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APPENDIX I

[See paragraphs 1 and 2 of Circular V-1.]

Statement of Tahsildars, Naib-Tahsildars and Superintendents of Land Records prescribed for each tahsil and district headquarters.

Division.	District.	Tahsil.	Number of		
			Tahsildars.	Naib-Tahsildars.	Superintendents of Land Records.
Nagpur	Nagpur	Nagpur ...	2	*3	1
		Ramtek ...	1	1	...
		Umrer ...	1	1	...
		Katol ...	1	1	...
		Saoner ...	1	1	...
		Total	6	7	1
	Wardha	Wardha ...	1	1	1
		Hinganghat ...	1	1	...
		Arvi ...	1	1	...
		Total	3	3	1
	Chanda	Chanda ...	1	1	1
		Warora ...	1	1	...
		Brahmepuri ...	1	1	...
		Sironcha ...	1	1	...
		Garchiroli ...	1	1	...
		Total	5	5	1
	Chhindwara	Chhindwara ...	1	1	1
		Amarwara ...	1	1	...
		Sausar ...	1	1	...
		Seoni ...	1	1	...
		Lakhnadon ...	1	1	...
		Total	5	5	1
Betul	Betul ...	1	1	1	
	Multai ...	1	1	...	
	Bhainsdehi ...	1	1	...	
	Total	3	3	1	
	Total for Division	22	23	5	
Jubbulpore	Jubbulpore	Jubbulpore ...	1	1	1
		Sehora ...	1	2	...
		Murwara ...	1	1	...
		Patan ...	1	1	...
	Total	4	5	1	

*Includes Sub-Treasury Officer, Kamptee.

APPENDIX I—contd.

Division.	District.	Tahsil.	Number of		
			Tahsil dars.	Naib-Tahsil dars.	Superintendents of Land Records.
J u b b u l p o r e —concd.	Saugor	Saugor	1	1	1
		Rehli	1	1	...
		Khurai	1	1	...
		Banda	1
		Damoh	1	1	...
		Hatta	1	1	...
		Total	6	5	1
	Mandla	Mandla	1	1	1
		Dindori	1	2	...
		Niwas	1	1	...
		Total	3	4	1
	Hoshangabad...	Hoshangabad	1	1	1
		Seoni-Malwa	1	1	..
		Harda	1	1	...
		Pachmarhi	1
Sohagpur		1	1	...	
Narsinghpur		1	1	...	
Gadarwara		1	1	...	
	Total	7	6	1	
Nimar	Khandwa	1	1	1	
	Burhanpur	1	1	...	
	Harsud	1	1	...	
	Total	3	3	1	
	Total for Division	23	23	5	
Raipur	Raipur	1	1	2	
	Mahasamund	2	1	...	
	Dhamtari	1	1	...	
	Baloda Bazar	1	2	...	
	Total	5	5	2	
Chhattisgarh ..	Bilaspur	Bilaspur	1	1	1
		Mungeli	1	1	...
		Janjgir	1	1	...
		Katghora	1
	Total	4	3	1	
Drug	Drug	1	1	1	
	Bemetara	1	1	...	
	Sanjari	1	1	..	
	Total	3	3	1	

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APPENDIX I—concl'd.

Division.	District.	Tahsil.	Number of		
			Tahsil-dars.	Naib-Tahsil-dars.	Superintendents of Land Records.
Chhattisgarh —concl'd.	Bhandara	Bhandara ...	1	1	1
		Gondia ...	1	2	...
		Sakoli ...	1	1	...
		Total ...	3	4	1
	Balaghat	Balaghat ...	1	1	1
		Raihar ...	1	1	...
		Waraseoni ...	1	1	...
		Total ...	3	3	1
	Total for Division		18	18	6
	Total for the Province.		63	66	16

APPENDIX II

[See paragraphs 3 and 4 of Circular V-1.]

Sanctioned scale of Tahsildars, Naib-Tahsildars and candidates under training according to divisions.

Name of division.	Number required for posts in appendix I and for deputation reserve.					Number of Naib-Tahsildars added for leave reserve.	Total Naib-Tahsildars (totals of columns 5, 6 and 7).	Number of candidates under training.
	Tahsildars.			Naib-Tahsildars.				
	Tahsil work.	Deputation reserve.	Total.	Tahsil work.	Deputation reserve.			
I	2	3	4	5	6	7	8	9
Nagpur ...	27	4	31	23	4	4	31	5
Jubbulpore	28	4	32	23	4	5	32	5
Chhattisgarh	24	4	28	18	4	4	26	5
Total ...	79	12	91	64	12	13	89	15

In addition to the above three posts of Tahsildars and seven posts of Naib-Tahsildars sanctioned as additional deputation reserve have been held in provincial reserve.

FORM A

[Paragraph 12 of Circular V-1.]

Central Provinces Subordinate Civil Service, Executive Branch

Form of application for appointment to the Subordinate Civil Service, Executive Branch, of the Central Provinces and Berar.

This form must be legibly written by the candidate in his own handwriting and submitted with the necessary documents to the Deputy Commissioner of the district in which he resides.

Should any of the particulars furnished be found to be false within the knowledge of the candidate he will, if appointed, be liable to be dismissed. The wilful suppression of any material fact will be similarly penalized.

NOTE 1.—Any attempt on the part of a candidate to interview the Revenue Member or the Commissioner of the division privately, or to enlist support for his application by himself or through the agency of relatives, friends, patrons or officials will disqualify him for appointment.

NOTE 2.—Candidates will have to present themselves for interview before the Revenue Member and the Commissioner of the division, at their own expense.

NOTE 3.—Candidates will be required to appear before a Medical Board to undergo medical examination, after selection. Each candidate appearing before the Board will be required to pay a fee of Rs. 16 for his medical examination which will not be refunded whether the candidate is passed as fit or rejected as unfit.

1. Name in full, surname first, in block capitals.	
2. Present address in full. (Any change of address should be at once communicated.)	
3. Name and address of father or guardian.	
4. Exact date of birth and age last birthday. (A birth certificate will be required in the event of the offer of an appointment or, if this is not obtainable, other satisfactory evidence). A matriculation certificate will be accepted if it contains the date of birth.	

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5. Place of birth and province or State in which it is situated.	
6. (1) Nationality at birth, <i>e.g.</i> , British subject, subject of a Feudatory State. (2) Caste.	
7. Father's place of birth and the province or State in which it is situated, and father's nationality at birth.	
8. Present or former profession or occupation of father and whether at the time of candidate's birth, his father was a British subject, and of Indian domicile.	
9. Schools in order, giving dates of entering and leaving. Any position of authority held and distinction attained in school work, games, school societies, etc., any university scholarship won.	
10. University, with dates of entering and leaving. Degree and any other distinction. Name of college. Give the dates of passing the Entrance and F. A. examinations, and of obtaining the degree or degrees.	
11. The vernacular which is the candidate's mother-tongue. Whether candidate has a thorough knowledge of either Hindi or Marathi.	

12. List of testimonials regarding character that accompany the application.	
13. Name of any Government office in which candidate has served, with dates of service, with the name and official address of superior officer.	
14. Whether candidate has on any former occasion applied for a Government appointment. If so, when and for what appointment and with what result.	
15. Whether the candidate has at any time been pronounced unfit for Government employment by a Provincial Medical Board or any other duly constituted medical authority.	
16. Names, postal addresses and profession of two or three referees who should be responsible persons, well acquainted with candidate in private life, but not relatives, and unconnected with his school or university. (i) (ii) (iii)	

Place _____

Dated the _____ 19 . . .

Signature of candidate.

Remarks of the Deputy Commissioner—

FORM D

[See paragraph 31 of Circular V-1.]

Confidential Personal File.

Name of official, father's name, caste and place of residence _____

Post in which first admitted to Government service, with date _____

Educational qualifications _____

Details of landed property held by him, or his near relatives.

District.	Particulars.

Details of Government officials to whom* he is related—

* Including father, brother, cousin, uncle, father-in-law, brother-in-law.

District to which posted—

District.	Date of posting.	Date of transfer.	Reasons for transfer.
1	2	3	4

Abstract of confidential reports and other notes after inspections or on special occasions.

Period or date.	Post held.	Notes.
1	2	3

FORM E

[See paragraph 14 (1) of Circular V-1.]

Serial No.	Name.	Date of birth.	Educational qualifications.	Government appointment, if any, and pay.	Date of registration.	Short statement of candidate's claim and Departmental Examinations passed.	Remarks.
1	2	3	4	5	6	7	8

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REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 1

SUBJECT.—*Instruction of Executive Officers in survey and settlement*

Under the orders of Government all officers of the Indian Civil Service and executive officers of the provincial and subordinate services, *viz.*, Extra-Assistant Commissioners, Tahsildars and Naib-Tahsildars are required to qualify in survey. The Director of Land Records is responsible for making arrangements for their training. Commissioners of divisions should report to him not later than the 15th May in each year the names of all such officers serving in the districts of their divisions who have yet to qualify.

2. On receipt of these reports the Director of Land Records will arrange with the Deputy Commissioner or, if the district is under settlement, with the Settlement Officer to hold a survey class during the monsoon at the district or tahsil headquarters as required.

Officers serving at district headquarters will ordinarily be trained by the Assistant Superintendent of Land Records, and those attached to tahsil headquarters by the revenue inspector of the headquarters circle.

3. The course should be completed in a month or six weeks. Two chainmen on the maximum permissible pay of Rs. 10 each per month may, if necessary, be engaged for each officer and the cost debited to the head "22-E.—General Administration—General establishment—Temporary establishment" of the district budget.

4. At the end of their training officers will be examined by the Superintendent of Land Records, both in field and book work. The plots prepared by them together with the field books and area slips should be sent to the Director of Land Records with the result of the examination. The Director of Land Records will decide thereon which of the officers should be declared to be qualified and will communicate their names to the Accountant General for the purpose of entry in the provincial Civil List.

NOTE.—Extra-Assistant Commissioners and Naib-Tahsildars who hold the degree of Bachelor of Agriculture of the Nagpur University are exempted from passing in survey. Naib-Tahsildars who have worked as revenue inspectors for two years or more are also exempted.

5. The instructional course in settlement as well as practical training in settlement work prescribed for officers of the Indian Civil Service under the rules contained in parts II and III of Government book circular I—3 will be arranged for by the Director of Land Records and Settlement Commissioner as occasion permits.

**Amendment to Revenue Book Circular VI-1, Revenue
Manual, Volume II (Central Provinces)**

No. 48, dated Nagpur, the 5th July 1935.

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In the 6th line of paragraph 1 for the words "Commissioners of divisions" *substitute* the following words "The Deputy Commissioner" and in the 8th line for the words "the districts of their division" *substitute* the following words "his district".

In the 7th line of paragraph 4 for the words "their names" *substitute* the words "the names of all officers of the I. C. S. and executive officers of the provincial service" and *add* the following words at the end of the paragraph:—

"and the names of all officers of the subordinate service to the Commissioners of divisions and Deputy Commissioners concerned".

T. C. S. JAYARATNAM,
Secretary to Government,
Central Provinces.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 2

SUBJECT.—*District headquarters gardens*

In all districts except Nagpur, Jubbulpore, Wardha and Bilaspur, a district garden is maintained at the expense of the Government at the headquarters station.

The intention of the Government is that these district gardens should be taken over gradually by the Agricultural Department, so that they may be used as centres for demonstration purposes, for the training of *malis* in the production of fruits, flowers and vegetables, for the propagation of fruit trees and vegetables and flower seeds and as depots for the sale of improved agricultural implements. In accordance with this policy the gardens at Betul, Bhandara, Drug, Mandla, Khandwa, Raipur, Chanda and Balaghat have already been transferred to the Agricultural Department and are managed by the Director of Agriculture. The remainder are under the immediate control of the Deputy Commissioner of the district who, for purposes of actual management and supervision, appoints a suitable person as a Superintendent.

2. Apart from their use as places of recreation and for growing flowers, vegetables and fruits for sale, the district garden should be used to grow for sale on a large scale, where possible, the fruit trees which have proved to succeed best such as mangoes (grafts and seedlings), oranges, limes, guavas, mulberries and plantains. Their propagation and sale, if economically conducted, should help the gardens to become self-supporting in course of time and further be of considerable advantage to the people of the districts served by them in improving local horticulture.

3. All Superintendents of gardens should submit an annual report to the Director of Agriculture on the 1st August through the Deputy Commissioner and Commissioner. Superintendents should submit statements in forms A and B with their reports and should note the extent to which the garden has proved successful as a centre for the distribution of fruit trees. The report should not exceed 500 words, and the forwarding notes of the Deputy Commissioner and Commissioner should not exceed 200 words each. The Director of Agriculture will include a brief note on the working of the gardens in his departmental report.

4. The budget of receipts and expenditure on account of district gardens is included in the provincial services budget estimates under the head "Scientific and other minor departments." A short memorandum should be attached to that budget explaining the estimates of receipts and expenditure under public gardens.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 3

SUBJECT.—*Measures to be taken for the protection of the principal stations of the trigonometrical survey.*

The appended note by the Superintendent, Great Trigonometrical Survey, prescribing the measures which should be taken for the protection of the principal survey stations, is reprinted for the information and guidance of Deputy Commissioners. The annual report on these stations should be submitted by district offices in form A.

The maintenance of these stations in thorough repair is of much importance. Deputy Commissioners, therefore, should cause the actual condition of these stations to be annually ascertained by Tahsildars, and should furnish an accurate report thereon in the prescribed form, which should reach the Secretariat not later than the 5th February each year.

Note by the Surveyor-General and Superintendent of the Great Trigonometrical Survey on the measures to be taken for the protection of the principal stations of the Trigonometrical Survey

Mussooree, the 31st October 1882.

1. Recommendations on this subject were submitted by the Superintendent of the Great Trigonometrical Survey, in his No. 37-337, dated the 22nd June 1865, and No. 45-289, dated the 13th June 1867, to the Government of India in the Home Department. They were approved of and appear to have been generally circulated, through the Local Governments and the Foreign Department, to District Officers and the Native States.

2. In most instances measures have been carried out for the protection of the stations in conformity with the suggestions contained in the letters above quoted. Still, however, in very many instances the object in view appears to have been forgotten or misunderstood, or the letters of instruction have either not reached the officers who are responsible for the protection of the stations, or they have been mislaid.

3. It has become necessary therefore to recapitulate these measures and add further suggestions on points of detail, with a view to removing the misconceptions which frequently arise as to the nature of the operations, and to diminish the labour which falls on the Trigonometrical Survey Office in replying to the very numerous references which it receives from all parts of India.

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4. The mistake which is most commonly made is in supposing that the survey pillars or stations are to be kept constantly in thorough repair. Proposals are frequently received from District Officers to rebuild a station *de novo* at a cost of several hundred rupees, whereas the available funds will not allow of a greater average expenditure than 4 or 5 rupees on each station; and this sum is amply sufficient for the purpose, for no object would be gained by preserving the stations in thorough repair which would be commensurate with the expense of so doing. A pillar which has fallen down, and is apparently no better than a heap of ruins, will still serve as a point of reference for the most exact and delicate operations of this survey, provided the markstones in its basement have not been disturbed; should the markstones have been removed, the station will still suffice, as a point of reference for topographical and revenue survey purposes if its centre can be ascertained within a few feet of the truth. A large expenditure is only justifiable when necessary to prevent a station from being entirely destroyed, as for instance by being carried away by a river. A station can only be required to be rebuilt when wanted for an extension of the operations of the principal triangulation, and then its reconstruction should be carried out by some officer of the Survey Department, to be specially deputed for the purpose.

5. Stations on flat ground are usually raised to a height of several feet, and, in general, they consist of a central pukka pillar, surrounded by a katcha platform, the former to support the instrument, the latter the observatory tent and observer. The platform, being built of the cheapest materials procurable, is certain to fall down sooner or later, and unfortunately, when this happens, people are ready to fancy that the structure is no longer of any use, and, under this supposition, not only the *debris* of the fallen platform, but the central pukka pillar itself—which is frequently unaffected by the fall of the platform—has been broken up and carried away by the villages for building purposes. It is therefore necessary that *stations should always be cared for and protected from wilful injury, even when they have fallen down or are apparently in ruins.*

6. Though it is not necessary that the stations should be kept in thorough repair or prevented from falling into ruins by a large expenditure of money, it is desirable to take a few simple and inexpensive measures for the protection of pillars and platforms from the weather, and the preservation of the markstones from mischief. These measures will depend on the structure of the stations, which though generally as described in the commencement of the fifth paragraph, occasionally differs in certain particulars. The different forms will now be described, with the protective measures to be taken in each case.

7. *Hollow towers of pukka masonry.*—These are usually rectangular and about 16 feet square; they rise to heights of from 30 to 60 feet, and have beams built into the walls near the summit for the support of a central pillar and platform, which forms a sort of a roof to the building. The platform is ordinarily

reached through a trapdoor by a series of ladders inside the tower; but when the ladders have given way, temporary ones can be put up outside. *Protective measures.*—Stop all cracks in the platform with mortar, close the trapdoor, and prevent rain from getting into the interior of the tower: block up the windows and more particularly the door in the basement; the ladders need not be renewed. If the roof comes down, the *debris* should be shaped as a conical pile over the basement—covering the pillar also when one has been erected as indicated in paragraph (12)—and drain holes be cut in the walls to carry out the rainfall.

8. *Solid towers of katcha masonry, with a central solid pukka pillar.*—These are usually from 10 to 35 feet high; the pillar contains a series of markstones, one over another vertically, at intervals of a few feet, from the basement to the summit. *Protective measures.*—When the katcha masonry work is still standing and in good order, stop all cracks, through which water may percolate to the pillar, with mud and cover over the summit of the tower with a pile of earth sloped away so as to carry off the rainfall over the sides of the tower and prevent it from lodging inside. When the katcha masonry has entirely fallen, shape the ruins into pyramidal mound round the pukka pillar as a centre for its protection from the weather and from wilful mischief. When the katcha masonry has fallen down on one side only, pull it down on the other side, or it will be liable to overthrow the pillar by its weight. Cut down all trees and jungle grown over the station.

9. *Solid towers of katcha masonry, with a central perforated pukka pillar.*—The only difference between these stations and those last described is in the pillar which has a vertical perforation or shaft down its centre, to enable an instrument to be plumbed over a markstone at the ground-level; a vaulted passage is therefore carried through the katcha masonry and the pillar, to lead to the said markstone. *Protective measures.*—These should be precisely similar to what has been described in the last paragraph, with the addition that the entrances to the vaulted passages leading to the ground level markstone ought invariably to be blocked up as solidly as possible, should they be found open.

10. *Low platforms of katcha materials, with a central solid pukka pillar.*—This is the most common form of structure, and it is invariably adopted when the station is on a hill or high mound; the platform is generally of earth and stone; the pillar is always pukka without any perforation, circular, and with a diameter of 3 to 4 feet, constructed whenever practicable over a mark engraved on the rock *in situ*, and containing one or more markstones internally, with another on its upper surface, the marks being plumbed to the same vertical line. *Protective measures.*—Repair the platform, remove vegetation and construct a pyramidal pile of earth and stones, with a base of about 7 feet square and height of 5 feet, over the pillar and partly resting on the platform. In Burma it has been found necessary to make much larger piles, about

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20 feet in diameter and 7 or 8 feet high, to form an object sufficiently conspicuous for identification at a distance, and less likely to be destroyed by wild elephants.

11. *Pucka pillars, circular above and square below.*—Such pillars though usually only the central portion of the structure, as in paragraphs (8) and (9), are sometimes constructed, in places where bamboos are plentiful, without a solid surrounding of katcha masonry, a temporary platform of bamboos being put up round the pillar, which is removed when the observations are completed. *Protective measures.*—Block up the entrances of passages leading to the markstone, and prevent rainfall from lodging anywhere in the vicinity of the pillar, dig a trench around, and throw the earth against the base of the pillar.

12. *Pucka pyramidal pillars about 2 feet square at base and 3½ feet high.*—These have been constructed of late years by the Survey Officers over the ordinary pillars, and the markstones at the basements of hollow towers, for their better protection. *Protective measures.*—Cover over with a pile of earth and stones as in paragraph (10).

13. *Trestle and post stations.*—At the stations thus designated pukka pillars have been constructed, but from motives of economy the pillars were not raised to a sufficient height to be mutually visible, and consequently they were supplemented sometimes by moveable trestles; sometimes by fixed posts, which were raised to the necessary height for mutual observation, and on the summits of which the instruments were set up, while the observer and the signallers stood on a surrounding scaffolding. This form of station has been largely employed in the plains of Madura and Tanjore and in the Valley of Assam. The pillars are usually solid, as described in paragraph (10), but occasionally it was necessary to raise them to a height of 10 or 11 feet, and then they were constructed with a central perforation and a passage leading to the markstone below; pukka pyramidal pillars as described in paragraph (12), have been constructed over the markstones at the summit of the solid pillars, and over the ground level markstones of the perforated pillars, and in Southern India, on the completion of the survey operations a pyramid of earth was constructed, 40 to 50 feet square at base, and rising well above the summits of the pukka pillars. *Protective measures.*—When much washed down or broken away, restore the earthen mound by adding fresh earth brought from a short distance beyond the case of the mound. Thorny shrubs should be planted on the mound and encouraged to grow, but large trees should be extirpated.

14. The preceding remarks and suggestions sufficiently indicate the nature of the measures to be taken in each instance: they are also applicable to cases in which the survey station is not precisely of either of the forms indicated, but is a modification of some previously existing building, as a tower, mosque, or pagoda. It is very desirable that these measures should be explained to the native officials of the villages in which the stations

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are situated, as they can be easily and inexpensively carried out by them, under the orders of the District Offices, or the Police authorities.

15. In certain cases a large expenditure is allowable to prevent the entire destruction of a station by special causes, as the action of a river or water-course. Reports of such cases should be made to the Trigonometrical Survey Office, when the necessary instructions will be communicated.

16. Returns of the condition of the stations are required to be made annually to the Superintendent of the Trigonometrical Survey; these returns should be sent in as soon as possible after the 1st of January; a convenient form for the return can be obtained on application to the Survey Office at Dehra Dun.

17. In consequence of the numerous alterations in the boundaries of districts which have been made since the completion of the principal triangulation of this survey in certain provinces, it occasionally happens that a station is no longer situated in the district to which it originally appertained, though, from the absence of any information on the subject, it is still retained in the list of stations for that district which is prepared in this office. Any information regarding changes of this nature, or of errors which may be discovered in the lists, will be most thankfully received.

18. It should be remembered that one of the principal objects in view is to protect the stations from wilful injury. In some instances the markstones have been stolen, as they are usually smooth flat stones which are convenient for grinding curry powder; sometimes the pillars are destroyed for the sake of the materials, sometimes they are dug up out of mere curiosity, under the supposition that money is buried beneath. The District Officers are expected to prosecute and punish all persons who can be proved to have perpetrated any mischief of this nature, and to require the native officials in the neighbourhood to protect the stations from injury.

19. The expenditure which may be incurred in carrying out the protective measures above indicated should be defrayed as directed in the following extract from the Comptroller General's Circular (Post Office, Survey and Telegraph Departments) No. 237, dated the 24th March 1876:—

Paragraph 3.—The Superintendent of the Great Trigonometrical Survey has furnished to all District Officers and Political Agents lists of the survey stations under their charge, and they are authorized to expend for the protection of each station a sum not exceeding on an average Rs. 4 a year: outlay in excess of this amount should not be incurred without special authority of the Superintendent of the Survey. Payment should be made on a receipted bill, accompanied by a separate receipt, the bill should be sent by the Treasury Officer to the Superintendent of the Survey (who will countersign and transmit it to the Comptroller General); the separate receipt will support the charge in the district accounts."

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20. In addition to the principal stations of the triangulation, a number of bench-marks have been fixed in the course of the spirit levelling operations of the Great Trigonometrical Survey, which should be cared for and protected by local authorities, as they are of much value for reference in projects for canals and other engineering works. They are described in the printed pamphlets of the data of the spirit levels, extracts of which, showing the bench-marks in each district, will shortly be circulated to the District Officers.

21. All letters and returns on the subject of the survey stations should be addressed to the Officer in Charge, Trigonometrical Office, Survey of India, Dehra Dun, N.-W. P.

Annual Return showing the condition of the pillars and towers or platforms marking the principal stations of the Trigonometrical Survey in the district of

Notes on the preparation of this return.

1. In the blank space above, enter the name of the district, collectorate, Native State or other territorial division for which the return is made.
2. In the 1st column of the return insert the name of the station as given in the list prepared in the Trigonometrical Survey Office, whenever practicable; the names should be written in the order in which they occur in the survey lists.
3. When a station cannot be identified by the survey name, but a tower or platform is found which is presumably a survey station, insert the name by which it is locally known, in column 2.
4. In column 3 give the name of the village within the limits of which the station is situated.
5. In column 4 give the name of tahsil, pargana, taluka, thana, or other commonly recognized sub-division, in which the station is situated.
6. In column 5 give the name of a few of the principal adjoining villages; this is necessary to facilitate identification in the survey office.
7. In column 6 state the condition of the station and estimated cost of repairs.
8. In consequence of changes in the boundaries of districts, etc., several stations do not now appertain to the district for which they were returned by the Survey Department. Notices of such alterations will be very valuable, and should be inserted in the return.
9. The return should be sent in annually, as soon as possible after the 1st January, to the Deputy Surveyor General in Charge Trigonometrical Branch, Survey of India, Dehra Dun, from whom blank copies of this form may be obtained on application.

[VI-3.—Trigonometrical survey stations

Measures necessary for the protection of the principal stations of the Great Trigonometrical Survey.

<i>Description of stations.</i>	<i>Protective measures.</i>
1. Hollow towers of <i>pucks</i> masonry.	1. Stop all cracks; close the trap door; block up the windows and the doors in the basement; and should the roof fall in shape the <i>debris</i> in the form of a cone over the basement. If a pillar exists cover it over with earth, or earth and stones, in the form of a pyramid.
2. Solid towers of <i>katcha</i> masonry with a central solid <i>puck</i> pillar.	2. Prevent water from percolating to the pillar, with mud, and cover the summit of the pillar with earth, slope away to carry off the rainfall.
3. Do. do. with a central perforated <i>puck</i> pillar.	3. Do. do. Close the passages leading to the ground level markstone with earth and stones if open.
4. Low platforms of <i>katcha</i> materials with a central solid <i>puck</i> pillar.	4. Repair the platform and construct a pyramidal pile of earth, or earth and stones, over the pillar and partly resting on the platform.
5. <i>Puck</i> pillars, circular above and square below.	5. Close the passages leading to the markstones with earth and mud, and prevent water-lodging near the base of the pillar.
6. <i>Puck</i> pyramidal pillars.	6. Cover over with earth and stones as in 4.

N. B.—As the funds available for the protection of stations do not allow of a greater average expenditure than Rs. 4 or Rs. 5 per station annually, the repairs should be restricted to the protective measures detailed above.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 4

SUBJECT.—*Remuneration of lambardars and mukaddam-gumashtas.*

The remuneration of the lambardar used to be fixed at five per cent on the land revenue under rule VI under section 137 of the old Land Revenue Act, but under section 192 of the present Act it has to be fixed by the Tahsildar on the application of the lambardar. Circumstances vary from village to village to such an extent that it is difficult to lay down any very definite instructions for the guidance of Tahsildars in fixing this remuneration and each case must be decided on its merits. The points which may be taken into consideration are the size of the village or patti concerned, the amount of land revenue, the number of co-sharers, the ease or difficulty with which the land revenue is collected from them and the amount of work which the lambardar may have to perform.

2. There is no provision in the Land Revenue Act for the payment of remuneration of the sadar lambardar. This post is generally much sought after, and when, as usually, the sadar lambardar is also the mukaddam of the village, he will receive remuneration as such.

3. When the mukaddam of a village is not resident in that village, he has to appoint, under section 190 of the Land Revenue Act, an agent, to be approved by Revenue Officer not below the rank of a Tahsildar, who is styled the mukaddam-gumashta, to perform the duties of a mukaddam. If the mukaddam fails to appoint an agent, such Revenue Officer may himself appoint a suitable person to be the mukaddam-gumashta and fix his remuneration.

4. The law is, however, silent as to the amount of the remuneration which should be given to a gumashta nominated by the mukaddam, and this is thus left to private arrangement between the parties. It is, however, necessary in the interests of Government to see that a proper remuneration is fixed and paid, and this point should always be noticed and the arrangement recorded in the proceedings for the appointment of a mukaddam-gumashta.

5. The most suitable form of remuneration, when the gumashta is an agriculturist, is the grant of a small area of land rent-free, as by this way all difficulties regarding disputes as to the payment of the allowance are avoided. The rental of the land to be released might vary from Rs. 3 to Rs. 20, according to the rent-rate in force in the village and the amount of work to be done.

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and mukaddam gumashtas]**

6. When the land allotted rent-free is taken from the village sir it should be recorded in the patwari papers as sir cultivated *ba-zariye mukaddam-gumashta*. In other cases it should be recorded, with reference to section 2, sub-section (11), clause (c) of the Central Provinces Tenancy Act, as occupied by a mal-guzar's servant unless the occupier was a tenant of it in absolute-occupancy or occupancy (including ordinary) right before he undertook the gumashtaship. In such instances it is not the land but the rent-free tenure that he enjoys in return of service, and his tenancy right, not being extinguished by the grant, should always be recorded with the words "muafi-khidmati" after it.

7. In villages held by thekadar where the thekadar is resident and is himself appointed mukaddam-gumashta, no remuneration is required as he may be presumed to perform the duties of the mukaddam-gumashta as part of his liabilities under his lease.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 5

SUBJECT.—*Instructions for the guidance of Revenue Officers in making imperfect partitions*

The making of an imperfect partition is one of the most difficult operations that fall to a Revenue Officer to carry out, for it involves the settlement of all the disputes which have arisen between the parties and given rise to the application for the division of the mahal or patti, while the actual partition itself requires the division of the lands into shares representing the interests of the parties as fairly as possible and so arranged as to avoid future grounds for friction. It is almost impossible, in making a partition, to secure a mathematically accurate division of the different classes of soil, and the different rights in which they are held; for tenant land and *sir* land are scattered about throughout the village and the soils seldom lie in large and compact blocks. To make a mathematically accurate partition would therefore involve the division of numerous isolated blocks of land between the pattis, and the pattis would be so incompact as to give constant ground for future friction, friction which it should be one of the objects of the officer in making the partition to avoid. But while mathematical accuracy is impossible, the officer making the partition must arrange that the pattis into which the mahal or patti is divided, represent as nearly as possible, the proportions of the profits to which each party is entitled and give as little ground for future disputes as possible.

In making a partition, if the *sir* land held in severalty by each sharer is not placed in the patti of that sharer, the effect of the partition is to destroy valuable rights and reduce the total value of the mahal, for the substitution of cultivating rights as an occupancy tenant for *sir* rights obviously reduces the value of the land. This, however, is one of the evils of partition which it is often impossible to avoid, and if only some of the parties insist on a partition in spite of the necessity of destroying the *sir* rights and the loss is serious, the Deputy Commissioner should consider whether under section 165 of the Land Revenue Act, this fact is not a ground for refusing the partition. Another evil in partition is that it often involves the division of a tenant's holding into two parts which, by giving the tenant two landlords, adversely affects his interest. Such division cannot be entirely avoided and section 179 of the Act provides a partial safeguard to the tenant in requiring that the rent of the holding in such a case should be divided. Another evil of partitions is the fact that it may seriously reduce the rights of tenants in the land over which communal rights exist. Such communal rights are the rights to *nistar* and grazing in the waste, the rights to the use of

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threshing floors and similar rights. If the waste land of the village is comparatively small, a division of it between pattis would seriously reduce the area over which the tenants of one patti had the right of *nistar*, and section 178 of the Land Revenue Act specially provides that in such cases the Deputy Commissioner may require that the land should continue to be joint property. It may be possible with care to make a partition, reducing these evils to reasonable limits, but if this cannot be done, the officer should consider whether in the interests of the parties themselves or of the tenants, the partition should not be disallowed. In the past partitions have often been very badly made and have given rise to considerable trouble to every one. This is largely due to the fact that the officer making the partition has not realized the full difficulty of the task and has left too much of the work to the amin. The duties of the amin are not to make the partition, but merely to prepare the records on the lines laid down by the officer himself, and these lines can only be settled satisfactorily by a study of the conditions on the spot. He must therefore understand clearly that it is his duty to make the partition himself and to decide, or have decided all the various questions, the decision of which is necessary before the partition is made. In cases however, where there is no likelihood of a dispute and the case is otherwise clear, and in cases where the property consists of two or more mahals or shares in which it is possible to make the partition by distributing such mahals or shares among the co-sharers, under section 183 of the Act, a visit to the village by the partitioning officer may be dispensed with, but local enquiry should never be dispensed with unless the officer enquiring is absolutely satisfied that it is unnecessary.

2. The power to decide the various questions arising between the parties is regulated by section 169 of the Land Revenue Act. The expression "question of title or of proprietary rights" used in this section is a very general one, and has formed the subject of several important decisions of the Judicial Commissioner. A reference to the rulings in *Seth Birdhichand v. Kaim Bai and others* (C. P. L. R., Vol. XVII, page 5), and *Govindrao and another v. Narayanrao and others* (C. P. L. R., Vol. XVII, page 129), will give a good idea of the law on the subject. These rulings lay down that the expression "question of title" includes any objection which must be settled before the partition can be made. Such questions may be divided into two main classes. First of all, there are questions of title or proprietary right which have to be decided before orders issue that a partition be made. Instances of such questions would be a claim that there had already been an imperfect partition of the whole property made either by a Revenue Officer or by arbitrators or by the parties themselves which left nothing still to be divided, or that by custom or the record-of-rights the property was impartible, or again, that the applicant was not in possession of the share stated in the application. Questions of the second class are those which, after it has been decided to make the partition, must be settled before the way in which the partition should be made

can be determined. Questions of this class are far more numerous, and it is impossible to give anything like an exhaustive list of them. Under section 171 the officer is required to draw up a list of the lands held in severalty, while in section 175 the expression "land which is the exclusive property of any co-sharer" occurs. As one of the commonest class of disputes of the second class arises over the decision of these questions, it will be well to discuss the exact meaning of these terms at some length. In the ordinary course of the management of a village where there are numerous share-holders, it often happens that arrangements are entered into which do not form a complete partition. Sometimes the home-farm is divided finally among the co-sharers, each taking permanently definite lands as his share. The tenant land and the waste land of the village are left joint and undivided. Sometimes there is no final or formal division of the home-farm, but each co-sharer cultivates a portion of it as a convenient way of management, and such an arrangement may have continued undisturbed for years. In the first case, that is, where there has been a formal partition, the land is the exclusive property of the co-sharer holding it, while in the second case there having been no formal and final partition of the proprietary right, all the co-sharers are still proprietors of every field in the home-farm, and a co-sharer in possession of any of such fields only holds the land in severalty. The ruling of the Chief Commissioner under sections 136 L. and 136 N. of the Land Revenue Act of 1881, which is printed as an appendix to this circular, deals with this point more fully and should be carefully studied. The following may be quoted as instances in which the land is the exclusive property of the co-sharer holding it—

- (1) A, B, C, own equal shares in a mahal total *sir* area of the mahal=100 acres with a rental valuation of Rs. 150.

Other assets—Rs. 90.

Each co-sharer is entitled to 33 acres of *sir* and Rs. 30 on account of proprietary profits. In lieu of the proprietary profits C accepts with the consent of A and B 20 acres of extra *sir*. Then at partition the patti should consist of—

A and B ... = 23.50 acres *sir* + Rs. 45 proprietary profit each.
C ... = 53 acres of *sir* which is exclusive property.

- (2) A, B and C are co-sharers of which A is the lambardar with Re. 0-8-0 share and B and C with Re. 0-4-0 each.

Total *sir* area of the mahal=100 acres. Rental Rs. 150.

Other assets=Rs. 60. Total Rs. 210.

A takes 30 acres of *sir* and the whole of the other assets and B and C are assigned 35 acres of *sir* land each. On partition the patti of B and C will consist entirely of the *sir* land which has become their exclusive property.

- (3) A and B are co-sharers having equal shares. A sells to B part of the *sir* land. The land purchased by B which becomes his exclusive property will be deducted before partition and added to his patti. Thus the patti of B will be larger.

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(4) A mahal consists of—

	Rs.
50 acres of <i>sir</i> rental	... 100
Other assts	... 100

A the sole owner sells 12 annas share in the village to B without any *sir* land and later on sells 2 annas share to C with 25 acres of *sir* retaining 2 annas share and 25 acres of *sir* with him. At partition the pattis will consist of—

	Rs. a. p.	Rs. a. p.
A and C=25 acres <i>sir</i> rental	... 50 0 0	} 62 8 0 each.
Other proprietary profits	12 8 0	
B Proprietary profits	... 75 0 0	

Thus the patti expressed in annas according to the profits derived by each will be—

A and C=5 annas each (200÷Rs. 62-8-0) against 2 annas recorded in the revenue records.
B =6 annas (200÷75) against 12 annas as recorded in the revenue records.

If the land revenue is Rs. 100 its apportionment under section 180 between the different pattis will be—

	Rs. a. p.
A and C=	31 4 0 each.
B =	37 8 0

In a case of this kind it will be necessary to examine the sale deed in favour of B to ascertain that A retained proprietary as well as cultivating rights over the whole of the *sir* land.

In all such cases if there be any doubt or dispute as to the right of a person claiming exclusive ownership over any land, the partition should be refused pending an authoritative decision by a civil court.

Another important question that may arise in the case of home-farm is the question of improvements specially in fields held in severalty. If one co-sharer has improved his land by the expenditure of money or labour, it would be unfair that he should be deprived of it without compensation, as the Judicial Commissioner has pointed out in *seth Birdhichand v. Mt. Kaim Bai and other* (C. P. L. R. Vol. XVII, page 5). Improved fields should usually be left in the possession of the present holder, but this may not always be possible, and if it is proposed to transfer them to another co-sharer in accordance with section 173, the question of compensation for improvement must be dealt with under section 169. In connection with *sir* land, when one of the co-sharers has acquired by purchase a proprietary share without the right to cultivate such land under section 50 of the Tenancy Act, he is not entitled to cultivating rights in any of the *sir* land, unless additional land has been declared *sir* since the date of his acquisition. A question of title will also arise where a co-sharer has obtained tenant land on his own behalf. Such land may have been recorded by the patwari as part of the home-farm, although the co-sharer is really a tenant of the coparcenary body, and when a claim of this nature is put forward,

it is necessary to decide what the rights of the co-sharer really are. In considering cases of this class, the ruling of the Judicial Commissioner in *Ramdayal v. Gulabia Bai* (N. L. R. Vol. IV, page 120), will be a useful guide. Questions of right to irrigation may also arise, and these too must be regarded as questions of title and formally decided under section 169. In dealing with questions of proprietary right and title, section 169 permits the adoption of three methods—

- (1) the officer may decline to grant the application until the question in dispute has been determined by a competent court or has been settled by a lawful compromise;
- (2) he may require any party, whether he be the party who raised the question or not, to institute, within six months, a suit in the civil courts to have the question determined, or to have it settled within six months by a lawful compromise or award. If such party fails to comply with the requisition, the Deputy Commissioner decides the question against him, and then proceeds with the partition accordingly; or
- (3) the officer may enquire summarily into the merits of the case and pass orders thereon.

Which of these three courses the officer should adopt depends on the nature of the objection, but any really important question should be dealt with under one or other of the first two alternatives, the third method being only used for the disposal of objections which appear of little weight or of questions with which a Revenue Officer is better able to deal, for the decision of which he has the material available, and which do not involve a long and detailed investigation and the recording of much evidence.

Though the enquiry contemplated by the third alternative is a summary one, it is most important that in making it the parties should be carefully examined, the exact question for determination set out and that the final order should show clearly the decision arrived at and the reasons for it, so that the Judge of the civil court, if the case goes before a civil court, may understand clearly the grounds of the decision. A single partition case may therefore involve a very large number of questions which have to be dealt with under section 169, and in drawing up proceedings under this section, the officer should keep each of such questions apart and record a separate proceeding in regard to each.

3. The proceedings in a partition case may be conveniently divided into four stages—

- (1) the considering of the application and the decision whether it should be granted or not;
- (2) the determination of any questions that affect the way in which the partition should be made and the laying down of the lines on which to make it;
- (3) the making of the partition itself; and
- (4) the confirmation of the partition and the giving effect to it.

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Each of these stages is distinct in itself, and careful attention to the various questions that arise in each stage will do much to render simple what is often a difficult and troublesome proceeding.

4. The form of application for an imperfect partition is prescribed by rules under section 227 (2) (v) of the Act, and the first step on receipt of such an application is to see that it is in order and that there is on the face of it no reason to disallow it, either under the proviso to section 162 on the ground that settlement proceedings are in progress in the mahal, or for any other reason under section 165. If the application is found to be in order, the revenue record-keeper should be called on to report on the accuracy of the facts stated in the application. His report should state—

- (1) the present recorded proprietors of the mahal or patti and the way in which they derive their title from the person or persons with whom the last settlement was made;
- (2) the constitution of the mahal or patti according to the settlement record-of-rights or in accordance with any partition made subsequent to the last settlement and any provision regarding partition entered in the wajib-ul-arz of the last settlement;
- (3) any other facts relevant to the application.

A date should be fixed for the submission of this report, and on the date so fixed the applicant or his agent should be examined in order to ascertain that his intentions are such as can be carried out under the law and at this stage, the rule laid down in section 166, limiting the area or land revenue of a patti, should be considered.

5. If no objection to the application is disclosed by this enquiry, the second stage will be begun; and the first step will be the issue of the proclamation and notices required by section 167 which should be in forms A and B. It should be observed that the date fixed for the hearing must be not less than 30 or more than 60 days from the date of the issue of the notice. On the date fixed for the hearing or any subsequent date to which the proceedings may be adjourned, all the parties should be carefully examined in order to ascertain whether there is any objection to the partition being made. Such objections may raise questions of title or proprietary right but such questions, at this stage, should be restricted to those of the first class mentioned above, that is to say, those which affect the question whether a partition should be made at all, the consideration of questions which affect the way in which the partition, should be made being reserved for the next stage. When the officer making the partition has disposed of all the preliminary questions and objections in one of the ways allowed by section 169, if he decides that the application should be allowed, he should record an order embodying the substance of the report of the revenue record-keeper, stating clearly the property to be divided, and the shares into which the division is to be made, and directing

that the partition should proceed. He should then ascertain, in accordance with section 170, whether the parties wish to make the partition themselves or by arbitrators, and if he decides on either of these courses, he should fix a date by which they should produce their proposals for his consideration.

6. If he decides to make the partition himself, he will then enter on the third stage of the proceedings or the determination of any questions affecting the way in which partition should be made and of the lines on which to make it, and if any mahal or patti has to be divided, this stage should always be carried out in the village itself with the patwari of the village present. If any of the parties are not present at the hearing at which the date for this visit is fixed, a notice should be issued to them in form C, or if for any reason the date of the visit is altered and any of the parties are not present at the time, similar notices must be issued to them before the case is taken up in the village, as it is essential for the preparation of the partition proceeding under section 171 that all parties should have ample notice of the date on which the proposals are to be framed.

7. Before the day fixed for the hearing in the village the patwari of the village should be called on to prepare a copy of the jamabandi of the village in form D, but in the Chhattisgarh division, owing to the large number of khasra numbers in rice villages, it will be impossible for the patwari to prepare this special jamabandi, and the parties applying for the partition must be required to file a certified copy of the ordinary jamabandi, and the special jamabandi showing the different classes of soil and position will have to be prepared after the partition proceeding has been drawn up. As this jamabandi will form the basis of the partition proceeding required by section 171, all its entries must be carefully attested by the officer making the partition in the presence of the parties. It is in the course of this attestation that he will discover the various questions of title in dispute between the parties which must be decided before he can lay down the way in which the partition should be made, and he should make a careful note of all these questions for consideration and decision later. During his attestation he will also have to consider the question of the rights to irrigation and the action to be taken under section 176, and a note should be made against each irrigated khasra number of the source from which it is irrigated, and a definite proceeding under section 176 should be drawn up for each work. Other questions that have to be considered during the process of attestation are—

- (1) the method of dealing with the abadi, section 174;
- (2) the method of dealing with places of worship and burial grounds, section 177;
- (3) the method of dealing with lands over which communal rights exist, section 178.

When the attestation of the jamabandi is completed, the officer will then take up all disputes that have arisen and decide them under section 169, or arrange for their decision, and when he has

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done this and decided on his action in regard to the other points mentioned above, he will be in a position to draw up the partition proceeding required by section 171, the attested jamabandi being the statement of the lands held in severalty and the lands held in common required by this section. He will embody in this proceeding the substance of the decisions that he has come to in the course of his enquiry and will lay down the principles on which the partition is to be made. In framing these principles, the officer has to remember that it is he who is responsible for the partition, and a general instruction to the amin that the tenancy land is to be divided equally or any vague remark of this nature, is not a compliance with the law. The amin is employed to help the officer in preparing the necessary papers and not in deciding how the partition should be made, and the instruction contained in the partition proceeding under section 171 of the Act must therefore be precise and leave little or no initiative to the amin in the preparation of the final papers. The completion of this stage of the proceedings from the attestation of the jamabandi to the preparation of the partition proceedings may, therefore, involve a halt of some days in the village under partition, but the time thus spent will be saved in the end by ensuring that no dispute requiring attention will arise in the later stages, and by enabling the officer to deal with disputes on the spot, where he is able to appreciate their weight and arrange for their settlement.

8. If the officer has carried out the last stage carefully, the work of the third stage, or the work of completing the partition, will be comparatively simple, and will consist in preparing jamabandis for each separate patti to be formed in accordance with partition proceeding. A trace of the village map will also have to be prepared showing the boundaries of each patti. Along with these papers there should be prepared two statements in forms E and F showing for each patti formed (1) the distribution of soils and positions and (2) the distribution by rights. A date should be fixed for the submission by the amin of these papers, and on that date the officer should again arrange to visit the village, if the partition is a complicated and disputed one. At this hearing he will discuss the final partition with the parties and record their statements and their objections, if any, and after making any alterations that he finds necessary, will draw up a final order for submission of the case to the Deputy Commissioner for confirmation, if he is not the Deputy Commissioner himself. This final order must set down clearly the points decided under sections 176, 177 and 178 of the Act and must also include clean copies of the jamabandis of each patti which has been formed. The proceedings under section 179 for the distribution of the rent of holdings of tenants which have been divided should also be attached. In making such division the officer should work out the total number of soil units in each part of the holding and in the whole, and should calculate the rents of each part accordingly. For *sir* and *khudkasht* land, the rental value of each holding should be calculated at the acreage rates adopted by the Settlement Officer for the calculation of

**Amendment to the Central Provinces Revenue Manual,
Volume II (Edition of 1932)**

No. 82, dated Nagpur, the 6th March 1937.

REVENUE BOOK CIRCULAR VI-5

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(1) In lines 16 and 17 of paragraph 8 of the circular for the words "Deputy Commissioner" *substitute* the words "Sub-Divisional Officer or the Deputy Commissioner as the case may be".

(2) In line 17 of paragraph 8 of the circular before the words "Deputy Commissioner" *insert* the words "Sub-Divisional Officer or the".

No. 83, dated the 6th March 1937.

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(1) In the last sentence of paragraph 8 of the circular for the words "Deputy Commissioner of the district" *substitute* the words "Sub-Divisional Officer or the Deputy Commissioner of the district as the case may be".

(2) In lines 2 and 3 of paragraph 9 of the circular for the words "Deputy Commissioner" *substitute* the words "Sub-Divisional Officer or the Deputy Commissioner as the case may be".

S. SANYAL,

*Under Secretary to Government,
Central Provinces.*

deduced rents in order to check the fairness of the division. In accordance with section 180, the officer should apportion among the pattis the sums payable under the settlement or sub-settlement. The final order should also contain a statement of the costs incurred, and by whom they should be paid. If the partition is eventually quashed or the proceedings terminated infructuously the applicant may properly be made to pay the costs. If, however, the application succeeds and the partition is made, ordinarily all parties to the partition should share the costs proportionately. If the partition has been made by the parties themselves or by arbitrators under section 170 a final order on the lines indicated should also be prepared and this order must also be submitted to the Deputy Commissioner of the district for confirmation.

9. On receipt of the proceedings for confirmation, unless all the parties have accepted the partition, the Deputy Commissioner will fix a date for the hearing, issuing notice to the parties in form G, and after hearing the objections of the parties, if any, will pass orders either sanctioning the partition with or without change, or disallowing it or ordering further enquiry. The final order in a partition case is that of the Deputy Commissioner and if the partition is sanctioned, such order should declare that the partition is sanctioned and shall come into force on the first day of the next agricultural year and should be endorsed on a stamp in accordance with Schedule I, article 45, of the Indian Stamp Act, II of 1889. A proclamation should then be issued by the Deputy Commissioner himself in accordance with section 182 in form H. The partitioning officer will then forward the record to the Tahsildar with instructions to summon the patwari to the tahsili. The Tahsildar will then cause the patwari to prepare a fresh panchsala khasra showing the names of the co-sharers in whose patti the khasra number has been placed, instead of the joint proprietary body, in the column for "Proprietors". He should also cause the patwari to prepare fresh jamabandis for each patti. These should be prepared before the close of the agricultural year in order that the patwari may have them before him at the time of the preparation of next year's annual papers. The possession of the shares should be given to the parties with effect from the 1st day of the agricultural year next after the approval of the partition, the officer being empowered to do this by section 31 of the Land Revenue Act.

10. The partition will also involve the alteration of the khasra roster of the patwari's circle and the opening of cases for the appointment of lambardars and possibly of the mukaddam. The Tahsildar should, therefore, on receipt of the record, communicate to the revenue inspector and to the patwari the alterations in the khasra roster for the patwari's circle ordered by the Deputy Commissioner under rule 10 (a) of the rules under section 227 (2), (f) (i) of the Central Provinces Land Revenue Act, page 10, part II, section 1, Volume 1, Land Records Manual. He should also open cases for the appointment of

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sadar or other lambardars, and if necessary, of the mukaddam, and certify on the order sheet of the record that he has done so. The record will then be resubmitted to the officer making the partition for deposit in the record room.

11. There remains to consider the question of the appointment of the amin and the question of costs under section 172. It has already been pointed out that the duties of the amin are not to make the partition himself but to assist the officer in making such partition. For this purpose each Deputy Commissioner should maintain a list, to be revised and approved every year, of suitable candidates for the post of amin, from which the partitioning officer will make his selections. The list should contain the names of retired revenue inspectors, experienced patwaris or any other persons whom the Deputy Commissioner may think fit to work as amin. The amin will be paid at a rate to be fixed by the Commissioner for each district of his division subject to a maximum of Rs. 1-4-0 per diem.

12. The costs of partition will include the following items to be calculated in the manner shown against each :—

(1) *Pay of amin.*—As soon as the partition proceeding has been drawn up under section 171, the officer making the partition will estimate what time is required for the preparation of the necessary papers and the completion of the partition and will fix the amount to be recovered on account of the pay of the amin on the basis given in the preceding paragraph.

(2) *Travelling allowance of amin.*—A sum sufficient to cover the actual expenses which may be incurred by the amin for his journeys to and from the village in connection with his duties should be recovered along with his remuneration, payments out of which should be made from time to time with the sanction of the partitioning officer.

(3) *Cost of supervision and any special establishment maintained.*—A recovery on this account shall be made at the rate of 50 per cent on the actual remuneration of the amin, subject to a minimum of Rs. 20 in each case.

(4) *Contingent expenses.*—Contingent expenses will be recovered on account of forms, stationery, tracing cloth, etc., all of which will be supplied by Government. The recovery on his account should be made at a fixed rate of Rs. 3 per 100 khasra numbers or such lower rate as the Commissioner may from time to time prescribe.

(5) *Payments to village patwari.*—A reward for the preparation by the patwari of the jamabandi in form D, should be calculated and recovered at a rate to be fixed by the Commissioner for each district in his division, subject to a maximum of Rs. 5 for every 100 khasra numbers. If for any reason the preparation of other papers beyond the ordinary scope of his duties is required from the patwari, the cost of remunerating him at such rates as the Commissioner may prescribe, should be calculated and recovered.

(6) *Cost of stamp.*—The cost of the stamp on which the partition is to be recorded should be recovered in accordance with the provisions of the Stamp Act.

An account of receipts and expenditure should be maintained in form I and any surplus under items (1), (2) and (4) will be refunded to the parties.

13. Ordinarily no fresh survey of the village will be required, but should the village be found to be so inaccurate as to necessitate much correction, a resurvey may be required. Such resurvey will be done by the amin after the partition proceeding has been prepared.

APPENDIX

Ruling by the Chief Commissioner in a case of imperfect partition explaining the meaning attaching to the words "held in severalty by a co-sharer," section 136-L, and "belonging to a co-sharer, section 136-N, of the Land Revenue Act, 1881. [Proceedings of the Chief Commissioner, Central Provinces, in the Revenue Department, No. 5175, dated the 7th December 1895.]

There is a distinction between the terms "land held in severalty by a co-sharer" and "belonging to a co-sharer" as used in sections 136-L and 136-N of the Land Revenue Act. The word "belonging" must be interpreted literally in the ordinary acceptation of the term as referring to exclusive ownership, and the terms "*sir* land belonging to a co-sharer" must denote the *sir* land of which that co-sharer is exclusive proprietor, *i.e.*, land which has ceased to belong to the joint estate.

Such would be the case when a co-sharer accepted a *sir* field out and out in lieu of the proprietary profits attaching to his share in the mahal or when all the co-sharers have formally apportioned the *sir* land among themselves and are no longer responsible to the lambardar or to each other for the distribution of proprietary profits of the land in proportion to their shares in the mahal; or again, a co-sharer may have lawfully purchased, with the consent of his co-sharers, the exclusive ownership of particular *sir* land from the proceeds of his self-acquired property.

In all the above cases the lands in question have ceased to belong to the joint estate and may be said to *belong* to the co-sharers in possession of them.

There may, however, be many cases of *sir* land held in severalty by a particular co-sharer which does not belong to him in the sense explained above. The sharers in a mahal may have made a distribution of *sir* land for the sake of convenience of management, each paying to the lambardar the rental value of the particular land he holds and receiving back from the common balance a share of the proprietary profits in proportion to his share in the mahal not in proportion to the rental value of

VI-5.—Imperfect partitions]

his land; or again a co-sharer may break up waste and acquire *sir* right in a piece of banjar, in which case he will be holding the *sir* land in severalty, though it will not belong to him in the sense of being in his exclusive ownership. Had it been the intention of the legislature that the provisions of section 136-N should apply to lands merely held in severalty, that expression must certainly have been repeated in that section. It cannot therefore be held that the *sir* land which is held in severalty by a co-sharer in a mahal will, as a matter of course, be considered as belonging to him within the meaning of section 136-N of the Land Revenue Act, otherwise it would be impossible for a co-sharer to obtain a fair share of the *sir* land of a mahal. The distribution of the *sir* land would depend not upon the right of the co-sharers, but on the wish of the strongest co-sharer and no redress would be possible. This would certainly be foreign to the intention of section 136-L of the Act, which merely lays down that any existing apportionments of the cultivating possession of land should not be disturbed when they are compatible with a fair partition.

No. 7, dated Nagpur, the 11th February 1933.

(1) At the end of the 4th sentence of rule 3 *omit* the fullstop and *add* the words "and after entering the name of the remitter in column 8".

(2) In the 6th sentence of rule 3 *after* the words "the treasury and sub-treasury" *insert* a fullstop and *delete* the rest of the sentence.

[*Notification No. 267-2832-XII, dated the 24th January 1933.*]

**Amendment to the Central Provinces Revenue Manual,
Volume II. (Revenue Book Circular VI—6.)**

No. 55, dated Nagpur, the 4th November 1935.

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**In rule 2, for the words "one anna" wherever they occur,
substitute the words "two annas".**

**(Revenue Department Notification No. 3967-XII, dated the
23rd October 1935.)**

[No. 55, dated the 4th November 1935.]

**H. L. VARMA,
*Under Secretary to Government,
Central Provinces.***

GPN—1878—RS—14-11-35—1,000.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 6

SUBJECT.—*Rules for the grant of copies of revenue records*

In exercise of the powers conferred by section 277, sub-section (1), of the Central Provinces Land Revenue Act, 1917, the Governor in Council is pleased to make the following rules regulating the grant of copies of revenue records, in supersession of those issued with Notification No. 11, dated the 1st September 1917, as subsequently amended :—

Notification
No. 1332-275-
XII, dated the
11th April 1929.

1.—Presentation of applications and payment of charges.

1. Applications for copies may be presented in person or by an agent, or sent by post to the Head Copyist of the office at the place where the record from which the copies are desired will eventually be deposited for safe custody. Applications for copies of records which are kept for a term of years at a tahsili and thereafter are deposited in the Deputy Commissioner's record room shall be made to the ministerial officer of the tahsil (hereinafter called the Head Copyist for the purposes of these rules) until the records are transferred to the Deputy Commissioner's record room.

Explanation.—Under this rule applications for copies of settlement records are to be made to the Head Copyist of the Deputy Commissioner's office even when settlement is in progress.

2. Every application save those exempt from Court-fees shall bear a Court-fee label of one anna : provided that an application sent by post may be sent without a label, in which case the Head Copyist shall see that a label of one anna is affixed to the application and punched, the cost thereof being debited to the applicant's account.

3. Every application shall be accompanied by an advance sufficient to cover the estimated cost of the copy applied for, and also, if the copy applied for is of the kind mentioned in rule 12, by the requisite non-judicial stamp. In the case of an application sent by post, the advance shall be remitted by money order. An application received by post before the arrival of the connected advance shall not be registered or acted upon, until receipt of the advance. Should an advance be received before the connected application, the money shall forthwith be sent by the Head Copyist to the Treasury or Sub-treasury, as the case may be, after making the requisite entry in Pass Book B. The Treasury Officer shall enter the item under the head "Miscellaneous". On receipt of the connected application, the Head Copyist shall obtain the money from the Treasury or Sub-treasury and shall, when recording the withdrawal in Pass Book B, enter the name of the remitter in column 8. If no application is received within thirty days, the Head Copyist shall demand return of the money so that action may be taken under rule 20.

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4. If an applicant who has presented his application in person desires the copy to be sent by post, he shall state in his application or in a subsequent communication the address to which the copy, should be sent and the copy shall be sent accordingly. Similarly, if an applicant who has sent his application by post desires to take delivery himself, he shall state the fact and the copy shall be retained for such delivery.

5. On each application the Head Copyist shall endorse the date of its receipt and shall initial such endorsement. If the applicant is present in person, the Head Copyist shall immediately give a receipt in the prescribed form for the advance received with the application.

6. (1) Copies of documents, such as village records, registers and statements, which cannot owing to their nature be prepared on plain sheets, shall be given on the appropriate forms. The Head Copyist shall affix Court-fee labels, to the copies so prepared, the value of the labels being equal to the amount of the copying fees charged.

At the end of a copy prepared under this rule shall be entered in manuscript such of the entries in the table contained in rule 11 as are necessary in each case.

(2) Copies of khasra, jamabandi and khewat shall be charged for at the following rates:—

	As.
<i>Khasra</i> —For every double page	... 4
<i>Jamabandi</i> —For the first double page	... 4
For subsequent double page	... 2
<i>Khewat</i> —	... 4

(3) Copies of maps shall be made on tracing cloth to be supplied by the Head Copyist. The charges for copying shall be in accordance with the scale authorized by the Deputy Commissioner for each district sufficient to cover the cost of the cloth and preparation of the copy, subject to a minimum charge of Re. 1. The Head Copyist shall affix the necessary Court-fee stamps on the copy.

(4) Except as provided for in sub-rules (2) and (3) the copying charges shall be calculated at the rates prescribed in rule 8, the printed matter being treated as matter copied.

II.—Preparation and delivery of copies

7. Copies exempt from copying charges and those required by officers of Government or of the Court of Wards or of Co-operative Credit Societies for official use shall be made on plain paper, free of cost.

8. Except as provided for in rules 6 and 12 all copies shall be prepared on sheets of plain water-marked foolscap paper, which shall be obtained from the Treasury or Sub-treasury. The fee for preparing copies shall be 4 annas for every 180 English words or 270 vernacular words or fraction thereof, four figures counting as one word. Both sides of the paper are to be used, whether the copying be in manuscript or in type. One sheet should ordinarily contain 720 English words in type or 180 English words in manuscript or 600 vernacular words in type or

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No. 8, dated Nagpur, the 11th February 1933.

In line sixth of rule 8 *after* the second sentence beginning with the words "The fee for preparing copies, etc." and ending with the words "four figures counting as one word" *add* the following:—

"But when a copy of an order passed by the Governor in Council and marked for publication as a revenue ruling is applied for by an approved law reporter for purposes of reporting the fee shall be rupee one for each order."

[Notification No. 269-3391-XII, dated the 24th January 1933.]

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270 vernacular words in manuscript. The exact number of words in a particular line is immaterial so long as the total on a sheet approximates sufficiently closely to the standard required. Documents written in Modí shall be copied in Balbodh character. At the top of each page a margin of an inch and a half is to be left for the affixing of the necessary Court-fee labels. There will also be a margin of one inch on the left of the front and on the right of the back of a sheet. The margin of a quarter of an inch should be left on the right of the front and on the left of the back of the sheet. Similarly, there will be a margin of half an inch at the foot of each page. It should not be necessary to rule these margins, but if they are to be ruled this should be done in pencil only. For typewritten copies, the usual double line spacing should be used. For manuscript copies, the most convenient spacing is fifteen lines on each page and six English or nine vernacular words to a line.

9. The value of the Court-fee label to be attached to the sheet depends on the total number of words written or typed, the labels being affixed on the right hand side to the top margin of the front page. On the back of each sheet on the top margin the stamp "Head Copyist, Deputy Commissioner's office," or in the case of copies granted at a tahsil, the seal of the Tahsildar shall be affixed.

10. Immediately below the top margin in the first sheet used for each copy shall be typed or written the words "Copy of" with a brief description of the document to be copied, e.g., order, deposition of witness, application, etc. The description of the case shall include the number and year of the case, the name of the Revenue Officer to whose file the case belongs, the names of the parties, and the date of the order or other proceeding. When the copy is a copy of a document in an appellate record or a miscellaneous case connected with an original case, the description of the appellate or miscellaneous case, as the case may be, as well as that of the original case, shall be given.

11. On the back of the last sheet in each copy shall be typed or otherwise legibly endorsed the following table:—

Application for copy received on	Applicant told to appear on	Applicant appeared on	If copying not begun for want of correct information, date on which full information was supplied.	Copying stopped or copy not sent for want of funds on	Subsequent advances paid on	Copy ready on	Copy delivered or despatched on	Court-fee realized.
1	2	3	4	5	6	7	8	9

Copyist,

Comparer.

Head Copyist.

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Such words in the table as do not apply to the case in hand should be scored out. The dates to be entered in the table shall be entered in figures, not in words, and all corrections shall be properly attested. When certifying a copy the Head Copyist or the Tahsildar, as the case may be, shall satisfy himself that these entries have been correctly made.

The full particulars in the table shall only be furnished in respect of copies of judgments and orders which form the basis of an appeal; in other cases, such as copies of depositions and of village records, etc., entries in columns 1, 7 and 8 only will be made.

12. If the copy is of a kind requiring a stamp under article 24, Schedule I to Act II of 1899, it shall be commenced on an impressed non-judicial stamp paper of the value required and shall, if not finished on the front thereof, be completed on an ordinary plain sheet or sheets. If the copy is finished on the non-judicial stamp itself, the endorsements required by rule 11 shall be made on the back of the stamp. A Court-fee label of the required value shall be affixed to the non-judicial stamp and also to each plain sheet at the rates prescribed by rule 8.

13. Under no circumstances shall a copy be carried beyond the number of sheets already paid for. Whenever copying cannot be taken in hand or completed owing to want of funds or incorrect information having been given, the Head Copyist shall report the matter to the Superintendent or the Tahsildar, as the case may be, and shall also inform the applicant when he attends, or send an intimation by a service post-card to the applicant who has asked for the copy to be supplied by post.

14. When copies are ready, they shall, before delivery or despatch, be signed by way of attestation by the Head Copyist or in case of copies granted at a tahsili by the Tahsildar or the Naib-Tahsildar and in the absence of both by the Kanungo. The attesting officer shall before signing see that each sheet bears the Court-fee label or labels required by rule 8 foregoing and that all such labels are punched by a punch marking the letter C.

15. Copies shall be delivered to applicants personally or to their agents or counsel or shall be sent by post, if so desired, to their addresses by registered packet.

16. If the amount of the advance in the case of an application in which the copy is to be sent by post is more than sufficient to cover all charges (including Court-fees, postage, registration and money order fees) the surplus shall be remitted along with the copy by money order, or, if it does not exceed seven annas in postage stamps. If the copy is to be delivered to the applicant in person and he fails to appear, the balance of advance after deduction of all charges shall be remitted by money order to the applicant within a month of the date on which he was told to appear.

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17. Applications will be received and copies delivered daily between such hours as the Deputy Commissioner may decide. Enquiries shall be attended to throughout the usual office hours.

III.—Maintenance of registers and accounts.

18. The Head Copyist shall keep the following registers in the forms appended hereto :—

Name of register.	No. of form with the No of schedule on which it is borne.
(1) Register of applications for copies	... II-90
(2) Account Book	... II-91
(3) Detailed Account Book	... II-92
(4) Duplicate Receipt Book	... II (a)-135
(5) Pass Book A and B showing transactions with the Treasury	... II-155
(6) List of Unexpended Advances	... II-156
(7) Dak Book	... II-69

19. All applications, whether received by post or presented in person or by an agent, shall be entered in one and the same annual series of numbers in the register of applications for copies, the letter P in red ink being written to the left to the number assigned to each postal application.

20. When a copy remains undelivered or when no work has been done on an application for 30 days owing to want of funds or lack of correct information or when no application has been received for 30 days in connection with an amount received by money order, the unexpended advance shall be entered in columns 1, 2 and 3 of the List of Unexpended Advances: the application itself and any sheets used in connection therewith shall be deposited in the record room. The disposal of the unexpended advance either by repayment or by lapse to Government will be shown in red ink in columns 4, 5 and 6 against the original entry, in addition to the usual black ink entry in chronological order in columns 1, 2 and 5 which latter entry will effect the balance in column 7.

21. Each amount received from applicants personally or by money order accompanied by an application shall be entered by the Head Copyist in the Register of Applications for copies and in the Detailed Account Book. Daily totals of columns 3 to 7 of the Detailed Account Book shall be carried to the appropriate columns of the Account Book.

22. If a money order for the balance due to an applicant is returned unpaid, the amount thus received shall be entered in (1) column 10 of the Head Copyist's Register of Applications, and (2) column 4 of the Detailed Account Book, and it shall be entered in the List of Unexpended Advances in the manner specified in rule 20 above. Copies sent by post and received back shall be deposited in the record room.

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23. The Head Copyist shall ordinarily indent for plain sheets from the Treasury or Sub-treasury once a month. To minimize work in the District Treasury, the indent should be for a whole number of reams of 480 sheets. The Head Copyist should ordinarily never have more sheets in stock than will suffice for two months and should never have less sheets than will suffice for one month. The indent should be in duplicate on unofficial memorandum forms. One copy will ultimately remain in the Treasury office and one with the Head Copyist. The indent should be countersigned by the Superintendent or a gazetted officer and in a tahsili by the Tahsildar or his Naib. The Head Copyist shall indent from the Treasury or Sub-treasury for Court-fee labels whenever required. The indents shall invariably be for whole sheets, whatever be the denomination of the label. The labels required will be one anna, four annas, eight annas, twelve annas and one rupee. There are always thirty-six labels to a sheet. The Head Copyist shall not obtain labels from a stamp-vendor without the express permission of the Tahsildar or gazetted officer in charge of the Copying Department. Court-fee labels shall be reckoned as cash for all account purposes and shall be sent daily along with the cash to the Treasury in a selected scaled leather bag. All transactions relating to disposal of Court-fee labels will appear in the Detailed Account Book. The Head Copyist shall every day give to each copyist as many blank sheets as will approximately suffice for the day's work and shall see that each evening each copyist returns to him the number given, whether used, utilized or spoilt. Notes of these transactions shall be kept in a rough note-book. The Head Copyist is responsible for the correct balance of blank sheets.

24. In the Duplicate Receipt Book shall be entered all sums paid by applicants personally as an advance required for the copy and also all balances returned to applicants personally. As soon as the first advance is received and entered, the outer foil shall be torn off and made over to the payer, and when the copy, with balance if any, is delivered it will be taken back and affixed to the inner foil. Receipts from applicants who sent their applications by post, but have obtained delivery of copies with refund of balance in person, should be taken in a separate receipt book to be maintained for the purpose, entries being confined to such columns as are appropriate. If more money has been advanced than was required, the payer shall receive back the excess at the time the copy is delivered.

25. On receiving an application presented by hand the Head Copyist shall, if the applicant does not desire the copy to be sent by post, forthwith fix and intimate to the applicant a date within seven working days of the date of presentation on which he should attend to ascertain whether the copy is ready or whether any further advance is required. Should the copy not be complete on the date so fixed, the applicant shall be directed to attend on another date within seven working days of the first date fixed, and so on. The successive dates on which the

No. 9, dated Nagpur, the 11th February 1933.

(1) In the first sentence of rule 28 *after* the words "the excess" *insert* the words "or such part thereof as may be available in cash" and *delete* the words "in cash" *after* the word "paid".

(2) *Omit* the last sentence of rule 29 beginning with the words "The Treasury Officer" and ending with the words "cash balance".

[Notification No. 265-XII, dated the 24th January 1933.]

applicant is told to attend and on which he attends shall be entered in both foils of the Duplicate Receipt Book and in the Register of Applications.

26. If the copying work is in arrears or for any other sufficient reason, the head of the office may, by general or special order, direct that the period between presentation and first attendance or the period between the dates fixed for two consecutive attendances shall consist of a fixed number of days in excess of seven, and shall at the same time determine the period for which the order is to remain in force.

27. The Deputy Commissioner shall record an order fixing the maximum balance of cash to be kept by the Head Copyist in his own hands; and the amount so fixed shall not in any case exceed Rs. 200 at headquarters and Rs. 300 at each outlying place, without his special sanction. Each Head Copyist shall furnish security in a sum to be fixed by the Deputy Commissioner which shall not be less than 25 per cent in excess of the maximum cash balance. Each Head Copyist shall be provided with a box having a good lock for the custody of blank sheets, his cash balance shall be sent in a sealed leather bag with his Dāk Book to the Treasury daily not later than 4.45 p.m.

28. Whenever the amount of money and Court-fee labels in the hands of the Head Copyist at the close of the day's business is greater than the amount fixed under the preceding rule the excess shall be entered in Pass Book A, and paid in cash by the Head Copyist into the Treasury or Sub-treasury, as the case may be, to be treated as a revenue deposit. Unexpended advances mentioned in rules 20 and 22 shall be paid into the Treasury or Sub-treasury immediately applications are deposited in the record room and money orders are returned unpaid. Action in respect of an advance received by money order without an application is to be taken under rule 3.

29. On receiving the money from the Head Copyist, the Treasury or Sub-treasury Officer, as the case may be, shall enter the total amount as a single item in the Register of Revenue Deposit Receipts describing it as "copying" fees received from the Head Copyist, without giving a number to the item or recording any other particulars. The Treasury Officer may receive Court-fee labels as the equivalent of cash to be kept as part of his cash balance.

30. When the Head Copyist requires repayment of any amount paid into the Treasury under rule 28, he shall enter it in the Pass Book which will be presented to the Treasury. The date and amount of each deposit out of which repayment is desired shall be given in columns 4 and 5 of the Pass Book. In every case of withdrawal other than that of an unexpended advance (rule 20 or 22) the oldest deposit available shall be drawn upon; for this purpose, against each withdrawal which finally exhausts a deposit and also against the entry relating to

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the original deposit, a remark to the said effect shall be made in the last column of the Pass Book showing transactions with the Treasury. The book shall be presented in the Treasury or Sub-treasury, as the case may be, accompanied by a simple receipt therefor. The receipt shall be countersigned by—

- | | | |
|--|-----|---|
| (a) The Deputy Commissioner or one of his Gazetted Assistants. | | At the head-quarters of a district. |
| (b) The Sub-Divisional Officer | ... | At the head-quarters of a sub-division. |
| (c) The Tahsildar or Naib-Tahsildar | ... | At the head-quarter of a tahsil. |

On the other hand, if part of the balance with the Treasury is in Court-fee labels, those labels should be returned at the first opportunity to the Head Copyist. If the balance in deposit at the credit of the Head Copyist is sufficient, the Treasury or Sub-treasury, as the case may be, shall make the payment and shall enter the items in the Register of Repayment of Revenue Deposits without number as "Repayment of copying fees to Head Copyist". An unexpended advance once paid into the Treasury or Sub-treasury shall not be refunded to the applicant until it has been withdrawn from the Treasury or Sub-treasury.

IV.—Supervision.

31. The Superintendent or the Tahsildar shall test the work of the copyist from time to time by selecting sheets at random and counting the words entered on each. He shall daily examine the Account Book and the Detailed Account Book with reference to the other registers. He shall also, in the first week of each month, examine the Head Copyist's account for the preceding month with reference to the Pass Book A in order to ascertain whether each sum in the Pass Book has been accounted for in the Account Book.

32. The head of the office or a subordinate gazetted officer deputed by him shall examine the several registers of the Head Copyist in the first week of each month with the object of seeing whether the work of copying is being regularly done, the excess payments properly refunded and the excess over the maximum balance deposited in the Treasury or Sub-treasury, as the case may be, in accordance with rule 28. He shall also satisfy himself by an examination of the Account Book that the balance of sheets will suffice for a period not less than one month and not more than two months. He shall also verify the correctness of the accounting for plain sheets as explained in rule 23. The head of the office shall also examine a certain number of applications pending over one month in which copying has been stopped for want of funds or proper information regarding the document to be copied to see if any were rightly deposited in the record room.

33. The closing cash balance, inclusive of unused Court-fee labels in the hands of the Head Copyist which is shown in column

No. 10, dated Nagpur, the 11th February 1933.

In rule 30 omit the sentence beginning with the words "On the other hand" and ending with the words "Head Copyist".

2. In rule 35 for the words and figures "article 206 of the Civil Account Code", "article 267" and "article 214 of the Civil Account Code" substitute respectively the words and figures "rule 653 of the Financial Rules", "rule 654 of the Financial Rules" and "rule 650 of the Financial Rules".

[Notification No. 265-XII, dated the 24th January 1933.]

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13 of the Account Book, shall be verified at least once a quarter by the head of the office or a subordinate gazetted officer deputed by him. The process to be adopted is as follows :—

A list of all advances received in respect of applications other than (i) those deposited in the record room under rule 20, and (ii) those in which copy has been delivered or the amount advanced has been refunded shall be prepared from the Register of Applications. To the total of the list shall be added the progressive total or balance in the List of Unexpended Advances. From the sum thus arrived shall be deducted—

- (i) the value of Court-fee labels used in respect of applications in the foregoing list of advances received,
- (ii) the balance in the Treasury or Sub-treasury, as the case may be, and
- (iii) the cost of Court-fee labels affixed by the Head Copyist to postal applications under rule 2.

The difference thus found should tally with the closing balance shown in the Account Book and with that in the Head Copyist's hands.

V.—Accounts for Accountant General.

34. In compiling the Extract Registers of Receipts and Repayment of Deposits for submission to the Accountant General the items entered in the Deposit Registers of the Treasury without number (*vide* rules 29 and 30) shall not be reproduced in detail: the monthly totals only shall be entered at the foot as amounts of copying fees received from and repaid to Head Copyist. The total amount repaid from the deposits made in each financial year shall, however, be given separately. Thus, supposing the total amount of copying fees repaid during a month to be Rs. 175, the note would stand as follows :—

		Rs.
On account of deposits made in	1910-11	... 23
Do.	do. 1911-12	... 34
Do.	do. 1912-13	... 118
	Total	... 175

35. Early in March, a list of items lapsing to Government shall be prepared and this list, after being compared by the Deputy Commissioner or one of the Assistants with the List of Unexpended Advances and the Register of Applications, shall be submitted to the Accountant General immediately after the 31st March, in accordance with article 206 of the Civil Account Code. The list shall show distinctly how much is now to be credited to Government as lapsed out of the amounts received during each separate financial year. Thus, supposing Rs. 45 are to be credited to Government as lapsed, the note would stand as follows :—

		Rs.
On account of	1909-10	... 6
Do.	1910-11	... 5
Do.	1911-12	... 34
	Total	... 45

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Refunds of amounts included in this list shall only be payable with the sanction of the Accountant General under article 207 except that repayments of such deposits up to a limit of Rs. 5 may be made by the Treasury Officer.

Similarly, the account particulars, submitted to the Accountant General by the Treasury under article 204 of the Civil Account Code, shall show the particular year on account of which there are balances of copying fees outstanding in the Head Copyist's Register.

VI.—Elimination.

36. Each register and paper specified below shall be preserved for the period noted against it:—

Name of register or paper.	Period for which to be preserved.
(i) Head Copyist's Register of Applications for copies.	} 6 years
(ii) Account Book	
(iii) Detailed Account Book	
(iv) Duplicate Receipt Book	
(v) Pass Book A and B	
(vi) List of Unexpended Advances	} 3 years
(vii) Counterfoils of postal money orders	
(viii) Dak Book	
(ix) Applications for copies in which copies have been delivered or in which advances have been refunded without preparing copies or which are received by post unaccompanied by advance and for which no advance is subsequently received.	} 6 months from date of delivery or refund.
(x) All other applications	} 3 years
(xi) Copies undelivered	

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 7

SUBJECT.—*Note on the interpretation of entries in the village administration paper with reference to section 219 of the Central Provinces Land Revenue Act*

It has been brought to the notice of Government that difficulty is often caused in the application of section 219 of the Central Provinces Land Revenue Act by the vague character of entries in the wajib-ul-arz regarding grazing and other communal rights. For example, many records of rights contain entries in some such form as the following :—

“The tenants graze their cattle in the waste land of the village.” Some revenue officers have interpreted this as the record of a custom conferring a right of user upon the tenants of the village over all waste land which existed at the time of settlement, and have in consequence taken action under section 219 to prevent or penalize the use of any part of the banjar for the extension of cultivation. Similarly, permission under rule 3 of the malguzari forest rules under section 202 to clear a portion of the banjar for permanent cultivation has been refused on the ground that the rights of the villagers to grazing would be impaired thereby.

2. The wajib-ul-arz is intended to contain a record of rights and customs having the force of rights under section 78 of the Land Revenue Act. There is, therefore, no place in it for recording practices which have not yet crystallized into established customs or have not yet been recognized as customs. Such practices, which may be permissive only, do not confer a right of user upon the persons who benefit thereby unless and until they have been recognized as customs conferring rights under section 78. Under the new form of wajib-ul-arz which has been prescribed in all the settlements which have taken place since the passing of the Land Revenue Act of 1917 and the Settlement Instructions issued thereunder, such entries are not made, but the old form used in settlements made prior to the present Act was less strictly defined.

3. Nevertheless if careful attention is paid to the wording of section 219 of the Land Revenue Act, the question presents little difficulty. That section empowers the Deputy Commissioner to eject any person who encroaches upon any land *set apart by an entry in the village administration paper of a mahal for communal purposes*. An entry to the effect that tenants graze their cattle upon the waste land of the village cannot possibly be interpreted as a reference to land set apart for communal purposes. If the entry were to the effect that “out of the total area of waste, khasra numbers..... are reserved for grazing”, the case would be entirely different. The entry of specific numbers as reserved for communal purposes would certainly amount to setting apart land for communal purposes. Where an entry of this kind existed, the Deputy Commissioner could certainly eject any person who encroached on the land. Similarly, he would be justified in refusing permission under rule 3 of the rules framed

VI-7.—Note on interpretation of section 219 of the C. P. L. R. Act]

under section 202 to clear any of these numbers for permanent cultivation. But the term "waste land of the village" or a similar phrase cannot be held to mean a specific area; it must mean any waste land that may from time to time exist. An entry such as that quoted in paragraph 1 above can only mean that so long as there is any waste the villagers can graze over it. This would not debar the malguzar from bringing portions of the land under cultivation or indeed from cultivating, or letting out for cultivation, the whole of it. The question whether he could be prevented from doing so under the malguzari forest rules is a separate one which depends on the rights of user of the tenants over the forest growth.

4. The same arguments apply to entries regarding communal rights other than grazing. It is not uncommon to find an entry to the effect that the villagers use a portion of the banjar for threshing floors after the harvest or that a portion of the banjar is used for skinning dead cattle. Here again if specific numbers are mentioned, they may be recorded as areas set apart for communal purposes and section 219 would apply. If specific numbers are not mentioned, however, it does not follow that no right of user exists. It may be due to oversight that the area on which the right was exercised was not specifically defined in the wajib-ul-arz. No precise rules or instructions can be laid down for the decision of such cases. They differ somewhat from cases regarding grazing, because even if there is no waste as such, there may be forest land where the villagers can graze their cattle or grazing may be available in Government forest at a convenient distance. If, on the other hand, the whole of the waste is brought under cultivation, there may be no spare left in the village area for such a purpose as skinning of dead cattle and this cannot be done on the holdings of tenants or outside the village. The revenue officer's first task therefore is to ascertain what precise area has by custom been devoted to the purpose in question and to have that area recorded in the wajib-ul-arz and village papers under section 106, Land Revenue Act. The existing entry in the wajib-ul-arz is sufficient evidence that a right of user of this character exists and that it is associated with some portion of the waste land, but the revenue officer must first settle with what portion it is associated and correct the wajib-ul-arz accordingly, before he can enforce it with respect to that portion. The same remarks apply to such communal purposes as burning ground, burial ground, cattle stand, encamping ground, market place and the like.

5. The general principle is that the proprietor's right to bring the waste under cultivation or let it out for cultivation should not be interfered with unless it conflicts with a definite communal right of the villagers which is recorded as such in the village administration paper. The latter record should specify the exact area over which the right exists. If it fails to do so, the revenue officer should satisfy himself that the right is associated with a definite area and correct the record by entering the area in question under section 106 before taking action under section 219.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 8

SUBJECT.—*Instructions regarding the provision of water supply in raiyatwari villages*

It has been noticed that the provision of water supply in raiyatwari villages is not dealt with in a systematic way in all districts. Wells are sometimes constructed at large expenditure for very small villages; some of the wells do not hold water and in general the cost to Government is excessive. The following instructions are therefore issued for the guidance of Deputy Commissioner and all revenue officers. These instructions are intended to lay down general lines only and are not intended to fetter the discretion of Commissioners and Deputy Commissioners.

2. The first step, where this has not already been done, is to make a comprehensive survey of the water supply of the raiyatwari estate. For this purpose Tahsildars should be ordered to prepare survey reports showing in what villages Government, District Council and private wells used by the public, nistar and irrigation tanks exist and the names of villages where in their opinion new tanks or wells are needed or existing tanks or wells require deepening or repair. Wherever a new tank or well is proposed to be constructed the report should show the population of the village and existing source of water supply. The survey report should be accompanied by a copy of the majmuli map in which suitable symbols may be used so as to show at a glance what sources of water supply exist or are required. The following symbols are suggested as convenient and simple:—

In black	...	{	O. Pakka well holding sufficient water.
			O.G. Pakka well constructed by Government.
			O.C. Pakka well constructed by District Council.
			O.P. Pakka well constructed by private agency.
In blue	...		O. Pakka well requiring deepening or repair.
In pencil	...		O. Kachha well.
In red	...		O. New well required.
			N. Nistar tank.
			I. Irrigation tank.

The survey report should be submitted through the Sub-Divisional Officer to the Deputy Commissioner for approval. The most convenient form for the report is probably a register, showing name of village, population, existing source of water supply, whether this is adequate or not, and for wells whether they are pakka (*i.e.*, masonry-lined) and have a parapet and cover (*jalbandi*) or not, with a column to show work done from year to year.

VI-8.—Provision of water supply in raiyatwari villages]

3. The second step is to draw up a programme of tanks and wells to be constructed, repaired, deepened or improved extending over the next five years. The programme should be based on the assumption that the annual allotment will be the average annual allotment of the past five years. The five years' programme after the approval by the Deputy Commissioner will be kept by the Tahsildar, a copy being retained in the district office. A note should be added to it every year showing the amount of work carried out, and any new works or amendments of the programme proposed. The majmuli map should also be kept up to date.

4. In addition to the five years' programme, Tahsildars should submit an annual programme of work to be done in accordance with the allotment actually received. In this programme it should be stated for every proposed new well whether the inhabitants of the village are prepared to give labour free provided that Government supplies masons and materials, and whether the work can be carried out departmentally under the supervision of the mukaddam. An estimate for departmental work, with or without free labour, should be submitted along with the estimate at the ordinary contract rates whenever departmental work is feasible. In many cases it is certainly preferable to have the work done departmentally and there are many villages where the people would be willing and able to do the earthwork themselves.

This annual programme, should invariably be accompanied by the survey and five years' programme showing progress made. The last two will be returned to Tahsildar after noting progress on the Deputy Commissioner's copies. The survey register, five years' annual programme should be kept together with these instructions in a separate cover and not filed with a bundle of miscellaneous papers.

5. Special care should be taken in the selection of sites for wells and the advice of a competent District Council Engineer should be obtained for wells to be constructed by the District Council. The following are the important principles which should be observed in the selection of a site :—

- (i) By reference to the water level of neighbouring wells and streams it should be ascertained as far as possible where water is likely to be found in abundance;
- (ii) A kachha well should be dug to the required depth to see if it holds water till June;
- (iii) Every proposal for making a pakka well or lining it with masonry must be accompanied with a certificate that water has been found in May and masonry work should be done within the season before the rains.

6. Where the agency of the District Council is used for the construction of wells, Tahsildars should remember that the responsibility rests on them as well. They should arrange to inspect the work both during construction and after completion and should bring any serious defects to the notice of the Council through the Sub-Divisional Officer and Deputy Commissioner.

[VI-8.—Provision of water supply
raiayatwari villages

7. Finally in making allotments for improvement in raiya-
wari villages the following principles should be observed :—

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letter No. 1
341-XII, d.

- (1) The Deputy Commissioner's grant for raiayatwari im-
provement should be expended mainly in undevelop-
ed raiayatwari tracts and in such cases no contribution
from the raiyats should be expected, though villages
offering assistance in the form of labour, carting,
etc., should receive preference in the distribution of
allotment.
- (2) In well developed raiayatwari villages no allotment
should be made without a contribution of one-third
of the cost of improvement from the villages.
- (3) District Councils should be expected to include well
developed raiayatwari villages in their scheme for the
improvement of water supply and village roads as
they get cesses from these villages.
- (4) In applying these principles discretion should be left to
the Deputy Commissioner as regards the classifica-
tion of the villages.

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At the end of instruction No. (4) *add* the following :—

“In verifying solvency only realizable assets should be
taken into consideration. For instance, occupancy land
should not be taken into account as it is not liable to be attached
or sold.”

Amendment to Central Provinces Revenue Manual, Volume II.

No. 11, dated Nagpur, the 14th February 1933.

PAGES 264-265

Insert the accompanying circular as Revenue Book
Circular VI-9.

H. L. VARMA,

Under Secretary to Government,

Central Provinces.

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Amendment to Central Provinces Revenue Manual, Volume II.

No. 11, dated Nagpur, the 14th February 1933.

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Insert the following entries below section VI at the end :—

9	Instructions for the issue of solvency certificates.	264-265
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H. L. VARMA,
Under Secretary to Government,
Central Provinces.

REVENUE BOOK CIRCULAR

SECTION VI—SERIAL No. 9

SUBJECT.—*Instructions for the issue of solvency certificates.*

The following instructions should be observed in the issue of solvency certificates :—

(1) The issue of solvency certificates for private purposes or for general use is prohibited.

(2) Solvency certificates may only be issued for specific government or quasi-government purposes such as are indicated in list A appended to this circular.

(3) Except where the verification is made directly at the instance of a department of government or of a local body (*e.g.*, in regard to a banker's solvency) a stamped application bearing an eight annas stamp should be required to be submitted.

(4) A statement of assets and liabilities should be obtained from the applicant and verified as best as can be before a certificate is granted.

(5) Certificates should be issued in form B appended to this circular which corresponds to form G-30 referred to in paragraph 237 of the Excise Manual.

(6) Certificates of solvency up to Rs. 20,000 will be granted by Tahsildars and for amounts over Rs. 20,000 by Sub-Divisional Officers.

A

List of cases in which certificates are issued.

1. Prospective Excise contractors.
2. Military contractors.
3. Bazar contractors.
4. Lessees in Collector's cases.
5. Agriculturists applying for loans under the Agriculturists Loans Act, through the Agriculture Department.
6. Forest contractors and their sureties.
7. Sureties of clerks of the Revenue, Postal and Forest Departments and Court of Wards.
8. Sureties in criminal cases.
9. Bankers with whom the funds of the notified areas (where there are no treasuries) and village panchayats are deposited.

10. Ferry contractors of local boards.
11. Mango crop contractors of local boards.
12. Licence vendors of Forest Department.
13. Public Works Department contractors.

B*Solvency certificate.*

1. Name.
2. Father's name.
3. Residence.
4. Occupation.
5. Value of moveable property and grounds for belief.
6. If property is immoveable—
 - (a) Situation.
 - (b) Area.
 - (c) Rent assessed.
 - (d) Market value.

Remarks.

I certify that after due enquiry I find that _____
 _____ resident of _____ tahsil _____
 district _____ is solvent to the extent of Rs. _____

Tahsildar,
Sub-Divisional Officer.

Dated _____

I solemnly declare that to the best of my belief the facts about my property as stated above are complete and true, and that the immoveable property specified above is unencumbered.

Dated _____

Applicant.