Company or local authority;
- (f) the pay and allowances of persons to whom the Indian Army Act, 1911, applies and of those belonging to the Mysore Military Forces;
- (g) the wages of labourers and domestic servants whether payable in money or in kind;
- (h) the arms, horse, clothes, equipments, regimental accoutrements and necessaries of the members of the Mysore Military Forces;
- (i) where the decree relates to a debt due or contracted by an officer who has insured his life

Judgment-debtor not to be arrested nor immovable property attached. Attachment of movable property.

under the rules in force relating to the Mysore State Life Insurance, any bonus payable or paid thereunder to such officer or in the event of his death to his nominee or other person or persons entitled to such bonus under the said rules;

- (j) any amount payable by the Military Department to the members of the Mysore Military Forces out of a retiring fund.

Explanation I.—The expression Mysore Military Forces occurring in this section shall have the meaning given to it in the Code of Civil Procedure, 1911.

Explanation II.—The particulars mentioned in clauses (d), (e), (f), (g) and (i) are exempt from attachment or sale whether before or after they are actually payable.

53. If the property is in the possession of the judgment-debtor, it shall be attached by actual seizure and the Village Munsiff shall provide for its safe custody. It may be left in the custody of the judgment-debtor upon sufficient security being given in writing for its production when required. On default, the decree may be executed against the surety to the value of the property not produced.

Attachment when property is in the possession of the judgment-debtor.

54. If the property is not in the possession of the judgment-debtor, the attachment shall be made by a written order prohibiting the person in possession of the property from giving it over to the judgment-debtor.

Attachment when such property is not in possession of the judgment-debtor. Debts how attached.

55. Debts and moneys due to the judgment-debtor shall be attached by a written order prohibiting the judgment-debtor from recovering the debt or receiving the sum of money and the debtor from making payment thereof, until the further order of the Village Court. Nothing in this section shall be held to authorize a Village Court to attach or sell a debt charged on immovable property.

56. When an attachment has been made by actual seizure, or by a written order, any private alienation of the property attached whether by sale, gift, pledge or otherwise, and any payment of the debt to the judgment-debtor, during the continuance of the attachment, shall be void as against all claims enforceable under the attachment.

Private alienation of property after attachment be void.

57. If any claim is preferred to property attached in execution of a decree, the Village Court shall investigate the claim, and if it appears that the judgment-debtor has no saleable interest therein, such property shall be released from attachment.

Investigation of claims to attached property.

Sale of attached property.

58. As soon as possible after attachment, the Village Court shall fix a day not less than fifteen days from the date of attachment for the sale of the property attached, and shall cause a written proclamation of the intended sale to be fixed outside the Court, and such sale shall be further proclaimed by beat of drum previous thereto.

Proviso.

Provided that (1) with the consent in writing of the judgment-debtor, or (2) when the property seized is subject to speedy and natural decay, or (3) when the expense of keeping it in custody may exceed its value, the Court may, after giving due notice by beat of drum, sell the attached property at any time within fifteen days from the date of attachment. In such case, the Court shall hold the sale proceeds subject to the provisions hereinafter made for payment of moneys attached in execution of decrees.

Procedure in sale.

59. On the day fixed for the sale, the property shall be put up for sale by public auction in the presence of the Village Munsiff and sold to the highest bidder. The price shall be paid without delay and in default the property shall again be put to sale.

On payment of the purchase money, the Court shall grant a receipt for the same, and the sale shall become absolute.

Any loss on resale shall, at the instance of either the decree-holder or judgment-debtor, be recoverable from the defaulter as if a decree had been passed against him for the same.

Powers to adjourn sale.

60. Any sale advertised under this Regulation may, at the discretion of the Court, be adjourned to a specified day, public notice thereof being given in the manner prescribed by Section 58.

Village Munsiff and other officers not to bid for or buy property sold.

61. No Village Munsiff or other officer having any duty to perform in connection with any sale under this Regulation shall, either directly or indirectly, bid for or acquire any property sold at such sale.

Stoppage of sale on tender of debt and costs.

62. Every sale of property under this Regulation shall be stopped, if, before the lot is knocked down, the amount due under the decree and the cost attending the sale are tendered to the Village Munsiff.

Division of proceeds of sale.

63. Out of the moneys realized in execution, the cost of execution shall first be defrayed and then the amount due to decree-holder. Any surplus which may remain shall be paid to the judgment-debtor.

64. When the property sold is one of which actual seizure has been made the property shall be delivered to the purchaser.

Property actually seized to be delivered to purchaser. Delivery of property to purchaser in other cases.

65. When the property sold is in the possession of any person other than the judgment-debtor, or is debt due by any person to the judgment-debtor, delivery thereof to the purchaser shall be made by a written notice to such person, prohibiting him from delivering possession of the property or paying the debt to any person except the purchaser, and whatever right the judgment-debtor had in such property or debt at the time of attachment shall vest in the purchaser.

66. On the application of the decree-holder, a Village Court which passed a decree may, if the decree cannot be fully executed by itself, transfer it for execution to the Munsiff who may execute the same as if it were a decree passed by himself, or may transfer for execution to the Court of any other village in which the defendant is represented to have movable property. Such Court shall proceed as if the decree was passed by itself.

Transfer of decree for execution to Munsiff.

67. It shall be competent to the Munsiff to withdraw for just and sufficient cause the execution of any decree from any Village Court and to execute it himself, as if it were a decree passed by himself.

Munsiff may withdraw execution of any decree.

CHAPTER VII.

Miscellaneous.

68. If a plaintiff or a defendant dies before decree is passed in the suit, the name of his legal representative may be entered in his place on the record on the application of the opposite party or of such legal representative, but the legal representative of a deceased defendant shall not be answerable for any decree that may be passed beyond the value of the assets derived from him and not duly accounted for.

If on death of party to suit application is made, legal representative of deceased may be entered on record.

69. If no such application is made within sixty days from the date of the death of the plaintiff or defendant, the suit shall be dismissed and no fresh suit shall be allowed so be brought on the same cause of action.

If no application made, suit to be dismissed.

70. If there be more plaintiffs or defendants than one, and any of them dies and his representative is not joined as aforesaid, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs or against the surviving defendant or defendants.

If more than one plaintiff or defendant, suit to proceed at instance of or against survivor.

If decree-holder dies, his legal representative may be substituted.

71. If a decree-holder dies before the decree has been fully executed, his legal representative may apply to the Village Court to substitute his name as the decree-holder in the place of the deceased, and if the Court is satisfied after giving notice to the judgment-debtor, that the applicant is the legal representative of the deceased, it shall substitute his name on the record as the decree-holder.

If judgment-debtor dies, decree may be executed against his legal representative.

72. If a judgment-debtor dies before the decree has been fully executed, it may be executed on the application of the decree-holder against the legal representative of the judgment-debtor to the extent of the assets derived from him and not duly accounted for.

Revision by Munsiffs of proceedings of Village Courts.

73. The Munsiff may, on a petition being presented within sixty days from the date of any decree or order of a Village Court by any party deeming himself aggrieved by such decree or order, set aside such decree or order, on the ground—

of corruption, gross partiality, or misconduct of the Village Court; or

of its having exercised a jurisdiction not vested in it by law, or otherwise;

acted illegally or with material irregularity; or

that the decree or order is clearly unjust or contrary to law;

and may pass such other decree or order as he thinks fit; provided that no decree or order of a Village Court shall be set aside without notice to the opposite party.

Pending disposal of any such petition, the Munsiff may stay execution of the decree or order.

A petition under this section may be entertained after sixty days by the Munsiff if he is satisfied with the cause shown for the delay.

Except as provided in this section, every decree and order of a Village Court shall be final.

Munsiff may, and in certain cases shall report to District Judge.

74. Whenever under Section 73, the Munsiff sets aside a decree or order, he may report the case to the District Judge, and shall report every case in which he sets aside a decree or order on the ground of corruption, gross partiality or misconduct.

Power of Chief Court to prescribe forms and of District Judge, Deputy Commissioner and Munsiff to inspect records.

75. The Chief Court may, from time to time, prescribe forms for use in Village Courts and the returns which they shall be bound to submit. The District Judge or the Deputy Commissioner or the Munsiff may at any time call for and inspect the registers and records of Village Courts.

76. Notwithstanding anything contained in the Mysore Court Fees Regulation, 1900, no plaint, petition or vakalatnama presented to a Village Court shall be chargeable with any fee under the said Regulation.

Exemption of
plaints, etc.,
from payment
of Court Fees.

CHAPTER V.

**RULES UNDER THE MYSORE VILLAGE COURTS
REGULATION, 1913.**

NOTIFICATION.

No. J. 2378—Legis. 16-13-3, dated 18th February 1914.

In exercise of the powers vested in them by Sections 4, 6 and 28 of the Mysore Village Courts Regulation, 1913, the Government of His Highness the Maharaja are pleased to prescribe the following rules:—

**RULES UNDER THE MYSORE VILLAGE COURTS
REGULATION, 1913.**

1. No one shall be appointed a Village Munsiff under the Regulation.—

- (1) who is not literate, *i.e.*, capable of reading and writing the Kannada language;
- (2) who has not acquainted himself adequately with the contents of the Village Regulations and the Rules and Orders issued thereunder;
- (3) who has been convicted of any offence which in the opinion, of the Deputy Commissioner disqualifies him for the post; or
- (4) who is, for any other reason to be recorded, unfit to be entrusted with the duties.

2. The appointment may be made tentatively or for a fixed number of years.

3. The patel, if qualified under the first rule, shall be preferably appointed. In default of the patel, the shanbhog shall be appointed. If neither of them is fit, the Deputy Commissioner may appoint any other person whom he considers suitable.

4. Where the area of jurisdiction is part of a village, the patel or shanbhog of the village shall, if otherwise qualified, be placed in charge of one of the Courts established in the village. Where a number of villages are grouped together, the patel and shanbhog of each of

the villages so grouped shall have a preferential claim to the appointment according to the size (as judged by population) of the village of which he is patel or shanbhog.

5. All orders appointing Village Munsiffs under these rules shall be subject to revision by Government.

6. (a) The list of persons eligible to sit upon Benches for the trial of suits under Section 6 of the Regulation shall contain not fewer than five and not more than thirty names, and within these limits the actual number of names upon the list shall be in the proportion of one *per cent* of the population of the village or group of villages for which the Bench is constituted.

(b) The selection of persons eligible to sit upon the Bench will be made by the Assistant Commissioner or Deputy Commissioner in charge of the Revenue Sub-Division in which the Village Court is situated. The selection made by an Assistant Commissioner shall be subject to the control of the Deputy Commissioner. The list will be revised once in every three years. The removal of any name from the list will be effected in the same way as the selection of eligible persons is done.

(c) In filling up the list, preference should, if possible, be given to persons able to read and write Kannada.

(d) No person who is not possessed of the following qualifications shall be selected for inclusion in the list:—

- (1) He must hold land assessed at not less than Rs. 10 *per annum* or he must possess inam land of which the full assessment would be not less than Rs. 10 *per annum*.
- (2) He must be between the ages of 25 and 60.
- (3) He must be of respectable character and solvent and must not have been convicted of any offence which, in the opinion of the Deputy Commissioner, disqualifies him from being included in the list.

7. The following shall be the amount of fees, to be paid in the form of Court-fee labels, leviable for the service of summons under Section 26 of the Regulation, upon defendants beyond the local jurisdiction of the Village Court, namely for each summons:—

- (a) to a single defendant, 8 annas ;

- (b) to every additional defendant residing in the same village, if the process be applied for at the same time, 4 annas.

8. The following fees shall be leviable for summons issued in writing under Sections 24 and 39 of the Regulation which are served otherwise than by a village servant :—

- (a) For every witness or defendant resident within the limits of the local jurisdiction of the Court, one anna.
- (b) For every witness resident beyond the limits of the local jurisdiction of the Court, 2 annas.

DETAILS OF THE KURNOOL SCHEME OF VACCINATION.

The scheme is as follows :—The Vaccinators send in programmes of the villages visited by them month by month (or such are made out for them) in such a manner that every village in the Circle is visited twice in the year. On receipt of these programmes, the Deputy Inspector of Vaccination of each Circle sends a copy to the Amildars concerned with a set of printed “takids” ready made for his signature (*vide* Forms A and B attached). In this way the Amildar is enabled with the least possible trouble to himself, to intimate to the village heads the date of arrival of the Vaccinator, and to impress upon him his responsibility in the matter of vaccination. When the Vaccinator has visited the village, the head man despatches one of the forms previously supplied to him in book form (Form C attached) intimating the dates of arrival and departure of the Vaccinator and the number of cases operated on by him. This form being sent to the Deputy Inspector through the Amildar, the latter is enabled to see whether the Vaccinators are acting up to their programmes or not and can take steps accordingly; and the former is made aware of how many cases will be available for verification when he next visits the village. When the Vaccinator again visits the village for the purpose of verifying the result of his operations, the village head sends off another slip intimating the number of successful cases found.

For the proper carrying out of the above scheme, it is evident that the village heads must be kept strictly to their work, and that any laxity on their part must be

promptly and severely dealt with; but if this is done at the beginning, no difficulty will be found in enforcing the rules. I believe that the scheme will be found one that gives the least possible trouble to the Revenue authorities combined with the greatest efficiency possible under the voluntary system.

The above "Kurnool Scheme" has been worked in the Madras Presidency and been reported upon very favourably.

Form A.

Office of the Deputy Inspector of
Vaccination.....District.

From

The Deputy Inspector of Vaccination,
..... District.

To

The Amildar of the
.....Taluk.

Sir,

I beg to report that the Vaccinators as per margin will visit the villages opposite their names on the dates noted.

I enclose takids to the heads of the villages for favour of your signature and early despatch.

I beg to remain,

Sir,

Your most obedient servant,

Dy. Inspector of Vaccination.....Dt.

Form B.

(In Canarese to accompany A.)

From

The Amildar of the
.....Taluk.

To

The Village Head of
.....Village.

The Vaccinator of.....Taluk will visit your village on.....After his departure you are directed to fill in the accompanying form and send it to the Deputy Inspector of Vaccination.....District through this office. On the arrival of the Vaccinator you will supply him with the list of unprotected children, you will accompany the Vaccinator during his stay in your village, and will do your best to persuade all persons to submit to the operation of vaccination. If you, by reason of urgent revenue work, are prevented from attending to the Vaccinator on his arrival, you must submit a special report on the matter to my office.

.....
Amildar.
.....Taluk,

Form C.

(In Canarese. To be filled up by the Village Head after visit of Vaccinator and sent to the Deputy Inspector of Vaccination through the Amildar.)

Counterfoil.

Taluk.....
Village.....
Name of Vaccinator.....
Date of { Arrival.....
{ Departure.....
Number of operations performed.....
Number of cases inspected on.....
(Date).....
Number of successful cases.....

Signature.

(G. O. No. 5276-307—Med. 111-05-3, dated 22nd November 1906.)

F

(In Canarese. To be filled up by the Village Head after visit of Vaccinator and sent to the Deputy Inspector of Vaccination through the Amildar.)

Foil.

I do hereby certify that Vaccinator.....
..... visited this.....
on the.....noon of.....
and that he remained until the.....
noon of.....He performed.....cases, of
cases. He inspected.....were successful.
which.....

Name of Village
.....
Signature.

Date.....
.....
Office.

Statement of tanks in the Mysore State the breaching of

Name of basin	Name of series	Name of district	Name of taluk	Name of tank	Topo sheet number
Palar	Ramasagar	Kolar	Mulbagal	Tailur Amanikere	46
				Nangali Dodkere	48
				Byatnur Mallapauk- kere.	48
do	do	do	Kolar	Kolar Amanikere...	46
				Sbisandra tank	46
do	do	do	Malur	Tarasapur Dodkere	46
do	do	do	Chintamani	Talagawara Amani- kere.	45
do	do	do	Kolar	Kyalnur Amani- kere.	45
				Byrandhalli tank...	46
				Somambudi Amani- kere.	46
				Jannugutta tank	46
				Mudavadi Dodkere	46
				Chillapalli Amani- kere.	46
do	do	do	Chintamani	Kurubar Amani- kere.	45
do	do	do	Srinivasapur	Bangavadi Dodkere	45
				Shetribhalli tank	45
				Gumraddipur tank.	45
do	do	do	Kolar	Holur Dodkere	45
do	do	do	Srinivasapur	Srinivasapur Amani- kere.	45
do	do	do	Kolar	Jaderi tank	45
do	do	do	Srinivasapur	Yedur Amanikere	45 & 46
				Yelnur Dodkere	45
				Kolatur do	45
do	do	do	Mulbagal	Utnur do	46

TER VI.

which is likely to damage Madras tanks or towns.

Position		Serial number	Register number	Capacity in units (1 unit=261,360 c. ft.)	Madras		Remarks
Latitude	Longitude				Name of tank or town likely to be damaged	Name of taluk and district it belongs to	
13-4-0	78-27-0	80	38	374	Dundapalli Taluk.	Vaniambadi, etc., believed to belong to Punganur Jahgir in North Arcot	
13-12-30	78-33-0	409	588	593			
13-13-0	78-35-8	464	585 & 589	320			
13-7-30	78-11-0	226	6	659			
13-9-0	78-16-0	267	76	250			
13-8-0	72-2-30	331	101	239			
13-13-15	79-1-30	420	143	281			
13-16-15	78-1-30	424	558	250			
13-14-30	78-2-30	425	235	380			
13-13-0	78-5-45	439	334	778			
13-13-15	78-10-0	447	345	171			
13-13-30	78-12-30	455	351	400 (approx.)			
13-11-45	78-15-0	160	370	470			
13-18-15	78-6-45	512	405	974			
13-17-0	78-11-15	522	55	250			
13-19-30	78-11-0	597	90	212			
13-17-0	78-14-30	615	62	255			
13-15-30	78-15-0	617	384	300 (approx.)			
13-20-30	78-15-0	649	3	663			
13-16-45	78-17-45	648	371	380			
13-15-0	78-18-0	649	41	776			
13-17-30	78-21-0	699	25	289			
13-15-30	78-20-30	708	26	250			
13-12-0	78-20-0	762	727	248			

Vaniambadi, Mailputti, Amur and the Madras Railway

Salem and North Arcot (taluks not known)

This is a breached tank proposed to be restored.

Statement of tanks in the Mysore State the breaching of

Name of basin	Name of series	Name of district	Name of taluk	Name of tank	Topo sheet number
South Pennar		Kolar ...	Kolar ...	Holali tank ...	46
		do ...	Bowringpet	Bethmangala Dodkere.	47
				Ramasagar Amanikere.	56
	Hoskote ...	Bangalore	Hoskote ...	Hoskote Amanikere.	42
Cauvery ...	Left bank ...			.....	...
	Arkavati ...			.....	...
	Upper Shimsha			.....	...
	Lower Shimsha			.....	...
	Lower Cauvery			.....	...
	Central Cauvery			.....	...
	Upper Cauvery			.....	...
	Kabbani and Moyar.			.....	...
	Upper Hemavati			.....	...
	Lower Hemavati			.....	...
Krishna ...	Left bank ...			.....	...
	Tunga ...			.....	...
	Bhadra ...			.....	...
	Thungabhadra ...			.....	...
	Right bank ...			.....	...
	Chinne Hagari...			.....	...
	Upper Vedavati	Chitaldrug	Hosdurga ...	Marikanave reservoir.	31
	Lower Vedavati			.....	...
	Suvarnamuki ...			.....	...
North Pennar.	Upper ...	Kolar ...	Goribidnur...	Nagarkere Dodkere.	39

Statement of tanks in the Mysore State the breaching of

Name of basin	Name of series	Name of district	Name of taluk	Name of tank	Topo sheet number			
North Pennar.	Upper	Kolar	Goribidnur	Vatad Hoshalli Amanikere.	40			
				Manivala tank ...	40			
				Nakkalhalli tank ...	40			
				Mylachikkere ...	40			
				Chikballapur	Bandemmahalli ...	41		
					Srinivasasagar ...			
				Lower	Tumkur	Maddagiri	Volelapur tank ...	35
							Ittakdibahalli Dodgere.	35
							Hanumantapur Dodkere.	35
							Minor	Kolar	Srinivaspur	Kurigepalli Dodkere.	44
	Thimmalappanikan Amanikere.	44						
	Minor	Kolar	Srinivaspur	Vasantanaikan Amanikere.	44			
				Burkayalkote tank	45			
				Sidlaghatta	Koralparti Dodgere	44		
					Devaganhalli Venkatesasagar.	40 & 44		
				Bagepalli ...	Naremadipalli Dodkere.	43		
					Bilur Dodkere ...	43		
Sidlaghatta				Yerraganaballi Ramasamudra tank.	40			
Bagepalli ...	Gudibanda Byrasagra Amanikere.	40						

which is likely to damage Madras tanks or towns—*concl'd*

Position		Serial number	Register number	Capacity in units (1 unit=261,360 c. ft.)	Madras		Remarks
Latitude	Longitude				Name of tank or town likely to be damaged	Name of taluk and district it belongs to	
13-41-15	77-41-30	21	131	1,320	Shivivara tank.	Hindupur in Ananthapur	
13-41-30	77-38-45	23	186	211			
13-41-0	77-38-0	27	197	159			
13-43-0	77-35-15	51	23	209	Kotapi tank	Do	
13-27-0	77-40-0	93	6	603	No tanks below.	Do	
13-48-30	77-26-45	26	175	200	Paragi tank		
13-48-15	77-21-0	47	124	300	Chaparhalli tank.	Madaksira in Ananthapur	
13-49-30	77-16-0	86	95	464	Yerramanhalli.	Do	
13-34-30	78-21-45	18	471	233			
13-32-15	78-21-0	60	288	252	Ratnasamudra tank.	Gurumkudi in Cuddapah	
13-31-30	78-20-0	97	289	200			
13-26-15	78-19-45	190	152	230	Pedittipasandra tank.	Do	
13-3-15	78-1-0	727	114	340	Vyasa-samudra tank.	Do	
13-8-30	78-0-0	788	...	517			
13-48-0	78-28	1,064	3	310			
13-51	78-3-0	1,110	802	515			
13-35-20	77-52-40	1,303	...	1,207			
13-40-0	77-45-30	1,416	4	824	Bukkapatna tank.	Penukonda in Ananthapur.	

RULES UNDER WHICH THE REPAIR OF DILAPIDATED
GOVERNMENT TANKS AND WELLS CAN BE PERMITTED.

(Appendix F to the Land Revenue Rules of 1890.)

Section 233 (n).*

When
Government
tanks and
wells may
be repaired
by private
individuals.

Application
for such
repair to be
presented to
whom and
the proceed-
ings to be
taken
thereon.

1. All Government tanks and wells which have been in a ruined condition for upwards of five years, and which the Public Works Department do not purpose to put in repair, may be repaired by private individuals.

2. Application for such repair should be presented to the Deputy Commissioner, who, if, after due enquiry and consultation with the Executive Engineer in charge of the irrigation works in the district, satisfied that the proposed work will not affect existing Government or private irrigation works, and that the applicant is willing to pay the full assessment imposed by the Survey Department upon the lands forming the bed of the tanks or wells referred to, as well as to compensate the holders of any inam or Government lands which may be submerged by the repair of the tank by giving them other lands of equal value elsewhere, or under his new tank, shall cause a rough design and estimate to be prepared by an officer of the Public Works Department, and submit the same to the Government with a statement of the revenue present and prospective of the lands that will be affected by the proposed work, and his own opinion on the application.

Grant or
refusal of the
application
discretionary
with
Government.
Assessment
how to be
fixed in the
former case.

3. The Government may, at its discretion, grant or refuse permission to the proposed work, but if the permission is granted, the dry lands turned by the restored work into wet shall pay an assessment equal to three-fourths of the average rate on wet land, or the highest rate on dry land, in the village in which the tank is situated, as may be decided, or at a "shraya" or progressive rate, the maximum being fixed at the average rate on wet land in the village or taluk.

The above
concessions
to be
restricted to
periods not
exceeding
thirty years.

4. The concessions set forth above will, as a rule, be restricted to such limited periods, ordinarily not exceeding thirty years, as may be fixed at the time of authorizing each such work.

Reduction of
assessment
to which the
grantees of
the concession
will be
entitled.

5. The individuals who have obtained the concession will, during the currency of the term of their grant,

* Amended by Notification No. R. 7142—L. R. 385-076, dated 11th March 1909.

be entitled to the reduction of assessment not only on lands already occupied but also on additional lands brought under cultivation from the restored work.

6. When the permission is granted, a time shall be fixed within which the proposed work should be completed according to the plan approved, and the maintenance of the work at the standard will, during the term of the grant, lie with the person in whose favour such sanction is given, and any failure on his part, either to construct the work fully within the fixed time or to keep the work up to the standard, will involve the immediate cancelment of the grant, and the assessment of the land at full rates, the work being thenceforth regarded and dealt with as an ordinary Government irrigation work.

The proposed work to be completed within a fixed time and the work to be kept up to standard. Consequences in cases of failure to do either.

7. The rates of assessment in force on the lands at the time of such grant will be liable to revision at the settlement, or at each new settlement, equally with those on other lands.

Assessment on lands concerning such grant liable to revision.

8. The Government reserves to itself the power of resuming grants of tanks made under the terms of these rules, should such resumption at any time appear to be necessary on special public grounds. In such event, the claims of the grantee for compensation will receive all due and reasonable consideration.

Power of Government to resume such grants of tanks.

9. No claim to reduction of assessment under these rules shall be entertained without written authority being produced, having distinct reference to the claim in question, and a strict scrutiny into the validity thereof.

Valid written authority required for the entertainment of a claim, for reduction of assessment.

10. It should be distinctly understood that in the case of any such lands being now in the occupancy of other parties than the applicant, the authority sanctioning the work entitles him merely to receive from them the portion of the rent remitted by Government in his favour in respect of the lands, and by no means renders him the occupant in their place.

Occupancy of such lands by other parties than the applicant not to be disturbed by the latter.

11. A periodical examination of the irrigable extent and inspection of such work shall be made in view to ascertain that they are duly maintained, and that the terms and conditions of the grant have been fairly complied with.

Periodical examination and inspection of such lands and works.

12. As the principal object of these rules is to induce the occupants of lands in the village in which such repairable irrigation work is situated, to take up

In authorizing such works to be taken up, the occupants

of lands in
the village
to be pre-
ferred to
outsiders.

the work of repair themselves, preference should be given to them in all such cases in the first instance. But if they decline to undertake the work on the above favourable terms, the tenders of outsiders may be accepted.

CHAPTER VII.

THE TANK PANCHAYET REGULATION.

REGULATION No. I OF 1911.

(Received the assent of His Highness the Maharaja on the 4th day of January 1911.)

WHEREAS, with a view to provide that the obligations of raiyats in regard to the maintenance of major tanks and the restoration, repair and maintenance of minor tanks shall be satisfactorily carried out, it is expedient to constitute Panchayets to have control over the tanks and to administer the funds that may be assigned for their restoration, repair and maintenance; His Highness the Maharaja is pleased to enact as follows:—

Preamble.

1. (1) This Regulation may be called the "Tank Panchayet Regulation, 1911."

Short title.

(2) It extends to the whole of Mysore; and

Local extent.

(3) It shall come into force on the sixth day of February 1911.

Commencement.

2. In this Regulation, unless there is something repugnant in the subject or content,—

Definitions.

(1) "Tank" means an irrigation tank and shall include an anikat, a voddu, a talparige, and a channel whether used as a feeder, irrigation or distribution channel and whether drawn from a tank, anikat, river, or water-course;

(2) "A major tank" means a tank the annual assessment on whose irrigable area is not less than Rs. 300 and shall also include such other tanks as the Government may for any reason notify as major tanks;

All other tanks are "minor tanks."

(3) "Construction" means the creation of a new tank;

(4) "Restoration" means restoring to an efficient condition a tank which from neglect, accident or other cause, has fallen into disuse or become impaired or less efficient than formerly;

(5) "Improvement" means increasing the capacity of a tank as to provide additional water for irrigation or otherwise rendering it more useful for purposes of irrigation:

(6) "Maintenance" means works of petty repair required to keep or maintain a tank at the standard of safety that may be fixed for it after its construction, restoration or improvement, and includes the following :—

- (i) The maintenance of the bund to the standard level and with the slopes specified, the specification of the level and slope being in accordance with the existing state of things and being approved both by the Executive Engineer and the Deputy Commissioner of the District ;
- (ii) The filling up of gullies or other inequalities caused by rain, the treading of cattle or any other cause upon the bunds of tanks and channels ;
- (iii) The checking of the growth on bunds of prickly-pear, and any similar rank and pernicious weed ;
- (iv) The clearing of any underwood from the bunds of tanks wherever it may be injurious ;
- (v) The clearing and repair of the earthwork of petty and branch channels, and the clearing away of the accumulations in sluices and in all channels issuing from tanks, which obstruct the flow of water to the fields ;
- (vi) The keeping in order the supply channels of tanks ;
- (vii) The watching of the bunds of all tanks during rainy weather, turfing the parts acted on by the waves, helping in opening and closing the sluice, and generally the performance of minor duties of this nature in order to prevent breaches and other accidents.

(7) "Village" includes a group of villages or any specified area for which a Tank Panchayet may be constituted ;

(8) The expression "customary obligations" means obligations enforceable under the Notification of the Chief Commissioner of Mysore, No. 65, dated the 2nd October 1873, as amended by Government Notification No. 5262—Agri. 626-03-7, dated the 15th December 1904 ;

(9) "Raiyats" shall mean the individuals on whom such customary obligations devolve ;

(10) "Patel" and "Shanbhog" mean the persons officiating as patel and shanbhog, respectively, of the

village, and where there are more than one such patel or shanbhog, such one of the patels and such one of the shanbhogs, respectively, as may be selected by the Deputy Commissioner for the purposes of this Regulation.

3. For any village for which the Government may consider it expedient to do so, and where a majority consisting of not less than two-thirds of the raiyats and holding in the aggregate not less than half the occupied area of wet lands under the tank so desire, the Government may constitute a Panchayet composed of the patel and the shanbhog, and three or more members elected by the raiyats as hereinafter prescribed.

Constitution
of Tank Pan-
chayets.

4. Subject to the disqualifications mentioned in Section 5,

Qualifications
for election to
Panchayet.

(1) every raiyat who—

(a) pays an annual assessment of not less than Rs. 20 on wet or garden lands in the village, or

(b) pays an annual assessment of not less than Rs. 10 on dry lands in the village, or

(c) pays in the village an annual mohatarfa tax of not less than Rs. 5, or

(d) pays in the aggregate an amount not less than Rs. 25;

(2) every person who is in possession of an inam of wet, garden or dry lands in the village, the survey valuation of which is not less than the minimum prescribed in respect of these lands in clauses (a) and (b), or who is in possession of inam lands in the village, the aggregate survey valuation of which added to any mohatarfa tax which he might pay in the village, amounts to not less than Rs. 25, shall be qualified for election to the Panchayet.

Provided that the Government may, by notification published in the official Gazette, reduce, for any local area, the minimum amounts of assessment or mohatarfa tax prescribed above.

5. No person may be elected as a member of a Panchayet,

Disqualifica-
tions for
election to
Panchayet.

(a) who has been convicted by a Criminal Court of an offence which, in the opinion of the Deputy Commissioner, disqualifies him for holding the office, or

(b) who is, in the opinion of the Deputy Commissioner, not physically and mentally capable of discharging the duties of his office, or

(c) who is less than 21 years of age, or

(d) who is not of the male sex.

Provided that an appeal shall lie to the Government against an order passed by the Deputy Commissioner under clauses (a) and (b).

6. The number of elected members of a Tank Panchayet shall be fixed by the Deputy Commissioner; and of the number so fixed such number, not less than one-fourth or more than one-half, as may be decided by the Deputy Commissioner, shall be elected by the raiyats holding dry lands or paying mohatarfa, but not holding wet or garden lands, from among themselves; and the rest shall be elected by the raiyats holding wet or garden lands with or without dry lands, from among themselves.

7. (a) The constitution of a Tank Panchayet and the names of its members shall be notified in the official Gazette.

(b) The elected members of a Tank Panchayet shall hold office for a term of three years.

8. (a) The Deputy Commissioner, if he thinks fit, may, on the recommendation of the Tank Panchayet, and subject to the sanction of Government, remove any member of the Panchayet, if such member has been guilty of misconduct in the discharge of his duties or of any disgraceful conduct, or has become incapable of performing his duties.

(b) In the event of the death, resignation, disqualification, disability or removal of a member of a Tank Panchayet previous to the expiry of his term of office, the vacancy shall be filled up, as soon as it conveniently may be, by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the member in whose place he is elected or appointed would have held it if the vacancy had not occurred.

9. The patel shall be the Chairman of the Tank Panchayet and shall conduct all correspondence on behalf of the Panchayet.

10. (1) The Panchayet shall have control over a fund to be called the Tank Fund made up of the following items:—

(a) the amounts collected from raiyats under Section 12;

(b) the rent or value of the share of produce or the sale proceeds received under Section 13;

(c) such grant out of the Irrigation Cess Fund, as the Government may, from time to time, make to the fund;

Number of elected members of a Panchayet.

Notification of the constitution of a Panchayet.

Term of office of elected members.

Liability to removal from office.

Casual vacancies how to be filled up.

Patel to be Chairman of Panchayet.

The Tank Fund.

(d) any other grant which the Government may make to the fund;

(e) any advance which the Government may make to the Panchayet under Section 16 for the execution of the masonry and stone work; and

(f) any loan which the Government may make to the Panchayet for carrying out the purposes of this Regulation.

(2) The fund shall be deposited in the Government Savings Bank or with any Agricultural Bank or Co-operative Society approved by the Deputy Commissioner, and shall be available to the Panchayet for the maintenance and up-keep of the major and minor tanks; for special repairs of the minor tanks rendered necessary by extraordinary causes and for the construction, restoration or improvement of any minor tank, which may be entrusted to the Panchayet under Section 16.

(3) An account of the administration of the fund during each official year shall be submitted by the Panchayet to the general body of the raiyats at a meeting to be held within one month after the close of the official year.

11. When a Tank Panchayet comes into existence under Section 3, the enforcement of the customary obligations of the raiyats for the maintenance and up-keep of all the tanks in the village, shall thereafter vest in the Panchayet.

Consequence of Panchayet coming into existence.

Provided that the Government may exclude any tank or tanks in the village from the control of the Panchayet.

12. (1) The Panchayet shall have the power to apportion the work required for the maintenance and up-keep of the tank or tanks under its control among the raiyats according to their respective obligations.

Power of Panchayet to apportion repair and maintenance work among raiyats or to carry out work and recover cost from raiyats.

(2) If a raiyat fails to do the work allotted to him or prefers to commute his quota of labour into a money payment, the Panchayet shall itself get the work done out of the funds at its disposal, recovering from him the cost thereof as fixed by it.

(3) For determining the amount to be recovered from a raiyat under the last preceding sub-section, the Panchayet shall have the power to fix the wages of labour per diem, subject to such maximum and minimum rates as may be laid down by the Government.

13. (1) The Panchayet shall have power to sell —

(a) the right of fishing in the tank under its control,

Power to sell right of fishing, grazing, etc.

(b) the right of grazing in the tank bed and the right of cutting and removing the grass on the tank bund, and

(c) the produce of the trees in the tank and on the bund, if any.

Power to grant tank bed for cultivation.

(2) The Panchayet shall also have power to grant the bed of the tanks under its control for temporary cultivation of quick-growing crops on such terms as regards payment of rent or share of produce as may be deemed fit by it, provided that it shall be competent to the Deputy Commissioner to prohibit such cultivation in any tank or in any season.

Power to regulate the issue of water for irrigation.

14. For the purpose of irrigation from the tank under its control, a Panchayet shall have power to regulate--

(a) the time for the commencement of the issue of water from the tank ;

(b) the period during which the supply of water is to continue ; and

(c) the quantity of water to be let out from the tank.

Power to restrict wet cultivation.

15. (1) A Tank Panchayet, specially empowered by Government in this behalf may, in any year, having regard to the quantity of water available in any tank under its control,

(a) determine the portion, out of all or any of the wet lands in the irrigable area of such tank, to be cultivated with wet crops and confine the supply of water for irrigation to such portion ;

(b) select a compact and suitable block as near to the sluice of the tank as possible and parcel it out among the different raiyats who may be desirous of growing sugar-cane on such terms as regards the rent or share of the produce to be paid to the holder or holders of the lands comprised within the block as may appear to it to be reasonable and as may be agreed to by such holder or holders.

(2) No such power as is referred to in sub-section (1) shall be conferred on a Tank Panchayet in regard to any tank under its control except with the consent of a majority of not less than two-thirds of the raiyats and holding in the aggregate not less than two-thirds of the occupied area of wet lands under such tank.

(3) If, in accordance with a decision of the Panchayet under clause (a) of sub-section (1), any land assessed as wet is not supplied with water for irrigation, the holder

of such land shall be entitled to remission of half the assessment of such land.

16. (1) With the approval of a majority of not less than two-thirds of the raiyats, a Tank Panchayet may undertake the construction, restoration or improvement, as the case may be, of a minor tank, with the exception of the masonry and stone work.

Panchayet may be entrusted with construction, restoration and improvement of minor tank.

(2) The masonry and stone work required shall be executed by the Government at its cost; but, if the Panchayet undertakes to execute it, such work may also, at the discretion of the Deputy Commissioner, be entrusted to the Panchayet, the estimated cost of such work being advanced to the Panchayet by the Government.

(3) The Panchayet shall be bound to have all the work undertaken by it executed according to the specifications and constructive details furnished by the Deputy Commissioner and within such time as may be allowed by the Deputy Commissioner.

17. All moneys due to the Tank Fund under Section 10 of this Regulation shall, in default of payment by the person from whom such moneys may be due, and on the application of the Panchayet, be recoverable by the Deputy Commissioner as arrears of land revenue.

Recovery of moneys due to the Tank Fund.

18. (1) If, in the opinion of the Government, any Tank Panchayet is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this Regulation, or otherwise by law, or exceeds or abuses its powers, the Government may, by an order published, with the reasons for making it, in the official Gazette, abolish the Panchayet.

Power of Government to abolish Panchayet in case of incompetency, default or abuse of powers.

(2) When a Panchayet is so abolished—

(a) the members of the Panchayet shall, as from the date of the order, vacate their offices as such members; and

(b) the Deputy Commissioner shall take charge of the funds of the Panchayet if any, and shall enforce the customary obligations of the raiyats in the same manner as if the Panchayet had not been constituted and may utilise such funds for the purposes referred to in Section 10 in the same manner as the Panchayet may have utilised the same.

(3) A Panchayet thus abolished may, after such time as the Government may think fit, be reconstituted under the provisions of Section 3.

19. Nothing in this Regulation shall be deemed to relieve the raiyats of any of their obligations under any

Obligation of the raiyats under the ordinary law unaffected.

law, or any rule, order or custom having the force of law, in regard to the restoration, repair and maintenance of tanks.

20. No member of the Panchayet shall be liable to be sued for any act done or ordered to be done in good faith in pursuance of the provisions of this Regulation.

21. (1) The Government may, for the whole or any part of Mysore or for any Panchayet or group of Panchayets, make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) provide for the preparation of lists of persons qualified to vote under Sections 6, 15 and 16 and of persons qualified for election to the Panchayet under Sections 4 and 5;

(b) prescribe the procedure to be adopted at meetings of voters;

(c) prescribe the procedure to be adopted by Panchayets at their meetings;

(d) prescribe the accounts and books to be kept by Panchayets and provide for the audit of such accounts;

(e) prescribe the accounts, returns and reports to be furnished by Panchayets;

(f) prescribe the procedure to be followed by Panchayets for collecting their dues.

RULES FRAMED UNDER THE TANK PANCHAYET
REGULATION, I OF 1911.

Section 21, clauses (a) and (b).

The following lists of votes and of persons eligible for election to the Panchayet shall be prepared by the Amildar or the Deputy Amildar of the taluk or sub-taluk concerned for each village for which the formation of a Panchayet is recommended or sanctioned under Section 3:—

A.—List of raiyats holding dry lands or paying mohatarfa but not holding wet or garden lands in the village.

B.—List of raiyats holding wet or garden lands, with or without dry lands.

Protection of members of Panchayet for acts done in good faith. Power of Government to make rules and the matters in regard to which rules may be framed.

C.—List of persons qualified for election under Sections 4 and 5 of the Regulation, out of those mentioned in List A.

D.—List of persons qualified for election under Sections 4 and 5 of the Regulation, out of those mentioned in List B.

2. These lists shall be published by affixing copies thereof at the chavadi or at any other conspicuous place in the village and also by beat of tom-tom in the area concerned, at least one month before the date fixed for election.

3. Any raiyat, not included in the list but claiming to have the qualification entitling him to vote or to stand for election, or any person objecting to the entry of any name in the lists, may state his case either orally or in writing within a fortnight from the date of publication of the lists as aforesaid to the Amildar or the Deputy Amildar concerned.

4. A day not later than a week ahead should then be fixed for enquiring into the matter, due notice thereof being given to the parties interested.

5. On the day so fixed, an open enquiry about the claims or objections made as aforesaid shall be held by the Amildar or the Deputy Amildar who shall pass such orders as may be necessary. Such orders shall unless they relate to circumstances falling under Section 5, clauses (a) and (b) of the Regulation, be final.

6. No raiyat whose name is not entered in either of the Lists A and B shall be entitled to vote, and no person outside List C or List D shall be eligible for election. Raiyats of List A can vote only for persons of List C and those of List B only for those of List D.

7. The date on which and the time and place at which election to the Panchayet shall be held, shall be fixed by the Amildar, due notice thereof being given to all concerned by beat of tom-tom in the village or otherwise, not less than one week before the date fixed for election. A copy of the notice shall also be hung up at the chavadi or at any other conspicuous place in the village.

8. On the day fixed for election, business shall be conducted as follows:—

(a) The Amildar or Deputy Amildar shall announce to the meeting the constitution of the Panchayet as sanctioned by Government, the

total number of elected members fixed by the Deputy Commissioner under Section 6 of the Regulation, the number of members of Panchayet to be elected by the raiyats of List A from among the persons entered in List C and the number of members of Panchayet to be elected by the raiyats of List B from among those of List D,

- (b) He shall then read out the names of persons entered in List C and D and then prepare two separate statements of all such persons from out of those of Lists C and D as may either themselves offer to stand for election or be suggested for candidature by those present and eligible to vote.
- (c) The names of candidates for election as entered in these two statements shall then be read one after another and put to vote. The votes shall be taken by ballot in such manner as the presiding officer may consider desirable; and the number of votes obtained by each candidate recorded against his name in the statement.
- (d) If there be an equal number of votes in favour of each of the last two or more persons to be selected, the names of such persons shall be put to vote again and the number of votes secured by each duly recorded.
- (e) After all the names in the aforesaid two statements are put to vote and the votes secured by each recorded, they shall be arranged in two rows in the order of the number of votes secured, and as many persons as are required for the Panchayet from row shall be taken in order from the top and declared as elected to the Panchayet.
- (f) No election shall take place unless more than half the number of persons qualified to vote are present at the meeting.

Section 21, clause (c).

9. Ordinarily, the Panchayet should meet once every two months.

10. Special meetings may, on the requisition of two members or at the discretion of the Chairman, be held as often as necessary.

11. The Chairman shall give due notice of the date on which and the time and place at which the meeting shall be held, to all the members of the Panchayet.

12. No business shall be transacted at any meeting at which two-thirds of the members, not less than three in number, are not present.

13. Every meeting shall be presided over by the Chairman and in his absence by one of the members chosen by the meeting for the occasion.

14. All questions shall be decided by a majority of votes of the members present and voting, the Chairman having a casting vote in all cases of equality of votes.

15. All decisions arrived at shall be recorded in a book kept for the purpose and shall be signed by the Chairman.

16. The meeting of the Panchayet shall ordinarily be open to the public.

Section 21, clause (d).

17. Every Panchayet shall maintain the following accounts and book. Forms are appended :—

- (a) Cash Book,
- (b) Demand, Collection and Balance Register—Quarterly.
- (c) Taluk Register.
- (d) Work Register.
- (e) Proceedings Book. (Form not prescribed.)
- (f) Ledger.
- (g) Inspection Book.
- (h) Inward and Outward Register (combined).

18. The amounts shall be systematically audited by one of the members of the Panchayet to be appointed by the Panchayet as "Auditor" for each year. They will be open to inspection by all Revenue and Public Works Department officers of and above the grade of Shekdars and Public Works Department Sub-Division Officer; and will be checked by the Amildar and Deputy Amildar once a quarter, a report of the result of each check being made to the Deputy Commissioner through the Sub-Division Officer. It shall be also the duty of the Huzur Janabandi Officer to check these accounts regularly along with the village accounts and to certify to their accuracy.

Section 21, clause (e).

19. Every Panchayet shall submit the following accounts and returns to the Amildar or Deputy Amildar once a quarter not later than the 20th of October, January, April and July in each year:

- (1) Quarterly Demend, Collection and Balance Statement,
- (2) Copies of Proceedings of the Panchayet, and,
- (3) Statement showing the progress of works undertaken by the Panchayet.

Section 21, clause (f).

20. For sums due from the Government to the Panchayet under Section 10, clauses (c), (d), (e) and (f), the Chairman of the Panchayet shall prepare a bill in the proper form and send it to the Deputy Commissioner through the Amildar or the Deputy Amildar of the taluk or sub-taluk. On receipt of the bill, the Deputy Commissioner shall issue a cheque for the amount due after verifying the demand.

21. As regards sums due to the Panchayet from private parties under Section 10, clauses (a), (b), the Chairman shall issue written notices to defaulters giving a fortnight's time to pay up the dues. On failure to adjust the amount, he shall make a report to the Amildar or Deputy Amildar forthwith, furnishing full particulars of the claim against the defaulter based on the Panchayet accounts. The Amildar or the Deputy Amildar, shall, after satisfying himself about the correctness of the claim, proceed to recover the amount from the defaulters as arrears of land revenue under Section 17 of the Regulation.

22. All sums due to the Panchayet will be paid into the hands of the Chairman who shall grant a receipt for every payment made to him. Forms of receipts with counterfoils will, for this purpose, be numbered and kept in bound books containing 100 forms each.

23. All sums collected by the Chairman will be remitted to the treasury or deposited as required in Section 10 (2) of the Regulation before the close of the month in which they are recovered, or if they are recovered after the 25th of the month, before the close of the following month.

(f) Ledger.

Date of Demand	Particulars of demand	Amount		Recovery			Balance	Remarks
		Rs.	a. p.	Date of receipt	Serial No. of receipt issued	Amount			Rs.	a. p.

No. of Ledger—
Name—

(g) Tank Inspection Book.

Date of inspection	Name of tank inspected	Name and designation of inspecting Officer	Notes of inspection	Action taken by the Panchayat on the notes (column 4) (where required)	Remarks

(h) Inward and Outward Register.

Serial number	Date	From or to whom	Brief abstract of the subject	Reference
"From" No.				
"To" No.				

CHAPTER IX.

MEMORANDUM OF INSTRUCTIONS FOR COLLECTORS AND DEPUTY COMMISSIONERS WITH REGARD TO TROOPS MARCHING THROUGH DISTRICTS UNDER THEIR JURISDICTION.

1. (i) On receipt of information that troops are to march through the district under his jurisdiction, the Collector or Deputy Commissioner will detail a police officer or other official to accompany them and take steps to prevent the irregular sale of liquor or fruits to the troops on or near the route, and exclude from the camp or its vicinity all women of loose character.

(ii) The official will report himself to the Officer Commanding the troops the day before the troops enter limits of his jurisdiction, and remain with them until they leave it.

(iii) He will be the medium of communication in his district between the Officer Commanding the troops and the subordinate civil officials and inhabitants generally and will give all the assistance in his power to the Officer Commanding the troops.

(iv) He will settle, in communication with the Officer Commanding, all disputes with the inhabitants, or with any transport establishments engaged by the civil authorities, within his powers and be responsible for reporting cases beyond his powers to his superiors.

(v) He will be provided with written instructions by the Collector or Deputy Commissioner defining his duties and powers, which he will show to the Officer Commanding the troops.

(vi) If irregularities committed by the troops are not discovered until they have proceeded outside the limits of the jurisdiction of the Collector or Deputy Commissioner, he will send a full report of the occurrence to the General Officer Commanding the Brigade Area in which it occurred, who will investigate the matter and take all necessary action for its disposal.

2. (i) Rationing arrangements for British troops and of Government animals are made by the Supply and Transport Corps; arrangements for Indian troops and silladar animals are made by the Commanding Officers concerned; in both cases the civil authorities may be called on to assist in the provision of supplies of the kind mentioned in India Army Form S.-1526; other ration articles the civil authorities cannot be called on to provide.

In order to allow civil officers to make suitable forward arrangements, demands for rations (India Army Form S.-1526) will be sent to civil officers whenever possible, a fortnight before the articles are required. Changes in dates, routes or quantities of supplies demanded must be communicated at once to all concerned. Losses caused thereby will only be borne by the State when the competent financial authorities are satisfied of their necessity. Losses due to excessive estimates will be borne by the unit responsible.

(ii) When demands are made for articles which are not ordinarily kept in stock, (*e.g.*, sheep, fowls, and eggs) or which are rapidly perishable, (*e.g.*, milk) the civil authorities will themselves purchase the supplies, convey them to the camping ground, and there hand them over in bulk to the Officer Commanding, together with a bill for the total amount due for the supplies at local rates, and for conveyance hire, if any. The Officer Commanding will at once settle the bill for the supplies accepted [such supplies are liable in the same manner as any others, to rejection by the committee referred to in clause (iv) below], arrange for their retail issue and for the subsequent disposal of any surplus.

(iii) If shops are, or can be established, on or near the encamping ground, articles other than those referred to in clause (ii) will be retailed by the shopkeepers; if shops neither exist nor can be arranged for, these articles will be dealt with as in the case of those mentioned in clause (ii).

(iv) The advance party will be authorised in conjunction with the supply official, if any, to take over, but not to reject, those supplies which are not to be retailed by shopkeepers. (But this taking over does not necessarily involve acceptance.)

Supplies will only be rejected by a committee composed (a) in the case of supplies for British troops, of British

officers, (b) in the case of supplies for Indian troops, preferably of Indian officers superintended by a British Officer, otherwise of British officers, and (c) in the case of supplies for animals, of British officers if available, otherwise of Indian officers superintended by a British officer; the *civil official*, if present, should attend the committee; supplies ordered and tendered will be rejected only on account of unfitness for consumption according to the standard usually consumed by the persons or animals for whom they are intended; but if the supplies are unfit for consumption owing to the late arrival of the unit, or to causes outside the control of the supplier, payment must be made by the unit. The decision of the committee will be final; a copy of the report of a committee rejecting supplies will be sent to the District Civil Officer; the latter officer will also be informed of the acceptance of supplies of a quantity inferior to that which might reasonably have been expected in the district traversed.

(v) The Officer Commanding will be responsible whenever any article is taken without payment, or when dasturi is exacted, the responsible person is severely dealt with. He will cause the officer of the day to visit the bazaar frequently to see that the guard or police, which should be posted thereon, are doing their duty, and that no irregularities are permitted. The Officer Commanding will ensure that he is readily accessible to any civil official or inhabitant who may be desirous of lodging a complaint. The civil supply official should report to the Officer Commanding each evening whether any claims remain unsettled, and, if so, the latter will personally see to their immediate settlement. The civil official should endorse all receipts given for payments made, and the Officer Commanding should not accept receipts unless so endorsed.

(vi) Individuals or small parties will ordinarily purchase their own supplies from bazaars. If any assistance is required, they will apply to the local police office.

3. (i) The Collector or Deputy Commissioner is responsible for the maintenance in good order of all established camping grounds outside cantonments within his jurisdiction.

(ii) He will be responsible that they are not cultivated and that jungle growth is removed, also that the boundary pillars are kept in repairs, that the wells are in good order, and also incinerators are provided.

(iii) When troops are to march through his district, the Officer Commanding the unit concerned has orders to send him a copy of the itinerary in good time to enable him to make all arrangements for the well to be cleaned out if they have not been in regular use.

4. When any special arrangements for the troops are required at *ferries*, the Brigade Commander concerned, has orders to give the civil authorities concerned ample notice. Ferries.

5. Unless prevented by urgent business in another part of the district, the Collector or Deputy Commissioner should make a point of being present at his headquarters to receive the regiment with due honour.

6. The higher officers of the several departments serving in the district or present on tour in it, should be informed of the coming of the regiment, so that they may have an opportunity of participating in its reception.

7. The President and Councillors of the local Municipality should be invited to meet the regiment at the entrance of the town.

8. The Educational authorities should be directed to turn out the schools on the line of march.

9. The instructions in paragraphs 5, 6, 7 and 8 apply only in the case of those routes which are infrequently used by troops and to occasions when the special object of the march is to impress the people with the strength and importance of the military arm of Government.

TABULAR STATEMENT OF AUTHORITIES RELATING TO
PART III OF THE VILLAGE MANUAL.

Serial No.	Authority	Remarks
1	The Village Offices Regulation IV of 1908.	pp. 233, 45, Rev.
2	Rules under the Villages Offices Regulation.	MI.
3	No. R. 6163-71—Agri. 102-09-7, dated 1st May 1912.	
4	Rules 41, 41A, 42-44, 49A, 50-52, 54 and 56 of the Land Revenue Rules.	
5	(1) No. 2932-33—R. F. 9-96, dated 15th September 1896.	pp. 279, Rev.
	(2) „ 5415-23—R. 1773, dated 20th December 1897.	MI. Do
6	G. O. No. R. 3938-47—L. R. 201-07-2, dated 27th December 1907.	pp. 201, 2, Rev.
7	Rule 16, L. R. Rules.	MI.
8	(1) No. R. 4009-21—L. R. 522-13-5, dated 1st December 1914.	pp. 21, 24, of
	(2) No. R. 8223-36—L. R. 399-15-1, dated 23rd February 1916.	the 2nd sup-
	(3) No. R. 631-43—L. R. 399-15-2, dated 13th July 1916.	plement to
9	G. O. No. 12817-26—R. 1346, dated 3rd February 1894.	the Rev. MI.
10	G. O. No. 1008-18—L. R. 159-03-11, dated 7th August 1907.	pp. 314, 5, Rev.
11	G. O. No. R. 3298-322—L. R. 508-09-2, dated 18th November 1910.	MI.
12	G. O. No. 1680-91—L. R. 307-11-4, dated 24th September 1912.	pp. 386, 7, Rev.
13	(1) G. O. No. 4961-6—Ft. 131-06-6, dated 7th February 1908.	MI.
	(2) G. O. No. R. 6024-6—Ft. 19-13-4, dated 5th February 1914.	pp. 407, 11, Rev.
14	G. O. No. R. 176-85—L. R. 46-08-4, dated 10th July 1911.	MI.
15	Rules 71-75 and Appendix H of the L. R. Rules of 1901.	pp. 73, of the Land Rev- enue Rule.
		pp. 23, 4, of the 1st supple- ment to the Rev. MI.

AUTHORITIES FOR PART III—*contd.*

Serial No.	Authority	Remarks
16	Appendix E. to the Land Revenue Rules of 1890.	
17	„ (1) G. „ (2) Notification No. R. 12358—L. R. 548-05-06, dated 26th March 1906.	
18	(1) Appendix H to the Land Revenue Rules of 1890. (2) Notification No. R. 63—R. F. 84-93, dated 3rd July 1902.	
19	G. O. No. 4332-41, dated 30th June 1904. Notification No. R. 6732—L. R. 212-06-16, dated 9th January 1907.	pp. 80, 83, of the Land Revenue Rules of 1901.
20	No. R. 6499-509—L. R. 210-08-13, dated 30th May 1911.	pp. 28, 36, of the 1st supplement to the Rev. Ml.
21	Cir. No. R. 8910—Ft. 64-15-8, dated 18th March 1916.	pp. 772, 3, of the Rev. Ml.
22	No. R. 4319—Agri. 91-08-4, dated 2nd January 1909.	pp. 113, 15, Vol. I, Excise Ml.
23	No. Fl. 880—S. R. 8-10-3, dated 25th August 1911.	
24	Notification No. R. 5804—Ft. 53-13-9, dated 5th January 1915.	
25	(1) Notification No. 245—1300, dated 2nd October 1901. (2) No. 4439—Ft. 95-04-2, dated 22nd November 1904. (3) No. 428-46-4 L. R. 736—Ft. 155-04-6, dated 17th July 1905.	
26	(1) Notification No. R. 7375—Ft. 164-04-9, dated 17th March 1909. (2) „ „ 1831—Ft. 178-11-3, dated 28th September 1912. (3) G. O. No. 1815-24—Ft. 145-09-5, dated 21st September 1910. (4) R. 1702-7—Ft. 40-14-3, dated 27th August 1914. (5) R. 1260-8—Ft. 138-14-6, dated 27th July 1915.	
27	Regulation II of 1904.	
28	„ VII of 1913, as amended by No. III of 1917.	
29	Rules under the Village Courts Regulation.	
30	No. 5276-307—Med. 111-05-3, dated 22nd November 1905.	

AUTHORITIES FOR PART III—*concl.*

Serial No.	Authority	Remarks
31	No. R. 7965-74—R. M. 110-06-9, dated 4th March 1907.	
32	Appendix F. to the Land Revenue Rules of 1890.	
33	Regulation No. I of 1911.	pp. 728, 34, of the Rev. Ml.
34	Rules under the Tank Panchayet Regulation.	pp. 53, 59, of the 2nd supplement to Rev. Ml.
35	Memorandum published with G. O. No. G. 12546-53—G. M. 483-16-2, dated 19th March 1917.	