

THE LAND REVENUE RULES [1921]

For BOMBAY & SIND.

[Amended upto 1946 (quoting Resolutions, Orders and Notifications of the Governments of Bombay & Sind for ready reference at the bottom of the pages)].

(Containing upto-date Land Revenue Rules, Administrative Orders, Forms, Appendices, Rules relating to Revenue Money Orders, Contents in detail, etc., etc.)

BY

K. S. GUPTE, B.A., LL.B., PLEADER,
POONA.

Revised Edition under G. R., R. D. (Bom.) no. 1125/45
of 12 November, 1945.

1946

3rd Edition]

[Price P 1/5-0

Appendix A
to Bombay Land Revenue C

THE LAND REVENUE RULES (1921)

For BOMBAY & SIND.

*[Amended upto 1946 (quoting Resolutions, Orders and
Notifications of the Governments of Bombay & Sind
for ready reference at the bottom of the pages)].*

(Containing upto date Land Revenue Rules, Administrative
Orders, Forms, Appendices, Rules relating to Revenue
Money Orders, Contents in detail.
etc., etc.)

BY

**K. S. GUPTE, B.A., LL.B., PLEADER,
POONA.**

Printed & Published by K. S. GUPTA,
at the Western India Law Printing Press, 691, Budhwar Peth, Poona City.

CONTENTS.

NOTE.—[*Land Revenue Rules* are shown in figures thus : 1, 2, 3, 4 and so on. *Land Revenue Administrative Orders* are interspersed among the Land Revenue Rules in the logical sequence of their subject matters. They are shown in Roman numerals as I, II, III, IV and so on.]

CHAPTER I.

Introductory.

| Rules & Adm. Ors. | Page |
|--|------|
| 1. Short title and extent of application ... | 1 |
| 2. Interpretation ... | 1 |

CHAPTER II.

(Administrative Orders only)

Powers and Duties of Officers.

| | |
|--|----|
| I. Powers of Divisional Commissioners, etc. ... | 2 |
| II. Remissions. (Powers of Divisional Commissioners and Collectors) ... | 2 |
| III. Executive Powers of Collectors ... | 4 |
| IV. Powers of Collectors to make certain appointments. ... | 4 |
| V. Powers of Collectors to write off certain irrecoverable dues, etc. ... | 4 |
| VI. Powers of Assistant and Deputy Collectors ... | 5 |
| VII. Powers of Mamlatdars ... | 5 |
| VIII. Powers which may be delegated to Mamlatdars ... | 6 |
| IX. Powers of Mahalkaries, Special Recovery Officers, District Inspectors of Land Records, etc. ... | 10 |
| X. Powers of Extra Aval Karkuns. ... | 11 |
| XI. Powers of First or Aval Karkuns and Treasury Head Karkuns ... | 11 |
| XII-XVI. Amount of Security to be furnished by certain Revenue Officers; Rules providing for Sureties; Maintaining Registers of Securities by Collectors and their scrutiny by Commissioners ... | 12 |

CHAPTER III.

Revenue Surveys.

Survey of Agricultural Land and Survey and Assessment of Non-Agricultural Land.

| | |
|---|----|
| 3. Survey Numbers and Sub-Divisions ... | 14 |
| 4. Record of measurements ... | 15 |
| 5. Test of measurements ... | 15 |
| 6. Village maps ... | 15 |
| 7. Classification of land ... | 15 |

| Rules & Adm. Ors. | Page |
|--|------|
| 8. Field-books | 15 |
| 9. Test of classification | 15 |
| XVII. Test of classification how to be made | 15 |
| XVIII. Notice to rayats when classing operations are undertaken | 16 |
| 10. <i>Assessment</i> (Repealed in Bombay) | 16 |
| XIX. Notice to people on publication of Settlement Officer's proposals. (Deleted in Bombay.) | 16 |
| 10-A. <i>Deleted</i> | 16 |
| 11. Amalgamation | 16 |
| 12. Application of rules 3 to 11 | 17 |
| Form and details | 17 |
| <i>Survey and Assessment of non-agricultural land.</i> | |
| 13. Non-agricultural land not to be classified in accordance with foregoing rules | 17 |
| 14. Assessment of non-agricultural land | 17 |
| 14-A. Dharsod of non-agricultural assessment | 18 |
| 15. Maintenance of records | 18 |
| 16. Instructions and Forms for maintenance of Records to be drawn up by Director of Land Records | 18 |
| <i>Introduction of Settlements of Land Revenue.</i> | |
| 17. <i>Notifications of Settlements and of period of guarantee.</i> [Deleted in Bombay] | 19 |
| 18. <i>Notice of sanction and announcement of assessments.</i> [Deleted in Bombay] | 19 |
| <i>Survey Fees in Towns and Cities.</i> | |
| 19. Survey fees in towns and cities | 19 |

CHAPTER III-A.

Settlement and Assessment of Agricultural land.

| | |
|--|----|
| 19-A. Enquiry by the Settlement Officer; Past revenue history; effect of incidence of assessment on the economic condition of the area | 20 |
| (i) Physical configuration | 20 |
| (ii) Climate and rainfall | 20 |
| (iii) Markets | 20 |
| (iv) Communications | 20 |
| (v) Standard of husbandry | 20 |
| (vi) Population and supply of labour... | 20 |
| (vii) Agricultural resources | 21 |
| (viii) The variations in the area of occupied and cultivated lands during the last 30 years. | 21 |
| (ix) Wages | 21 |

CONTENTS

iii

| Rules & Adm. Ors. | Page |
|---|------|
| (x) Prices | 21 |
| (xi) Yield of the principal crops | 21 |
| (xii) Ordinary expenses of cultivating such crops | 21 |
| (xiii) Rental values of lands used for the purposes of agriculture | 22 |
| (xiv) Sales of lands used for the purposes of agriculture | 22 |
| 19-B. Settlement Report | 23 |
| 19-C. Report to be published in each village... | 23 |
| 19-D. Notice under section 117J (2) | 23 |
| 19-E. Report to be forwarded to Provincial Government. | 23 |
| 19-F. Reference of Settlement Report to Bombay Revenue Tribunal; Inquiry and Findings of the Tribunal | 23 |
| 19-G. Notice of introduction of settlement | 25 |
| 19-GG. Standard rate where relative valuation of land regarding soil, water and other advantages is separately recorded | 25 |
| 19-H. Assessment of individual Survey numbers and Sub-divisions | 25 |
| 19-HH. Gradual levy of enhancements | 25 |
| 19-I. Classes of agricultural produce, and prices, with reference to which settlement may be declared to have been made | 26 |
| 19-J. Record of prices to be kept | 26 |
| 19-K. Scale of granting rebate or levying surcharge | 26 |
| 19-L. Rebate or surcharge to be on actual demand for the year | 28 |
| 19-M. Assessment how to be calculated | 28 |

CHAPTER IV.

Sub-division of Survey Numbers.

| | |
|---|----|
| 20. Notices to be issued | 29 |
| 21. Boundaries to be laid down | 29 |
| 22. Fees | 30 |
| 22-A. Restrictions on sub-divisions of land under Lloyd Barrage Canals [Deleted in Bombay]. | 30 |
| 23. Assessment | 30 |

CHAPTER V.

Boundary Marks.

| | |
|---|----|
| 24. Details of boundary marks to be furnished by the Survey Department to the Collector | 31 |
| 25. Authorised boundary marks; continuous marks; discontinuous marks | 31 |

| Rules & Adm. Ors. | Page |
|--|------|
| XX. Substitution of other authorised marks in certain districts | 31 |
| XXI. Notice to villagers about repairs to boundary marks. | 32 |
| 26. Maintenance of boundary strips | 33 |
| 27. What boundary marks to be considered out of repair and how to be repaired | 33 |
| Proviso as to marks liable to injury from flooding... | 35 |
| 28. Determination of responsibility for maintenance... | 35 |
| CHAPTER VI. | |
| Enquiries under Section 37. | |
| 29. Notice of enquiry | 35 |
| Notice of decision | 36 |
| XXII. Questions of rights between Government and Municipality how to be dealt with | 36 |
| CHAPTER VII. | |
| The Disposal of Land Vesting in the Crown; and Exemptions from Land Revenue. | |
| 30. Reservation of rights to mines or mineral products in grants of land; disposal of land within port limits; proprietary right of Crown in soil not to be granted. | 36 |
| 31. Grant of land free of revenue when to be made without sanction of Government | 37 |
| Gifts of the possession and the revenue. | |
| 32. Limits of revenue-free grants for different purposes. | 37 |
| 32A. Leases of lands at nominal rent for play-grounds, etc. to educational institutions or local bodies or for Gymnasiums, by Collector and Commissioner... | 38 |
| 33. Sale of land, revenue-free to a private person for private purpose by Collector | 38 |
| Gifts of the possession only. | |
| 34. Grants in the Dharwar District to shetsanadis for remuneration | 38 |
| Gift of the revenue only. | |
| 35. Exemption from payment of land revenue of land for hospitals, dispensaries, schools or other public purposes where no profit is got by private parties or local bodies; lands for buildings used for charitable purposes and yielding no profit to private individuals or local bodies exempted from payment of land revenue by Collector and Commissioner | 39 |

| Rules & Adm. Ors. | Page |
|---|-----------|
| Conditions attached to grants under foregoing rules. | |
| 36. Conditions attached to grants under rules 32, 34 or 35 | 39 |
| XXIII. Sanads for Alienated villages or lands | 40 |
| Grant of land for agricultural purposes. | |
| 37. Survey numbers how to be disposed of | 40 |
| 38. Survey number not already assessed to be assessed before it is disposed of | 41 |
| 39. Where survey numbers may be given at reduced assessment | 41 |
| 40. Grants of salt-marsh lands for reclamations | 42 |
| 41. Land in beds of river | 42 |
| Grant of land for non-agricultural purposes. | |
| 42. Disposal of land for building and other purposes | 43 |
| 43. Conditions of grants for building | 43 |
| 43-A. Terms on which land intended for future building sites may be temporarily disposed of | 44 |
| 43-B. Disposal of small strips of land adjacent to occupied unalienated building sites | 44 |
| 44. Building conditions in hill stations | 44 |
| 45. Establishment of entirely new village site | 45 |
| 46. Substitution of a new village site for an old one | 45 |
| 47. Conditions of grant of land for non-agricultural purposes and alteration of assessment | 45 |
| XXIV. Plots for disposal should be clearly marked; provision for roads, air and light and necessary sanitary requirements should be made | 45 |
| XXIV-A. Building Regulations for growing or important villages where there are no Municipalities | 46 |
| 47-A. Erection of balconies or other aerial projections over Government land under license in Form JJ | 48 |
| Special Rules for certain City Surveyed Areas. | |
| 48. Special rules for sites of Ahmedabad, Broach, Surat, Rander, Balsar and Godhra, and certain other places | 49 |
| 49. Disposal of strips of land adjacent to existing building sites [Deleted] | 49 |
| 50. Mode in which other lands may be disposed of | 49 |
| Lands to be ordinarily sold by auction | 49 |
| 51. Terms on which building sites may be disposed of | 50 |
| Terms on which land intended for future building sites may be temporarily disposed of | 50 |

| Rules & Adm. Ors. | Page |
|---|------|
| 52. Terms on which land may be disposed of for agricultural purposes only | 50 |
| 53. Property in Municipal districts or boroughs specially reserved by the Provincial Government within the meaning of section 50(2) of the Bombay District Municipal Act, 1901 or section 63(2) of the Bombay Municipal Boroughs Act, 1925 | 51 |
| Both for agricultural and non-agricultural grants. | |
| 54. Form of written permission to occupy under section 60 | 51 |
| XXV. Permission under section 60 should be given after taking lease or agreement | 51 |
| XXVI. Mamlatdar is responsible for ascertaining fitness of intending occupants under section 60 | 51 |
| Exceptional Cases. | |
| 55. Disposal of land to which foregoing rules are inapplicable | 52 |
| 56. Special forms | 52 |
| 57. Records | 52 |

CHAPTER VIII.

Trees and Forest Rights.

| | |
|--|----|
| 58. General reservations | 52 |
| 59. Special reservations | 52 |
| 60. Disposal of trees on occupied lands | 53 |
| 61. Government land should be disposed off along with unreserved trees thereon to the same person | 54 |
| 62. Crown has no further right to trees, etc. after their disposal to occupant or removal, etc. | 54 |
| 63. Exception of reserved trees in varkas and beta lands in certain districts from rules 60-62 | 54 |

CHAPTER IX.

Disposal of Grazing and Minor Products of Land.

| | |
|---|----|
| 64. Sale of produce of trees belonging to the Crown | 55 |
| 65. Grazing and other similar produce to be ordinarily disposed of by sale for periods not exceeding five years | 55 |
| 66. Disposal of earth, stone, etc. by the Collector | 55 |
| 67. Removal of earth, stone, etc., by villagers for their own use without fee with the permission of the revenue patel | 56 |
| 68. Removal of stone for building wells | 56 |

| Rules & Adm. Ors. | Page |
|--|------|
| 69. Excavation; Ports; Bricks, etc. ... | 56 |
| 70. Removal of earth, etc., from village tanks ... | 57 |

CHAPTER IX-A.

Disposal of Water Vesting in the Crown.

| | |
|--|----|
| 70-A. Water vesting in the Crown not to be used without permission for irrigating land unless water-rate is levied, or it is assessed for water advantages or it is subjected to 'nala chad' ... | 58 |
| 70-B. In granting permission to make use of water vesting in the Crown due regard should be had to the interests of other persons ... | 58 |
| 70-C. Water rate for occasional irrigation under section 55 may be levied ... | 58 |
| 70-D. Water rate upto Rs. 50 per acre per annum may be levied for unauthorised use of water vesting in the Crown ... | 58 |
| 70-E. Water rate levied under Rules 70-C and 70-D shall be recoverable as arrears of land revenue ... | 58 |

CHAPTER X.

Alluvion and Diluvion.

| | |
|---|----|
| 71. Holders of land with shifting boundaries msv occupy up to such boundaries ... | 59 |
| 72. Collector to dispose of claims under section 47 ... | 59 |

CHAPTER XI.

Assignment of Land for Special Purposes.

| | |
|--|----|
| 73. Cattle stands and dhobis' and potters' grounds ... | 59 |
|--|----|

CHAPTER XII.

Relinquishments.

| | |
|---|----|
| 74. Endorsement as to identity required below rajinamas (relinquishments) ... | 60 |
| XXVII. Maintaining record of notices of relinquishments. ... | 60 |
| 74-A. Relinquishment of alienated land held for service. ... | 60 |
| 74-B. Procedure on receipt of application for relinquishment of service Inam land ... | 60 |

CHAPTER XIII.

Restrictions on Use of Land.

| | |
|---|----|
| 75. Cultivation of unarable land in survey number when prohibited ... | 61 |
|---|----|

| Rules & Adm. Ors. | Page |
|--|------|
| 76. Use of land for salt manufacture without permission is prohibited; permission for such purpose may be granted after levy of N. A. assessment ... | 61 |
| 77. Removal of earth, stone, etc., prohibited, if injurious to cultivation and for purposes of trade, etc. ... | 62 |
| 78. Removal of earth, stone, etc. from building site prohibited except on certain conditions ... | 62 |
| 79. Excavation of unalienated land within site of village, town or city prohibited except for certain purposes. | 63 |

CHAPTER XIV.

Imposition and Revision of Non-Agricultural Assessment.

Alteration of assessment in the case of unalienated lands.

| | |
|--|----|
| 80. Alteration of assessment when land assessed or held for agricultural purposes is used for non-agricultural purposes | 63 |
| 80-A. Revision of Non-agricultural Assessment ... | 63 |
| 80-B. Collector should fix and revise N. A. Assessment on N. A. land assessed under section 52 ... | 64 |
| 81. Ordinary rates of non-agricultural assessment ... | 64 |
| 82. Special rates of non-agricultural assessment in certain areas | 65 |
| 82-A. Additional rate for bricks when fixed ... | 66 |
| 83. (Cancelled) | 66 |
| 84. Grant of permission in hill stations, etc. ... | 66 |
| 85. Assessment leviable on compounds; reduced in certain cases | 66 |
| 86. Levy of non-agricultural assessment when to begin. | 66 |
| 86-A. Graduated levy of non-agricultural assessment ... | 67 |
| 87. Revision of non-agricultural assessment ... | 68 |
| 88. Commuting N. A. assessment. (<i>Deleted in Bombay</i>). | 68 |
| 89. Maps showing altered (N. A.) assessment ... | 69 |
| 90. Levy of rate when land assessed for a purpose other than building is used for building | 69 |
| 91. Re-imposition of agricultural assessment ... | 69 |

Alteration of Assessment in surveyed and settled Alienated Villages.

| | |
|---|----|
| 92. Application of rules; certain powers of Collector to be exercised by holder with commission ... | 70 |
| 93. Fines | 70 |
| 94. Applications how to be dealt with ... | 70 |
| 95. Procedure when information of use for non-agricultural purposes in received | 71 |

| Rules & Adm. Ors. | Page |
|---|------|
| 96. Communication of orders and levy of N. A. assessment | 71 |
| 96-A. Reimposition of agricultural assessment in surveyed and settled alienated villages | 72 |
| 97. Kadim and sheri lands exempted | 72 |
| 98. Meaning of holder of alienated village... .. | 72 |

Permission for non-agricultural use and fines in cases of unauthorised use.

| | |
|---|----|
| 99. No fine ordinarily to be imposed under section 65. | 72 |
| 100. Maximum fine leviable under section 66 | 72 |
| 101. Maximum fine leviable for unauthorised use for building, brick making, etc. | 72 |
| 102. Saving of special cases dealt with by the Provincial Government | 73 |
| 103. Limit of fine under section 61 | 73 |

CHAPTER XV.

Record of Rights.

| | |
|--|----|
| 104. Record of Rights and Mutations, Index of Lands and Register of Disputed Cases to be kept in Forms O, P and Q | 73 |
| 105. Notice to be given before introduction of Record of Rights; Rough copy of record (Index of Lands) should be used as register of Mutations until fair copy of Record of Rights is prepared | 73 |
| 106. Diary of Mutations and duties of Circle Inspectors; Register of Disputed cases (Form Q) and disposal of disputed entries under rule 108 | 74 |
| 107. Tests of Entries in Diary of Mutations by Revenue Officer of Higher Rank; disposal of disputes under Rule 108; appeal | 74 |
| 108. Disposal of disputed cases by Mamlatdar, etc. on inquiry; entry in Diary of Mutations; one appeal against orders (no appeal against orders passed by Collector). Powers of Revision of Provincial Government in orders under Rules 106, 107, 108 (1) to (5) | 74 |
| 109. Index of Lands | 76 |
| 110. Rewriting of Index of lands when to be undertaken. | 76 |
| 111. Inspection of re-written index after notice, by Collector or Sub-Divisional Officer | 76 |
| 112. Procedure in issuing notice under s. 135E (1) or G. | 76 |
| 113. Record of tenancies that are not perpetual or notified under section 135B (2) should be kept in Form R. Testing of entries by Circle Inspector, etc. ... | 76 |

CHAPTER XVI.

Recovery of Land Revenue.

| Rules & Adm. Ors. | Page |
|--|------|
| 114. Land revenue where and to whom to be paid ... | 77 |
| 114-A. Publication of declaration under rule 114 ... | 77 |
| 114-AA. Commuting Non-agricultural Assessment or rent... | 77 |
| 115. Classification of villages in certain districts according as they are kharif, rabi and so on ... | 78 |
| 116. Dates on which agricultural revenue to be paid ... | 78 |
| 117. Other land revenue ... | 79 |
| 118. Form of notice of demand ... | 79 |
| 119. Duties of village officers ... | 79 |
| 119-A. Superior holder may make only one application under section 86 in respect of inferior holders or co-sharers in all of his holdings situated in one and the same village ... | 79 |
| XXVIII. Where half amount is suspended or half remitted, fraction of an anna should not be taken in the suspended or remitted portion ... | 79 |
| XXIX. Suspension should be allowed on condition of payment of unsuspended portion first ... | 80 |

General Calamities.

A.—Suspensions of Consolidated Land Revenue.

| | |
|---|----|
| XXX. Proportion of land revenue (or judi) assessed for agriculture to be suspended according to classification of crops if below normal ... | 80 |
| XXX-A. Procedure for making annewari (anna valuation) for suspension of revenue ... | 80 |
| XXXI. Suspensions where area affected is homogeneous or whole villages ... | 82 |
| XXXI-A. Special relief granted in case of abnormal fall in prices ... | 82 |
| XXXII. Suspensions shall be provisional; they are liable to be remitted or collected ultimately ... | 82 |

B.—Remissions of Land Revenue.

| | |
|--|----|
| XXXIII. Conditions in which in areas affected remissions are granted; extent to which suspended revenue should be collected ... | 83 |
| XXXIV. If water fails, Remissions of water rate fixed under section 55 or of separate or separable assessment charged for water advantages ... | 84 |

| Rules & Adm. Ovs. | Page |
|--|------|
| XXXV. Cases where extensive portions of land are left unsown on account of calamities, should be treated as if there were failure of crops ... | 84 |
| XXXVI. Suspensions to superior holders may be granted under section 84A ; such grant entails suspensions of rent payable by inferior holders ... | 84 |
| II. Local Calamities. | |
| XXXVII. Suspensions and Remissions in cases of local calamities including loss by fire or flood and loss by theft or mischief to occupant ; Where suspension or remission is granted to superior holder, suspensions and remissions to be granted to inferior holders of rent or land revenue where section 16 of Bom. Tenancy Act, 1939 is not extended; Suspensions and Remissions to tenants and other inferior holders where section 16 of the Bombay Tenancy Act, 1939 is extended ... | 84 |
| General. | |
| XXXVIII. For purposes of Suspensions or Remissions each year, a list of villages in the Taluka showing consolidated revenue demand for a normal year of every village along with suspended revenue, should be prepared ... | 85 |
| XXXIX. Instructions about demands of previous years suspensions on receipt of anna-valuation reports ... | 86 |
| XL. On reports from Sub-divisional officers as to tests of anna-valuation of crops, the Collector should proceed to base his estimate of their effect on probable demand and collections of the year ... | 86 |
| XLI. Estimates of financial effect in detail from villages should be necessary only when special remission of water revenue or collection of full revenue from some irrigated holdings is ordered. Ordinarily the village should be the unit for suspensions and remissions ... | 86 |
| XLII. Proper publication of lists of suspensions and remissions as well as of orders of Collector under section 84A in villages is essential ; Duties and responsibilities of village officers in making proper entries of the same and of orders under section 84A in Tenancy Register (V. F. XII) ; Duties of Circle Inspectors and Taluka and District Officers in that | |

| Rules & Adm. Ors. | Page |
|--|------|
| respect; Similar procedure to be followed in alienated villages; Duties of Inamdars towards inferior holders | 87 |
| XLIII. Commissioner should be informed by Collector of his proceedings stating reasons etc. as regards his Suspension and Remission Orders | 87 |

CHAPTER XVII.

Disposal of Forfeited Land.

| | |
|--|----|
| 120. Restoration or grant on inalienable tenure | 88 |
| XLV. In cases not covered by Rule 120 land should not be forfeited unless Collector thinks it absolutely necessary | 88 |
| 121. Partial forfeiture | 88 |
| 122. Deleted. | 88 |
| 123. Disposal of forfeited land otherwise than by sale in certain cases | 88 |
| 124. Forfeited land to be sold for recovery of arrears in other cases | 89 |
| 125. Rules and orders applicable to sales of forfeited land. | 89 |
| 126. Restoration of forfeited land | 90 |
| XLVI. Recovery of land revenue due on forfeited land which is not sold | 90 |

CHAPTER XVIII.

Sales.

| | |
|--|----|
| 127. Auction sales under rule 42 where to be held | 91 |
| 128. Upset price may be fixed | 91 |
| 129. Sales how to be conducted | 91 |

CHAPTER XIX.

Appeals.

| | |
|--|----|
| 130. Form and contents | 91 |
| 131. Presentation | 92 |
| 132. Rejection of appeals without enquiry into their merits | 92 |

CHAPTER XX.

Penalties.

| | |
|---|----|
| 133. Breaches of the rules how punishable... .. | 92 |
|---|----|

CHAPTER XXI.

Certain Documents to be prepared free of Charge.

| | |
|---|----|
| 134. Village accountants to prepare certain documents without charge when so desired | 93 |
|---|----|

CHAPTER XXII.

Copies, Inspection and Searches.

| Rules & Adm. Ors. | Page |
|--|------|
| I.—Inspection. | |
| 135. Certain documents to be open to inspection ... | 93 |
| II.—Extracts and Copies. | |
| 136. Uncertified copies ... | 94 |
| 137. Village accountants to grant certified copies of certain records ... | 94 |
| 138. Mamlatdars generally to grant certified copies of village papers ... | 95 |
| 139. Officers in charge of document generally to grant a certified copy ... | 95 |
| XLVII. Officers granting copies of documents will be guided by Adm. Orders of Govt. and of superiors ... | 95 |
| XLVIII. Copies of official correspondence, opinion of Govt. Officer or of Orders or Resolutions embodying such opinion not to be given by Officers subordinate to Collector, etc. without permission ... | 96 |
| 140. Receipt to be endorsed on copy ... | 96 |
| 140-A. Officers in charge of certified copies to grant true copies of such copies ... | 96 |
| III.—Searches. | |
| 141. Search fees when to be charged ... | 96 |
| IV.—Fees. | |
| 142. Fees ... | 97 |
| 142 (b). Rounding off of amount of fees recovered for copying and comparing ... | 101 |
| 143. Fees how to be paid ... | 101 |
| XLIX. Fees levied for making copies should be paid to copyists, etc. ... | 101 |
| V. Miscellaneous. | |
| 144. Application how to be made ... | 102 |
| L. Village Accountant should send through Mamlatdar copies asked by V. P. Post ... | 102 |
| LI. Procedure to be followed by receiving officer when application for copies, extracts and translations is received ... | 102 |
| LII. Care to be taken to see if the public document of which inspection or copy is asked can be legally allowed to be inspected ... | 102 |
| 145. Stamp duty or court-fee payable in addition ... | 102 |

FORMS.

| Forms | Page |
|--|------|
| A. Form for the record of rainfall ... | 103 |
| A-1. Details of population according to occupation ... | 104 |
| A-2. Agricultural stock of the village ... | 105 |
| A-3. Details of cultivation of crops ... | 106 |
| A-4. Details of occupied, cultivated, fallow etc. lands in the villages ... | 110 |
| A-5. Statement showing agricultural wages prevalent in the Taluka ... | 111 |
| A-6. Prices prevalent in the Taluka ... | 111 |
| A-7. Leases of different lands in the villages of the Taluka ... | 112 |
| A-8. Selling value of different lands in the villages of the Taluka ... | 113 |
| A-9. Effect of Revision Settlement proposals on Government occupied land in the Taluka ... | 114 |
| A-10. Notice under section 117J (2) of Bom. L. R. Code... | 116 |
| A-11. Notice under section 117O of the Bom. L. R. Code, 1879 ... | 117 |
| AA. Notification of Settlement for Sind ... | 119 |
| B. Form of Notice under section 37 (2) and summons under sections 189-190 ... | 120 |
| C. Form of Notice of decision and order passed under section 37 ... | 120 |
| D. Form of Sanad for revenue-fee grants of land for Religious, Charitable or Educational Edifices or Institutions ... | 121 |
| DD. Form of lease of land granted to educational institutions or local bodies to be used as a playground or for other recreational purposes and for Gymnasiums ... | 123 |
| E. Form of Sanad to be used where the land is not granted by the Provincial Government ... | 126 |
| F. Form of Agreement to be passed by persons intending to become occupants ... | 127 |
| F-1. Form of Agreement to be passed by persons intending to become occupants of land on impartible tenure ... | 128 |
| G-1. Form of lease to be granted to an occupant who takes up land on special terms ... | 130 |

| Forms | Page |
|---|------|
| G-2. Reclamation Lease | 131 |
| H. Alternative Form of Agreement to be passed by persons intending to become occupants, if the Collector so requires | 135 |
| HH. Form of Agreement to be passed by persons intending to become occupants of land included in a development scheme or in other special cases ... | 136 |
| I. Clause for Inalienable Tenure additional to Forms F and H or other Agreements | 139 |
| I-1. Form of agreement to be passed by persons intending to become occupants of land on the inalienable Tenure | 139 |
| J. Form of Agreement for exchange to be executed by villagers removing to a new village-site ... | 141 |
| JJ. Form of License for Aerial projections etc., (e.g., Balconies) over Government Land ... | 142 |
| JJJ. Form of Sanad in cases where assessment on land in certain city-surveyed areas assessed for agriculture and permitted to be temporarily used for non-agricultural purposes other than building is altered under section 48 | 144 |
| K. Form of written permission to occupy land to be given by Mamlatdar under section 60 | 146 |
| KK. Do. (Bombay Suburban) ... | 146 |
| L. Form of Notice of Relinquishment | 147 |
| M. Form of Sanad in cases where the assessment on land appropriated to building purposes is altered under section 48 | 147 |
| MM. Form of agreement to be executed by the applicant where an additional condition regarding the reservation of margin and surrender of a strip of land to Government for the purpose of a road is to be imposed in addition to the conditions in Form M ... | 151 |
| N. Form of Sanad in cases where the Assessment on land appropriated to non-agricultural purposes other than building is altered under section 48 ... | 152 |
| N1. Form of Sanad in cases where the assessment on land temporarily appropriated to non-agricultural purposes other than building is altered under section 48 | 154 |

| Appendices | Page |
|--|------|
| O. Record of Rights | 155 |
| P. Mutation Register | 156 |
| Q. Register of Disputed Cases | 156 |
| R. Record of Tenancies as are not perpetual or notified under section 135B (2) | 156 |
| S. Notice to a Defaulter | 156 |
| T. Form of Agreement to be passed when forfeited land is restored on new Tenure | 157 |
| U. Form of Proclamation and Written Notice of Sale of Attached Property | 158 |
| W. Form of Proclamation and Written Notice of sale of Right of Occupation of unoccupied land | 160 |

APPENDICES.

| | |
|---|-----|
| O-A. Form of security to be furnished under Adm. Or. XII (vide p. 12) | 160 |
| O-A-1. Register showing the results of inquiries made as to the sufficiency of the security furnished by Revenue Officers in the district | 162 |
| O-B. Advance Notice of Proposed Settlement (deleted) | 163 |
| O-B. Advance Notice of Proposed Settlement; Form of Notification for Sind | 164 |
| O-C. Form of Register of Alienations; Register of Alienated Villages and Lands in the District kept under section 53 | 165 |
| O-D. Form of Statement of Alienations to be submitted monthly | 166 |
| O-E. Lease for Lands granted to Criminal Tribes. | |
| A—(For Agricultural purposes) | 166 |
| B—(For sites for houses or huts) | 168 |
| O-F (1). Agreement to cover cases of lands in the Kaira District with valuable Babul and other Trees when given on impartible Tenure | 169 |
| O-F (2). Agreement to cover cases of lands in the Kaira District without valuable Babul and other trees when given on impartible Tenure | 173 |
| O-H. Form of 99 (50) years Lease | 176 |
| O-I. Form of Short-Term Lease | 179 |
| O-J. Sanad for Planting Trees in Waste Land | 180 |

| Appendices | Page |
|--|------|
| O-JJ. Form of Sanad for brick kilns and brick making in unoccupied unalienated land | 182 |
| O-K. Form of agreement under section 67, L. R. Code in cases of use of agricultural land for the manufacture of bricks | 184 |
| O-L. Form of Altered Assessment Sanad when Land was agriculturally assessed by error. (Deleted in Bombay) | 184 |
| O-M. Altered Assessment Sanad when Land was left agriculturally unassessed | 184 |
| O-N. Form A ; For Agreement in cases where permission to use for building land used for agricultural purposes is granted | 185 |
| O-O. Form B ; For Agreement in cases where permission to continue so to use land already used for building without permission, is granted | 191 |
| O-O(1). Form of short term lease of plots of land in the Bombay Suburban District | 191 |
| O-P. Form C ; Form of Agreement in cases where applicant has used land for building purposes, with permission, but is willing to comply with the terms of the Agreement in order to gain benefits thereof. | 193 |
| O-Q. Rules Relating to Revenue Money Order for the Bombay Presidency and Sind (Chapters I-VI) ... | 196 |
| CH. I. SECTION A.—The object and the use of Revenue Money Order | 196 |
| SECTION B.—Description of the R. M. O. Form ... | 198 |
| CH. II. Issue of Revenue Money Orders | 199 |
| CH. III. Delivery of R. M. O. | 200 |
| SECTION A.—Procedure to be followed in the office of payment of R. M. O. | 200 |
| SECTION B.—Procedure to be followed in the office of delivery of R. M. O. | 201 |
| SECTION C.—Procedure to be followed by the village accountant in regard to R. M. O. delivered to him. | 203 |
| CH. IV. Payment of Revenue Money Orders and Adjustment of Accounts between the Revenue Department and the Post Office | 204 |

| Appendices | Page |
|---|------|
| SECTION A.—Procedure to be followed in the office of the Mamlatdar in regard to R. M. O. received from village accountants | 204 |
| SECTION B.—Procedure to be followed by the Post Office at the head quarters of the Mamlatdar ... | 206 |
| CH. V. Procedure to be followed in regard to R. M. O.s payable to the Collector of Land Revenue, Bombay. | 207 |
| CH V-A. Procedure to be followed in regard to Revenue Money Orders remitted by Talukdars | 208 |
| CH. VI. Disposal of R. M. O.s acknowledgment ... | 208 |
| Form of Revenue Money Order | 210 |
| Form of List of R. M. O.s sent to Mamlatdar by village accountant | 212 |
| List of R. M. O.s the amounts of which have not been credited in the village accounts owing to the irregularities in the remittance and not included. | 213 |
| O-R. Form of Proclamation and Written Notice under section 153 | 213 |
| O-S. Form of notice combined with intention to regrant forfeited land on restricted tenure | 214 |
| O-T. Form for Commutation of Service Rights of the inferior Village Servants in Belgaum at 5 annas Judi, the Land remaining Watan | 215 |
| O-V. Form of License for Easements (e.g., Balcony) over Government land | 215 |

Appendix A

THE LAND REVENUE RULES, 1921.

[with Administrative Orders.]

FOR BOMBAY AND SIND.

SECRETARIAT, FORT, BOMBAY, 26TH JANUARY 1921.

No. B.-205.—In exercise of the powers conferred by sections 213 and 214 of the Bombay Land Revenue Code, 1879 (Bombay V of 1879), and of all other powers enabling him in this behalf, and in supersession of Govt. Notfns. in the Rev. Dept. 7368, dated the 6-12-1881, No. 8356, dated the 27-11-1903, No. 5223, dated the 28-6-1905, and No. 5641 dated the 5-6-1907, and all Notfns. amending the same, the Governor in Council is pleased to make the following rules:—

CHAPTER I.

Introductory.

1. *These rules may be called the Land Revenue Rules Short title and extent (1921).¹[***]. of application.
2. In these rules, unless there is anything repugnant Interpretation. in the subject or context,
 - (a) "Chapter" and "Section" mean a chapter and a section of that Code.
 - (b) "Mamlatdar" includes Mahalkari ²[and in Sind "Mukhtiarkar"].
 - (c) "Public Document" has the same meaning as in section 74 of the Indian Evidence Act I of 1872.
 - (d) ²["Chavdi" in Sind includes a Tapedar's Dera].

* Sind: Throughout the said Rules, for the words 'Government' and 'the Governor in Council', except in the expressions 'Government Gazette', 'Government expenses', 'Government records', 'Government purposes', 'Government Officer', 'Government property', 'Government trees' and except as otherwise expressly provided the words 'the Provincial Government' shall be substituted; and for the words 'Commissioner', 'Mamlatdar' and 'Circle Inspector' wherever they occur, the words 'Revenue Commissioner', 'Mukhtiarkar' and 'Supervising Tapedar', respectively, shall be substituted.—G.R.R.D. (Sind) R.-4102-E of 3-1-1941.

[1] Rule 1: The last sentence has been deleted, vide G. N. R. D. (Bom.) B-205 of 19-10-1938 and for Sind, Vide R. D. (Sind), R.-4102-E of 3-1-1941.

[2] Rules 1 & 2: Vide G. N. R. D. (Bom.) B-205 of 19-10-38 and for Sind vide, R. D. (Sind) R.-4102-E of 3-1-1941.

CHAPTER II.

(Administrative Orders only)

Powers and Duties of Officers.

I. The general superintendence of all the administration of the Code is entrusted to the Divisional Commissioner. Except for the powers expressly reserved by the Code to Government, the Commissioner can exercise all the other powers. He sanctions the grant of revised or renewed Sanads for land or Cash allowances [*R. 4941 (10)-02*] and sanctions alterations in Sanads for alluvion or diluvion [*R. 8885 (13)-10*]. He can revise the limits of sub-divisions of districts (*R. 2591-81*). When Government have approved the surrounding Khalsa settlements he used to sanction settlements and revisions of Inam villages (*R. 3691-02*) but Government withdrew this power in *R. 5248-17*. The functions of Commissioner of Survey (sec. 18, etc.) are vested in the Settlement Commissioner and Director of Land Records (*R. 5370-01*); and those of Superintendent of Survey and (Assistant) Settlement Officer are conferred on officers from time to time, as required, by notification (see paragraph 12, Government Selections, CCXXVII, new series).

II. Power to reduce the sanctioned assessment either on account of deterioration of the soil or misjudgment in the classification (*R. 1788-04, 8046-08*) or on account of the sub-division of survey numbers (*R. 1698-10*) is reserved by Government, subject to the delegations to the Director of Land Records in *R. 524, 4972-14* and *787-16*, which cover all reductions due to clerical and arithmetical mistakes without limit of amount, and the general delegation to the Divisional Commissioner in *G. 7569-07, R. 6490-10* and *4164-16*, which extends to an annual assessment of Rs. 20 (20×25 years = 500) (*R. 4495-16*). Commissioner, N. D., is delegated the power to reduce himayat assessment upto limit of Rs. 50 (*R. 9718/28 of 23-2-33*) in the case of each individual khatedar. The Collector of Ratnagiri is given power to reduce assessment in Salt lands (*R. 106/24 of 14-4-24*). No officer has been empowered to reduce non-agricultural rates once fixed or imposed (*R. 476-03*); but Rules 81 (2) and (with the Commissioner's sanction) 81 (3) and 82 (iv) give the Collector discretion in first fixing the rates. Collectors of Kaira and Thana are given powers to remit assessment on account of damage to land by water-logging (*R. 9608/28 of 2-5-33*). So also, power is delegated to the Collectors of Nasik (*R. 9608/28 of 7-4-1933*), Belgaum (*R. 9608/28 of 10-5-1933*), Ahmednagar

(R. 9608/28 of 1-12-1932 and 20-11-1936), Poona (R. 8968 of 3-11-1905 and 9608/28 of 1-12-1932) and Surat (R. 3044 of 6-5-1902 and 9608/28 of 2-5-1933) to grant remission of land revenue on account of damage to land by water-logging. Collectors of the coastal districts in the Northern Division, *viz.*,
Southern

A'bad, Broach and P'mahals, Surat, Thana and Bombay Suburban
Kolaba, R'giri and Kanara

are authorised to grant where necessary, remissions of land revenue when land is damaged by salt water provided they report the action taken at once to the Commissioner [G.N.R.D. (Bom.) 4462-B/39 dt. 14-8-1940].

The Revenue Commissioner in Sind and the Commissioners of Divisions are delegated the power to sanction a reduction of assessment consequent upon the reclassification of agricultural land upto Rs. 100 per annum when reclassification operations are confined to a single village and to Rs. 500 per annum when they extend to more than one village in a taluka. Subject to the condition that when the reclassification extends not to individual Survey Numbers but to considerable parts of a village the orders of Government should be obtained (*G.R.R.D. 8798/28 of 2-5-1932 and 13-3-1933*).

The Code confers no power expressly to remit land revenue, but the power to impose implies also the power to remit, and is reserved to Government, except in so far as they formally delegate it. The orders empowering the Collector to remit and suspend ordinary agricultural land revenue are given in Chapter XVI. [* * * * All Collectors are hereby authorised to grant remissions of miscellaneous land revenue upto Rs. 100 and Commissioner upto Rs. 500 in individual cases in relief of local calamities of the nature referred to in Administrative Order No. XXXVII]. Judi on inam land exceeding Rs. 100 (*R. 6862-83*) can be remitted only by the Commissioner. The Collector can remit quarry fees when stone, etc., is wanted for religious or charitable purposes [*R. 5295 (115)-11*]. He also can remit the assessment on land assigned or acquired for a public purpose (*R. 9193-11*), but this is only a natural consequence from the assignment or acquisition. He can also remit sale expenses under section 183 [*R. 6575-00 and 5295 (81)-11*]. But grazing fees under the pass system can be

[1] Adm. Or. II: The words " but non-agricultural or miscellaneous revenue and " have been deleted in Bombay and the sentence beginning from " All Collectors.....Administrative Order XXXVII " have been added in Bombay by G. R. R. D. (Bom) 8877/33 of 25-1-1939.

remitted only by the Commissioner (*R. 9084-06*) who also makes grants of timber for certain prescribed objects from non-forest waste land up to Rs. 250 (*R. 8811-07*): the Collector upto Rs. 50 (*R. 3736-09*). For grants from forests, see notes under ss. 41 to 44 of the L. R. Code by Gupte.

The Collector may remit fines under section 61 [*R. 4347 (21)-02*] and the imposing officer (Collector, Assistant or even Mamlatdar) may remit fines under section 148 (*chauthai*) (*R. 2485-83*).

III. While the Code gives almost all executive powers in the first place to the Collector (who *signs* sanads for most alienations, H. 7119-II of 27-9-29), it reserves a few to the Commissioner. The Collector fixes irrigation rates under section 55 within the maximum sanctioned by Government [*R. 4347 (5)-02*]. The Collector hears appeals from Survey Officers below grade of Superintendent of Survey under section 37 (2) (*R. 6884-15*), and read with section 203, this also gives him appellate power in respect of section 50A, District Municipal Act. The Collector can make reductions for diluvion (*R. 1369-16*), and may postpone instalments under R. 8046 (7)-08 but only with the Commissioner's sanction. He may transfer Government land to other Departments [*R. 4347 (19)-02*] and make all assignments under section 38 (Act IV of 1905).

For signing deeds, see also Order VI.

[¹The Collectors under section 65 in City Surveyed area may grant temporary permission for Non-Agricultural use of the land falling under Rule 51 (3) of L. R. Rules but the power of sanctioning the levy of assessment at a higher rate remains with the Commissioner.—*G. R. R. D. (Bom.) 6406/28 of 8-12-1941*. The Collectors may permit the sale of new tenure land held by members of non-backward classes to members of backward classes who cultivate them personally.—*G. R. R. D. (Bom.) 7907/33 of 23-2-1942*. The Collectors may accept surrenders of land relinquished to the Revenue Department by other Departments of the Provincial Government (*G. R. R. D. 685/33 of 18-9-33 item 2 in the schedule modified*).—*G. R. R. D. (Bom.) 685/33 of 28-4-1942*.]

IV. While the Collector cannot sanction the employment of permanent establishment (section 21) he can make all appointments to sanctioned posts on the district staff, except Mamlatdars and Head Accountants: and he may in certain cases create and fill temporary appointments. The most important of these cases is in respect of the staff of Circle Inspectors,

[1] Adm. Or. III: The Orders in para. 3 are applicable in Bombay Province.

peons and labourers for partition and sub-division measurement work, and for repairing boundary marks when the cost is recoverable from the parties (R. 737-00, 6067-07, 6557-11, 9545-11).

V. The Collector can write off amounts of irrecoverable revenue of all kinds not exceeding Rs. 100 in each case without reference to higher authority [R. 6862-83, 1714-04 and 11221 (27)-12] and the Commissioner provided, no defect of system or procedure requiring Government orders is disclosed and there has been no serious negligence which might require disciplinary action [F. 4653 (8)-08] can write off without limit irrecoverable dues for boundary mark repairs section 122-23; (R. 11289-10) and all kinds of revenue and tagai without limit (R. 1704-04); and irrecoverable value of stores or public money up to a limit of Rs. 500 (F. 3977-11) and unserviceable dead stock to any amount, sending an annual statement to the Accountant General (R. 3116-61). This last power was extended to the Collector by R. 5941-02. For delegation of his powers as to boundary marks, see R. 5295 (60, 61)-11.

Irrigation arrears (though not land revenue) can be written off with the consent of the Executive Engineer (P.W.A-I. 39-04).

VI. Generally speaking all powers of the Collector under the Land Revenue Code or any other law are also exercised under s. 10 by the Assistant or Deputy Collector in respect of the talukas in his charge (R. 5941-02). But the Collector may always reserve any power he thinks fit. In particular, Government have directed that powers under Rule 82 (we should now understand 81 and 82) should not ordinarily be delegated (R. 3459-08). There should be no "unnecessary" reservations (R. 7048-03). The power of arrest is to be exercised only when specially delegated (R. 1743-83). The Assistant or Deputy has certain powers of executing contracts and leases under Home Deptt. Resolution 7119-II of 27-9-29 and sanads for tree planting in open sites in villages. He may fine watani village revenue officers (R. 10431-12); and (in Ahmedabad) appoints, punishes, and dismisses mukhis and police patels (subject to control of the District Magistrate) in talukdari villages (R. 1276-21).

VII. Finally the Code provides that the Mamlatdar should exercise such powers as the Collector may delegate to him. But these delegations must be made "under the general or special orders of Government;" and also they must be made in all cases by name and not merely in virtue of the office held (R. 7773-13, 239-14). These ex-officio powers are given in

Order XL. Therefore, it is desirable that a printed form should be used by every Collector as follows :—

“ To Mr. A. B.

“ Whereas you have been appointed to be (or to do duty temporarily as) Mamlatdar (Mahalkari) of—you are hereby authorized during the tenure of that office to exercise the following powers :—

(Here print the powers below detailed.)

(The Collector should strike out whatever powers he elects to reserve.) Collector of—.”

VIII. The Powers which may be delegated are these :

| Section | Extent of power | Authority |
|------------------------------|---|---|
| 25, 26 | All | R. 5295 (9)-11. |
| Watan Act | To fine hereditary or stipendiary village revenue officers. | R. 2116 and 4100-83, 1953-93, 5891-03, 5595-08. |
| 42, 43, 70 | All | R. 4347 (17)-02. |
| 48 (4), 61 (6), 79A and 202. | To sign eviction notices approved by the Asstt. or Dy. Collector. | R. 5295 (85)-11. |
| 80, 86 | All. [Mukhtiarkars in Sind included. R. 8048 (1)-08]. | R. 2598 and 6024-83, 9901-06. |
| 90 | To sanction sale of moveables in alienated villages. | R. 5295 (47)-11. |
| 91 | To accept security from defaulting inferior holders. | <i>Under this Order.</i> |
| 117-B | All | <i>Under this Order.</i> |
| 135F | Up to a limit of Rs. 15 | R. 7623 of 9-4-24 and 13-4-24. |
| 135H (3) | All | <i>Under this Order.</i> |
| 141-143, 145 | All | R. 8046-08, 7773-13. |
| 148 | All | R. 7176-12. |
| 149 | To issue certificates direct to other Mamlatdars (apparently in the same or other districts of the Presidency). | R. 5295 (71)-11. |
| 152 | To issue notices and remit notice fees levied by mistake. | R. 5295 (73)-11. |
| 153 proviso (a). | To issue notices threatening forfeiture. | R. 5295 (74)-11. |

| Section | Extent of power | Authority |
|---|---|---|
| 154 | ... To distrain and sell moveables | R. 5954-91. |
| 156 | ... To determine what property is exempt. | R. 4347 (17)-02. |
| 165, 166 (3) | ... All, in respect of such sales as he has himself power to make. | R. 5295 (78-9)-11. |
| 181 | ... To put in possession and give certificate. | R. 5295 (80)-11. |
| 186 | ... All | ... R. 8785-89. |
| 190 (3) | ... All | ... R. 5295 (83-84)-11. |
| <i>L. R. Rules—</i> | | |
| Rule 41 (and sec. 68) | All (eksali sales) | ... R. 5295 (36)-11. |
| Rule 58 | ... Permit tree cutting in watan land. | R. 5295 (22)-11. |
| Rule 80 (and sec. 65) | To specially selected Mamlatdars. | R. 3459-08, 5295 (32)-11. |
| Rules 37, 42, 64, 65, 66 (and sec. 170) | To confirm sale at any auction when the Collector has previously fixed (Rule 128) an upset price which is realized. (For powers as to auctions, see Chapter XVIII of Bom. L. R. Rules, 1921). | R. 3520-12. |
| Revised Rule 81 (and sec. 65) | To All Mamlatdars and Mahalkaris. To grant permission to use land for N. A. purposes in Class II villages subject to the conditions laid down by the Collector. | R. 6406/28 of 11-11-31. |
| 18, 19, 133, 61 and 202 | To Huzur Mamlatdar of Surat and Broach. Ahmedabad. | G.R., R.D., 8557/28 of 14-4-32. G.R., R.D., 8557/28 of 5-7-32. |
| | Dhulia, Jalgaon, Nasik and Bijapur. | G.R., R.D., 8557/28 of 30-8-32. |
| 18, 19, 133, 61 and 202 | To Huzur Mamlatdar of Thana... | G.R., R.D. 8557/28 of 1-10-32. |

| Section | Extent of power | Authority |
|----------------------------|--|--|
| Rule 51 (2) ... | To All Mamlatdars and Mahalkaris (to lease Govt. unoccupied land for temporary N.A. uses in all villages important or not for a period not exceeding 12 months. | G.Rs.R.D. 9708/28 of 17-12-1934 and 4-12-1939. |
| 18, 19, 61, 102... | To Huzur Mamlatdar, Belgaum.. | G.R.R.D. 8557/28 of 21-11-33. |
| 18, 19 ... | To Huzur Mamlatdar, Kaira ... | G.R.R.D. 8557/28 of 27-2-33. |
| L.R. Rule 51 (2) | To Huzur Mamlatdar, Ahmednagar. | } G.R.R.D. 8557/ 28 of 17-7-34. |
| 18, 19, 133, 61 and 202 | To Huzur Mamlatdar, Ahmednagar. | |
| Rule 51 (2) ... | To Huzur Mamlatdars— Power to lease City Surveyed sites for a period not exceeding 7 years. | G..R.R.D. 1277/33 of 7-6-34. |
| Rule 64 (1) ... | To Mamlatdars and Mahalkaris in the Presidency proper (To fix upset price at an auction for sale of Government produce, and to dispose of it by auction provided the estimated value does not exceed Rs. 50). | G.R.R.D. 1277/33 of 22-12-34. |
| Rule 51 (2) ... | Resident Magistrate, Manmad, Power to lease City Surveyed sites for a period not exceeding 7 years. | G.R.R.D. 6202/28 of 20-10-1930. |
| Rule 11 ... | To All Mamlatdars. Power regarding amalgamation of Survey Numbers. | G.R.R.D. 6221/24- IX of 29-6-1936. |

| Section | Extent of power | Authority |
|------------------------------------|--|---|
| Rule | To All Mamlatdars. Power to make survey corrections. | G.R.R.D. 6221/24- IX of 29-6-1936. |
| Sec. 21 L. R. C. | Mamlatdars in Gujarat. Power to appoint inferior village servants. | " |
| Rule 66 (1) ... | To Mamlatdars and Mahalkaris in the Presidency proper (Power to dispose of earth, stones, etc., from forest land in charge of Rev. Dept. at the rate sanctioned by the Collector). | G.R.R.D. 1277/33 of 22-12-34. |
| Rule 70A ... | To Mamlatdars and Mahalkaris in the Presidency proper (Permission to make use of water for the purpose of irrigation by a budki, pro- vided the Collector has fixed the rate for the particu- lar source of supply under Rule 70B). | G.R.R.D. 1277/33 of 22-12-34. (but see now new Rules substituted by G.R.R.D. (Bom.) 7241 / 33-III of 24-3-42. |
| Sec. 16, L. R. C. | To Mamlatdars and Mahalkaris in the Presidency proper— Power to grant leave to stipen- diary Patels and to ap- point a deputy for a period not exceeding three months. | G.R.R.D. 1277/ 33 of 7-6-34. |
| Sec. 32, L. R. C. (now deleted) | Power to fine and to suspend peons pending inquiry. | |
| Sec. 32, L. R. C. (now deleted) | Power to suspend Talatis, stipendiary Patils and Vethias pending inquiry. This power may not be exercised to in- flict a punishment. | |
| Sec. 55, L. R. C. | Power to levy water-rates in cases in which the Collector has fixed specific rates within the maximum prescribed by Government. | |

| Section | Extent of power | Authority |
|-------------------|---|-----------------------------------|
| Sec. 65 | To The Mamlatdars, and Mahalkaris in their districts land for Non-Agricultural purpose under Rule 51 (3) of L. R. Rules for a period not exceeding twelve months. | G.R.R.D. 6406/28 of 8-12-1941. |
| Sec. 61, L. R. C. | All the powers of the Collector in respect to unauthorised occupation of land for the purpose of agriculture provided no inquiry under section 37 (2) of the Land Revenue Code is required. | } G.R.R.D. 1277/ 33 of 7-6-34. |
| Rule 51 (2) | To Mamlatdars— Power to lease City Surveyed sites for a period not exceeding 11 months in areas where it is necessary. | |
| Sec. 165, L.R.C. | To all Mamlatdars (to issue proclamations in respect of sales of immoveable property under Section 165, L.R. Code). | G.R.R.D. 4635/33 of 22-4-36. |

Under other laws and rules, powers have been given to Mamlatdars:—

- (1) To enter the heirs of Summary Settlement (Class II unstarred) Inam;
- (2) To appoint, give leave, and determine heirs of inferior village servants (*G. R. F. D. 595 of 1867*);
- (3) To permit cutting of trees in uncommuted service lands [*G. R. 5295 (22)-II of 1911*].

IX. In issuing his delegation order to the Mamlatdar the Collector can reserve any power he thinks fit, which will then be exercised only by the Prant Officer. In delegating to a Mahalkari, he will probably reserve more powers, and he will also specify whether the Mahalkari is to be considered the immediate subordinate of the Mamlatdar or of the Assistant Collector for the purposes of section 203 (appeals, etc.). The

Collector can also appoint a Mahalkari and assign certain powers to him without specifying the local limits of his Mahal (*R. 6824-74*), but the necessity of such appointment shall be reported to Government (sec. 13). In such a case he will be practically a Deputy Mamlatdar within the taluka, exercising such power as may be given to him; and he will not be "below the rank of an Aval Karkun" for the purposes of the Record of Rights. The Collectors are authorised to delegate to the Special Recovery Officers the powers under section 181, Land Revenue Code (G.R.R.D. 3482/28 of 21-12-1936). Survey Mamlatdars are appointed by the Commissioner of Survey (*R. 713-16*); but their powers are those of revenue officers under Chapter X-A (Record of Rights), not of survey officers under sec. 18. The District Inspector of Land Records is a revenue officer (*R. 1327-02*) and can issue summonses for evidence or documents, but the Superintendent is a survey officer; Supervising Tapedars in Sind are survey officers (*R. 6415-08*); but Circle Inspectors are not. The District Inspector of Land Records has power to order measurement on the application of parties and to levy fees for it (*R. 1318-20*). Both Superintendent of Land Records and D. I. L. R. can levy fees under sec. 135-F (*R. 1457-21*).

X. An Extra Aval Karkun is frequently treated as such a Mahalkari. He has power to try Assistance (sec. 86) (*R. 8616-91*) and Possessory suits (under section 3 of the Mamlatdars' Courts Act) (*R. 72-00, 8269-06*). Power of Collector under section 154, Land Revenue Code, can be delegated to an Extra Aval Karkun either by name or by designation. An Extra Aval Karkun is not a Mamlatdar or a Mahalkari within the meaning of sec. 12 or sec. 13 of the Land Revenue Code. The powers of a Collector under sec. 156 cannot be delegated to him (*R. 6315-28 of 17-11-1930*).

XI. The powers of a Mamlatdar's First or Aval Karkun are regulated by sec. 14. He has been specially given power to sign notices of demand under sec. 152 and may remit the fees if wrongly charged [*R. 5295 (72), R. (73)-71*] and to receive rajinamas under sec. 74 (*R. 1743-89, 7428-05*). He can also levy fees up to a maximum of Rs. 15 in each case under sec. 135F (*R. 7623 of 9-4-24 and R. 13-4-24*). An Aval Karkun can exercise *in the absence of the Mamlatdar* any powers specifically given by the rules to Mamlatdars [see Rules 54, 67-69, 74 (2), 96, 108 and 138]. A substitute appointed under sec. 15 can now exercise powers under the Mamlatdars' Courts Act by sec. 3 as amended by Act II of 1906 (25 Bom. 318, 36 Bom. 277). *R. 8507-07* gave the Aval Karkun power to try rent suits up to a limit of Rs. 50;

which is now raised to Rs. 100 by R. 208-21. The Collector may also delegate the power to selected *Treasury* Head Karkuns- R. (L. C.) 541 of 22-9-23.

XII-XVI. '[Administrative Orders XII, XIII, XIV, XV and XVI, have been deleted and the following rules have been substituted in Bombay by Govt. Notfn. No. 4874/33 (c) B. G. G. Pt. IV-A dt. 30-5-1940; p. 766 issued under s. 242 (1) (b) of the Govt. of India Act, 1935 by the Govt. of Bombay] :-

1. All revenue officers mentioned below shall before entering upon their office furnish security to the amounts respectively shown against them or to such smaller amounts as the Collector may, in any particular case, deem reasonable and sufficient, either by deposit of Government paper duly endorsed accompanied by a power to sell or in the form contained in Schedule A to these rules :-

| | Rs. |
|---|--------|
| (1) Head Accountants | 5,000 |
| (2) Mamlatdars | 5,000 |
| (3) First karkuns to Mamlatdars | 3,000 |
| (4) Special head karkuns for payment of military pensions | 1,000 |
| (5) Treasury nagdi karkuns (to Mamlatdars and Mahalkaris) | 500 |
| (6) Mahalkari with treasury | 3,000 |
| (7) First karkun to Mahalkari with treasury | 1,000 |
| (8) Mahalkari without treasury | 500 |
| (9) Treasurer at Poona | 80,000 |
| (10) Treasurers at Kanara, Kolaba and Ratnagiri | 20,000 |
| (11) All other Treasurers | 40,000 |
| (12) First karkuns to Treasurers at Kanara, Kolaba and Ratnagiri | 1,000 |
| (13) All other first karkuns to Treasurers | 2,000 |
| (14) Second karkun to Poona Treasurer | 2,000 |
| (15) Karkuns other than those mentioned above employed in Huzur Mamlatdars' or Mahalkaris' offices on Shroff's work | 1,000 |
| (16) Karkuns for payment of military pensions | 500 |
| (17) Stipendiary patels or village accountants appointed under section 16 of the Bombay Land Revenue Code, 1879 | 500 |

[1] Adm. Ora. XII to XVI: These rules for furnishing Securities by Revenue Officers have been substituted in Bombay for Adm. Ora. XII to XVI by Govt. Notfn. 4874/33 (c); B. G. G. Pt. IV-A, dt. 30-5-1940; p. 766 issued under s. 242 (1) (b) of the Govt. of India Act, 1935, by the Govt. of Bombay.

Note.—The Collector may reduce the amount wherever necessary to Rs. 200 or any lower amount [in item (17)] under discretion given to him under *rule 1*; (see page 12, *supra*) [G. R. R. D. (Bom.) 1861/39 of 10-2-1943].

- | | | |
|------|--|-----|
| (18) | Japtidars appointed by the Collector to manage attached khoti villages | 200 |
| (19) | Karkuns or clerks who write the registers of copying, comparing, search and inspection fees and of bhatta and permanent advances and take charge of moneys deposited for those purposes in Revenue Courts | 200 |
| (20) | Head Quarter Assistants in Survey Offices | 200 |
| (21) | City Maintenance Surveyors | 200 |

Provided that the Commissioner may in the case of officers mentioned in items (3) and (15) raise the amount of security to such amount not exceeding five thousand rupees as he may think fit and in a special case exempt any of the officers mentioned in items, (17) and (18) from furnishing any security.

2. The Collector or the Superintendent of Land Records, may, at any time, after security has been given by a revenue officer subordinate to him, if it appears to him that the security taken is unsatisfactory or if the officer is transferred to an office for which larger security is required, or for other sufficient reason, demand fresh or additional security, and in case of the officer failing to give such security within one month after its being required of him may suspend or dismiss him:

Provided always that no greater security shall be demanded than is required of him under rule 1 (see p. 12, *supra*).

3. When a revenue officer executes a bond under rule 1 (p. 12 above) the number of his securities shall be one or more at his option where the amount of security to be furnished by him does not exceed one thousand rupees and in any other case shall be not less than two.

4. A Government servant serving in one Department of the Government may stand surety for a Government servant serving in another department of the Government:

Provided that in the case of Hindus such Government servants are not members of the same joint family.

5. Heads of offices in which any officer required to furnish security is serving shall be responsible for seeing that the officer furnishes the necessary security and that it is satisfactory and sufficient both at the time when it is first furnished and all along thereafter till it is no longer required.

Note.—For the purposes of this rule heads of offices shall carefully scrutinize the security and satisfy themselves as to its sufficiency at the time when it is first furnished and thereafter once in every year, and, if they deem it insufficient, shall require the officer from whom the security is taken to furnish additional or fresh security.

6. Care shall be taken that the same person is not accepted as surety on behalf of a disproportionately large number of revenue officers whether such officers belong to the same office or department or not.

7. No karkun shall ordinarily have in his custody any amount exceeding the amount for which he has furnished security. Any surplus amount shall be deposited by him in the treasury.

8. The Collector shall keep a register of all the securities furnished by each revenue officer in his district for scrutiny by the Commissioner during his tour and shall submit annually to the Commissioner on 1st October a certificate that all such securities are satisfactory and sufficient.

9. The Collector shall record in the register immediately on receipt all notices of withdrawals by sureties.

10. The register shall be in the form in Schedule B to these rules and shall contain such further particulars as the Commissioner may from time to time direct.

CHAPTER III.

Revenue Surveys.

¹[Survey of Agricultural Land and] Survey and Assessment of
[Non]-Agricultural Land.

3. (1) Every holding not less in area than the minimum fixed under section 98 shall be separately measured, classified, assessed and defined by boundary marks, and entered in the land records as a survey number.

(2) Every holding of which the area is less than such minimum shall be separately measured, classified and assessed and entered in the land records as a sub-division of that survey number in which it is directed to be comprised; it may also

[1] Heading to Ch. III: This applies to Bom. Province; *vide G. N. R. D. (Bom.) 1016/39 of 5-3-1940.*

[1] Sind: For the heading to Ch. III read "Survey and Assessment of Agricultural land."

be separately demarcated if the Commissioner of Survey so directs, provided that the said Commissioner may require the persons interested in such holding to prepay the costs, or such portion of the costs as he thinks fit, of so defining the holding.

4. All measurements shall be recorded in a book or Record of measurements, embodied in a plane table map kept in such form as shall be prescribed by the Commissioner of Survey for each survey. The said books or maps shall be preserved as a record of the survey.

5. The original measurements made by the subordinate Test of measurements, survey officers employed for the purpose shall be tested by the officers in charge of measuring establishments in such manner and to such extent as the Commissioner of Survey shall deem sufficient.

6. Village maps shall be prepared under the orders of the Commissioner of Survey showing each survey number and its boundary marks. Village maps.

7. 'For the purposes of assessment all lands shall be classed Classification of land. with respect to its productive qualities. The number of classes and their relative value reckoned in annas shall be fixed under the orders of the Commissioner of Survey with reference to the circumstances of the different tracts of country to which the survey extends and to the nature of the cultivation.

8. 'Every classer shall keep a field-book and record therein Field-books. the particulars of his classification of each survey number and sub-division and the reasons which led him to place it in the particular class to which in his estimation it should be deemed to belong. Such field-books shall be preserved as permanent records of the survey.

9. 'A test of the original classification made by the subordinate officers employed for this purpose Test of classification. shall be taken by the officers in charge of classing establishments, in such manner and to such extent as may be directed by the Commissioner of Survey.

XVII. The said test shall be an independent test, that is to say, it shall be made by the testing officer in entire ignorance of the original classer's proceedings or record until it has been completed and its results have been finally determined, when

[1] Sind : Rules 7, 8 and 9 have been deleted in Sind.—*vide G. R., R. D. (Sind) R.-4102-E of 3-1-1941.*

only the original classing valuation and the test valuation shall be compared and their separate results recorded.

XVIII. When any classing operations are undertaken, notice shall be given to the rayats to enable them to represent defects and point out their own improvements (R. 7447-86).

10. Assessment. Deleted in Bombay. ²[For Sind see Foot-Note.]

XIX. Deleted in Bombay. ⁴[For Sind see Foot-Note.]

10-A. Deleted.

11. (1) Any survey number or sub-division of a survey number may be amalgamated with any other coterminous survey number with the sanction of the Collector and upon the application of the holder, whenever all the parcels of land proposed for amalgamation are held by the same holder upon the same tenure.

(2) Any sub-division may be amalgamated without prior sanction with any coterminous sub-division of the same survey number held by the same holder upon the same tenure.

(3) When such amalgamation is effected, the two or more portions of land shall become one entry in the land records, bearing the same distinguishing number as the first in series of the amalgamated numbers. Any boundary marks placed between the amalgamated holdings shall be removed and the village map corrected accordingly.

[1] Rule 10 :—Deleted in Bombay by G. N. R. D. (Bom.) 1016/39 of 5-3-1940.

[2] Sind : 10. When rates of assessment have been sanctioned by Government, the assessment to be imposed on each survey number or sub-division shall be determined according to the relative classification value of the land comprised therein.—R. D. (Sind) R-4102-E of 20-5-1943.

[3] Adm. Or. XIX : Deleted in Bombay by G. N. R. D. (Bom.) 1016/39 of 5-3-1940.

[4] Sind : XIX. In order to afford the people an opportunity of knowing and filing their objections to his proposals, the Settlement Officer shall publish a notification in the vernacular in Form O.B (R. 7447-86, 12161-14, 344-15 and 8914-16), in which the proposed increase or decrease in rates in annas and pies per rupee is stated with a short abstract of his reasons translated into the vernacular ; also a copy of his report is deposited for inspection at the Taluka Office. Petitions of objection received by the Collector within two months are submitted to Government for consideration with his proposals. If Government raise (or in an inam village lower) the rates proposed by the Settlement Officer, a fresh notice issues and a fresh opportunity of objection is afforded before the orders become final (R. 6141-03, 15544-17).

[5] Rule 10 A : Deleted in Bombay by G. N. R. D. (Bom.) 1016/39 of 5-3-1940 and in Sind by G. R. D. (Sind) R-4102-E of 3-1-1941.

12. (1) ^{Application of rules 3 to 11.} Rules 3 to 11, unless otherwise directed by the Provincial Government, shall be observed in the conduct of revenue surveys of lands used, or which may be used, for the purposes of agriculture.

(2) ^{Form and details.} Matters of detail not provided for in the foregoing rules shall be determined in each survey in accordance with such general or special orders as the Commissioner of Survey, acting under the general control of the Provincial Government may, from time to time, issue.

Survey and Assessment of non-agricultural land.

13. (1) ^{Non-agricultural land not to be classified in accordance with foregoing rules.} Land of any of the kinds specified in sub-rule (2) shall be measured and mapped in accordance with rules 3 to 6 inclusive, but shall not be classified or assessed in accordance with rules 7 to 10.

(2) The lands referred to in sub-rule (1) are the following:—

(a) occupied unalienated lands, which are situated within an area in which a survey under rules 3 to 11 is in progress, and which are used for any non-agricultural purposes;

(b) unoccupied unalienated lands, situated within any such area, which are deemed to be likely to be more in demand for building or industrial purposes than for agriculture; and

(c) all lands to which a survey is extended under section 131.

14. ^{Assessment of non-agricultural land.} The Collector on receipt of a schedule of the lands referred to in rule 13 (2) shall assess them at the same rates and for the same period as if he were altering an agricultural assessment under whichever of Rules 81 to 85 has been applied to the locality.

Provided that land wholly or partially exempt from assessment under the proviso to section 52 or under section 128 or otherwise shall not, so far as it is so exempt, be assessed.

And also provided that land held under unexpired leases shall become liable to the rate of assessment in force for the locality only upon the expiry of those leases.

[1] Sind: In Rule 12 substitute "3 to 9 and 11" for "3 to 11"—Vide R. D. (Sind) R-4102-E (b) dt. 14-8-1942.

[2] Sind: In Rule 13 (1) substitute "7 to 9" for "7 to 10" and in sub-rule (2) (a), substitute "3 to 9 and 11" for "3 to 11" by R. D. (Sind) R-4102-E(b) of 14-8-1942.

14-A (1). All non-agricultural assessments, rents and fines leviable under rules 43, [43-A, 43-B], 47, [51], 80-83, 90, 92, 93, and 99-103 shall be calculated out to the nearest pie at the rate (per acre or otherwise) sanctioned upon the area chargeable; but any sum so calculated that—

(i) is less than two annas, shall be raised to 2 annas ;

(ii) exceeds two annas, and is not an exact multiple of two annas, shall be rounded off, upwards or downwards, and when equidistant upwards, to the nearest multiple of two annas—*e.g.*,

an assessment (fine or rent) of one anna and 3 pies will be charged as two annas ;

an assessment (fine or rent) of two annas and 11 pies will be charged as two annas ;

an assessment (fine or rent) of 3 annas will be charged as four annas ;

an assessment (fine or rent) of Rs. 8-9-5 will be charged as Rs. 8-10-0 ;

an assessment (fine or rent) of Rs. 8-10-7 will be charged as Rs. 8-10-0 ;

an assessment (fine or rent) of Rs. 8-11-0 will be charged as Rs. 8-12-0.

15. For all lands which have in the past been surveyed or assessed, or which shall be hereafter surveyed or settled under the provisions of the Code and these rules, it shall be the duty of the Director of Land Records—

(1) to cause to be corrected any arithmetical or clerical error whenever discovered ;

(2) to cause to be incorporated punctually in the land records all changes in boundaries, areas, tenures and assessments either of survey numbers or of their sub-divisions which are made under orders of competent authority as defined in the Code and these rules or any other Act :

Provided that where the assessment of any survey number has been fixed by a declaration under section 102, such assessment shall not be raised upon the discovery of any mistake in classification until the term of such declaration expires.

16. Detailed instructions and forms shall be drawn up and maintained by the Director of Land Records, subject to the

[1] Rule 14-A : In Bombay, after figure 43 the figures and words '43-A, 43-B' are added and figure '49' is deleted.—*Vide G. N. R. D. (Bom.) 1672/39 of 7-1-1942.*

[2] Sind : In Rule 14-A the figure '51' is omitted. Also delete the figures and words '43-A and 43-B' added in Bombay.—*Vide R. D. (Sind) R-4102-E (b) of 14-8-1942.*

orders and approval of the Provincial Government from time to time for the proper carrying out of Rule 15.

Introduction of Settlements of Land Revenue.

17. *Notifications of Settlements and of period of guarantee.*—
Deleted in Bombay. [For Sind see ²Foot-note.]

18. *Notice of sanction and announcement of assessments.*—
Deleted in Bombay. [For Sind see ³Foot-note.]

Survey Fees in Towns and Cities.

19. (1) Where a survey is extended to the site of a town or city, the survey fees payable under section 132 shall ordinarily be so fixed that the total sum payable in respect of such site shall cover the cost of the survey and preparation of the Record of Rights thereof.

Survey fees in towns and cities.

(2) In fixing the fees for each building site or any portion thereof held separately the Collector shall have regard to the provision of sub-rule (1) and to the position, value (or rental), and area of such building site or portion thereof, but such fee shall not exceed ten rupees.

[1] Rules 17 and 18 : Deleted in Bombay by G. N. R. D. (Bom.) 1016/39 of 5-3-1940.

[2] Sind : Rule 17. (1) Where the assessments have received the sanction of the Provincial Government under s. 102, a notification shall be published in the district or portion of the district to which the Settlement extends in Form AA. And when the Provincial Government has under section 102, declared such assessments, with any modifications which it may deem necessary, fixed for a term of years, such declaration shall be notified in the official Gazette.

(2) Where a Settlement is introduced into a part of a taluka of which part has been already settled the guarantee will be restricted to the unexpired portion of the period for which the assessments in the already settled part of the taluka were fixed.—*Vide R. D. (Sind) R.-4102-E of 3-1-1941.*

[3] Sind : Rule 18. (1) The notice required by section 103 shall be given by beat of drum in the village for which the assessments have been sanctioned and a written notice shall be posted in the chavdi or some other public place in the village.

(2) Such notice shall be given by or under the orders of the officer in charge of the survey, referred to in section 100, or the Collector.

(3) Persons affected by the assessments who do not attend at the time and place specified in the notice shall be subject to the same liabilities as if they had attended.—*Vide R. D. (Sind) R.-4102-E of 3-1-1941.*

*CHAPTER III-A.

[Vide G. N. R. D. (Bom.) 1016/39 of 5-3-1940; 21-5-40 amended by G. N. R. D. 7773-III of 10-7-1941, G. R. R. D. (Bom.) 1016/39 of 8-7-1944; 1016/39 of 15-9-1941; 1016/39 of 20-12-1940; 6369/39 of 11-12-1943; 9715/33 of 25-7-1940.]

Settlement and Assessment of Agricultural land.

19-A. (1) In making a settlement in respect of agricultural lands in any area, the settlement officer shall hold an enquiry in the manner prescribed in sub-rule (2).

Enquiry by the Settlement Officer.

(2) The settlement officer shall examine fully the past revenue history of the area and assess the general effect of the incidence of assessment on the economic condition of the area. He shall collect information relating to the area in respect of the following matters and in the following manner :

(i) The settlement officer shall base the information on observations made by him personally ;

(ii) The settlement officer shall base the information as regards climate on personal observations made by him and by making local enquiries

Climate and rainfall. in the area. He shall collect statistics of rainfall for the years subsequent to the introduction of the last settlement from the Director of Agriculture and compile the same in Form A. He shall also collect information regarding the seasonal conditions of the area from the Director of Agriculture and verify it by reference to the Land Revenue Administration Reports or other reports relating to the area issued by Government. The information under this clause may be collected only for ten years immediately preceding the year of enquiry if in the opinion of the settlement officer it is sufficient to exhibit the normal seasonal conditions of the area ;

(iii) The settlement officer shall base the information on Markets. personal observations made by him ;

(iv) The settlement officer shall base the formation on Communications. personal observations made by him ;

(v) The settlement officer shall base the information on Standard of husbandry. personal observations made by him ;

(vi) The settlement officer shall obtain figures of population according to occupation from the Director of Agriculture and compile them in Form A-1. He shall ascertain the condi-

Population and supply of labour.

* Chapter III-A is applicable to the Bombay Province only. (Vide G.N. R.D. 1016/39 of 5-3-1940 and 21-5-1940). It does not apply to Sind.

tions as regards supply of labour in each group in the area by making enquiries in such villages as he may select, with the previous sanction of the Settlement Commissioner. The number of villages so selected shall not be less than 50 per cent of the total number of villages in the area ;

(vii) The settlement officer shall obtain information regarding figures of livestock, agricultural implements and other agricultural resources from the Mamlatdar and compile it in Form A-2 ;

The variations in the area of occupied and cultivated lands during the last 30 years. (viii) The settlement officer shall obtain information in respect of this matter from the Mamlatdar and shall compile it in Forms A-3 and A-4 ;

(ix) The settlement officer shall obtain the necessary information from the Mamlatdar and verify the information about wages current during the year of enquiry from personal observation. He shall compile the information in Form A-5 ;

(x) The information about the prices of the principal articles of agricultural produce shall be obtained from the Director of Agriculture and compiled in Form A-5. The prices shall be wholesale prices expressed in rupees per maund of 3,200 tolas, if available, and retail prices expressed in seers of 80 tolas per rupee and, where more than one quality of any produce is grown, shall be the prices of the variety specified by Government. The principal articles of agricultural produce shall be those defined in rule 19-1 ;

(xi) The settlement officer shall collect the information from the Collector and the Director of Agriculture regarding crop experiments, the results of which have been recorded by them. The settlement officer shall also try to ascertain the normal yield per acre in each class of land by crop experiments or by examining the accounts of individual agriculturists ; and shall in all such cases record the classification value of the land the normal yield of which has been so ascertained by him. —G. N. R. D. (Bom.) 7773-III of 24-3-1942] ;

(xii) The information shall be collected in respect of the crop experiments referred to in clause (xi) or by examining the accounts of individual agriculturists. The result shall be recorded in the form of a statement of income and expenditure showing the net profit per acre ;

(xiii) The statistics about the rental values for the five years preceding the year of settlement shall be collected from the record of rights. The Settlement Officer shall examine the statistics of the villages selected by him under clause (vi) of this sub-rule and shall check the figures mentioned in the record of rights during his visit to the villages by verifying them from the parties concerned or by such other local inquiry as he considers suitable.

Rental values of lands used for the purposes of agriculture.

If in any case, the rent payable is a fixed amount of produce, the Settlement Officer shall work out its value in money. In cases in which the rent payable is a share of the gross produce (the Settlement Officer shall not take such cases into consideration if other reliable rental figures are available in reasonable numbers), the Settlement Officer shall ascertain the actual share of the produce received by the landlord, and determine its value in money. In all such cases in which the rent is paid in kind, the Settlement Officer shall ascertain and make deductions for the liabilities, if any, of the landlord, such as, his liability to meet a share of customary payments to village servants or for charitable purposes; or to defray part of the cost of production such as the cost of seed or manure or weeding or irrigation.

In cases where rents are paid in cash the Settlement Officer shall not take into consideration (1) rents paid by tenants for lands which belonged to them but which they have mortgaged with possession or sold and taken back on lease, (2) rents due under leases between relations the real object of which is to provide maintenance to dependents, (3) rents due in respect of deteriorated or waste lands which have to be reclaimed, (4) rents which are either too low as they are coupled with service or too high, the higher rent being paid on charitable grounds and (5) rents due under all such leases as do not appear to be genuine.

The Settlement Officer shall also enquire and record whether deductions are made from the rent on account of expenses such as cost of seed or manure incurred by the landlord and whether the rents are paid in full and regularly. The statement of rental values shall be compiled in Form A-7; and

(xiv) The Settlement Officer shall examine the statistics for the five years preceding the year of settlement, of the villages selected by him under clause (vi) of this sub-rule to enable him to come to fairly accurate conclusions regarding the development of land values in the area and its component groups. The Settlement Officer shall for this purpose exclude all sales which are not genuine, e.g. (a) sales which are conditional mortgages

Sales of lands used for the purposes of agriculture.

whereby the vendor becomes the tenant and pays interest and instalments of capital in the guise of rent, (b) sales for nominal value between relatives, (c) sales for nominal value to temples, (d) sales in satisfaction of debts to a sowcar, (e) sales of small pieces of agricultural land in the vicinity of residential areas. The statistics shall be compiled in Form A-8.

19-B. (1) The Settlement Officer shall incorporate the information collected by him in regard to the matters specified in sub-rule (2) of rule 19-A in his settlement report. The report shall contain the reasons for his proposals and a statement in Form A-9, showing the effect of his proposals as compared to that of the settlement then in force.

(2) The Settlement Officer shall send three copies of the report submitted by him to the Collector under sub-section (5) of section 117I to the Settlement Commissioner who shall arrange for its translation in the regional language of the villages concerned and have it printed.

19-C. The settlement report shall be published by the Collector in each village concerned in the regional language of such village by posting it along with the notice published under sub-section (2) of section 117J for three months in the chavdi or other prominent public place in such village and also at the taluka kacheri.

19-D. The notice under sub-section (2) of section 117J shall be published in Form A-10 by the Collector.

19-E. After the expiry of three months from the date of the notice published under sub-section (2) of section 117J, the Collector shall, as soon as may be forward the settlement report and the petitions of objections, if any, received by him together with his remarks thereon to the Settlement Commissioner who shall send them with his own remarks to the Commissioner of the Division. The Commissioner shall then submit them to the Provincial Government with his own remarks and recommendations.

19-F. (1) Any person desiring to move the Provincial Government to refer the settlement report to the Bombay Revenue Tribunal under section 117KK of the Bombay Land Revenue Code, 1879, shall deposit Rs. 100 in the Government Treasury. He

shall state in his application to the Provincial Government his objections to the report and the grounds therefor.

(2) On receipt of such application and on the applicant depositing the amount prescribed in sub-rule (1), the Provincial Government shall direct that the settlement report together with the application shall be sent to the Bombay Revenue Tribunal for enquiry.

(3) On receipt of the settlement report together with the application, the Bombay Revenue Tribunal may call for such further information as it deems necessary from the Provincial Government or the applicant or any other person. The Bombay Revenue Tribunal shall then fix the date, place and time for holding the enquiry and give a notice of the same to the Provincial Government and to the applicant.

(4) The Provincial Government may be represented at the enquiry by such officer as may be authorised by it. The applicant shall be entitled to put in a written statement at the enquiry. No pleader, vakil or mukhtyar and no advocate or attorney of a High Court shall be entitled to appear on behalf of the applicant or the Provincial Government at the enquiry except with the permission of the Bombay Revenue Tribunal.

(5) On the date fixed for holding an enquiry or on such date to which the enquiry may, from time to time, be adjourned, the Bombay Revenue Tribunal shall hear the applicant and the officer representing the Provincial Government and make such further enquiry as it thinks fit.

(6) The Bombay Revenue Tribunal shall then submit to the Provincial Government its opinion on the objections raised and on such other matters as may have been referred to it by the Provincial Government. Such opinion shall be submitted within two months from the date of the reference made to the Tribunal by the Provincial Government.

(7) When more than one application has been received in respect of a settlement report, pertaining to the same taluka or village, the Bombay Revenue Tribunal, may, in its discretion, hold a joint enquiry in the matter.

(8) If the Revenue Tribunal's findings are entirely in favour of the applicant, the whole of the amount of the deposit shall be refunded to him. If his objections are only partially accepted such portion of the amount as may be recommended by the Revenue Tribunal shall be refunded to him. If his objections are rejected in entirety or found to be frivolous by the Revenue Tribunal he shall not be entitled to get any refund of his deposit. [G. N. R. D. (Bom.) 1016/39 of 15-9-1941.]

19-G. (1) The notice under section 1170 shall be in Form A-11 and shall be published by the Collector in each village concerned in the regional language of such village by posting it in the chavdi or other prominent public place in such village and by beat of drum.

(2) Such notice shall also be published by the Provincial Government in the *Official Gazette*.

19-GG. In any area in which the relative valuation of land as regards its soil, water and other advantages is recorded separately in the survey records, separate rates may be fixed in respect of each of those advantages of 16 annas value, and the standard rate in such cases shall be a combination of such separate rates :

Provided that where no such separate rates are fixed, the standard rate shall be the assessment per acre of land having the maximum valuation in respect of each of those advantages [*G. N. R. D. (Bom.) 1016/39 of 20-12-1940*].

19-H. (1) When Standard rates of assessment have been sanctioned by the Provincial Government, the assessment to be imposed on each survey number or sub-division shall be determined according to the relative classification value of the land comprised therein, in accordance with the tables of calculations prepared by the Settlement Commissioner.

(2) The assessment to be imposed on each survey number or sub-division after a revision settlement shall be worked out by increasing or decreasing the old assessment in the same proportion as there is an increase or decrease in the new standard rates over the old maximum or standard rates in respect of such lands :

Provided that if the classification value of the land comprised in such survey number or sub-division is changed, the assessment shall be calculated in accordance with the provisions of sub-rule (1).

19-HH. When the revised assessment on any survey number or sub-division thereof determined either under rule 19-H or otherwise exceeds the existing assessment levied on it by more than 25 per cent. in cases falling under sub-section (4) or (5) of section 117F of the Code such excess shall be recovered by stages of 25 per cent. every two year ; that is to say, commencing with the year next following the year in which the settlement is introduced, the recovery of excess shall be subject to the limit of 25 per cent. over the existing assessment for the first two years,

50 per cent. for the next two years and so on there being added to the limit an increase of 25 per cent. for every subsequent two years during the period of the settlement [G. R. R. D. (Bom. 6369/39 of 11-12-1943)].

19-I. (1) The agricultural produce with reference to the prices of which the settlement rates may be declared to have been fixed under sub-section (2) of section 117M shall include all crops which are grown on an area not less than 20 per cent. of the total gross cropped area in the taluka or part of the taluka in respect of which the settlement is to be made and such other crops as Government may specify owing to their money value.

Classes of agricultural produce and prices with reference to which settlement may be declared to have been made.

(2) The prices of the classes of agricultural produce with reference to which the settlement rates may be declared to have been fixed under sub-section (2) of section 117M shall be the average of the wholesale prices if available, otherwise the retail prices, as recorded in Form A-6 for the five years immediately preceding the year in which enquiry is made under rule 19-A and shall be expressed in rupees per maund. These average prices shall be called the settlement prices.

19-J. (1) The Mamlatdar shall ascertain each month the wholesale prices (in terms of rupees per maund) and retail prices (in seers of 80 tolas per rupee) of the classes of agricultural produce, with reference to which a settlement may be declared to have been made under sub-section (2) of section 117 M, prevailing at the taluka headquarters and record them in a register which shall be carefully maintained. He shall also show in such register the average prices during the period from January to September of each year.

(2) The prices recorded in such register shall be published in the *Official Gazette*.

19-K. (1) For the purpose of the grant of a rebate or the levy of a surcharge on the assessment in any area the percentage increase or decrease of the average prices prevailing in the period January to September of any year over the settlement prices shall be multiplied by the number of units, each of 100 acres, under each crop specified in sub-rule (1) of rule 19-I in the revenue year commencing on 1st August of that year :

Provided that in the case of other crops specified by Government owing to their money value, as provided in rule 19-I the area actually under each such crop shall before such multi-

plication be increased by 50 per cent. The sum of these products shall be divided by the total number of units, each of 100 acres, and the result shall be taken to be the total percentage increase or decrease according as the sum of the products is *plus* or *minus*.

Illustration :—

| | Crops. | | | | Remarks. |
|---|---------|--------|-----------------|-------------|---|
| | Jowari. | Bajri. | Cotton. | Wheat. | |
| 1. Settlement prices | 4 | 3 | 6 | 5 | |
| 2. Average prices January to September in rupees per maund. | 3 | 2-8 | 6-12 | 5-8 | |
| 3. Percentage increase or decrease. | -25 | -16.7 | +12.5 | +10 | |
| 4. Area in units of 100 acres each under each crop including weightage for money crops. | 40 | 30 | 15 + 7.5 = 22.5 | 10 + 5 = 15 | Wheat and Cotton are money crops and 50 per cent. is added to the area actually cultivated. |
| 5. Product of 3 & 4 | -1000 | -501 | +281.25 | +150 | |

Sum of 5 = - 1069.75.

Divided by the total number of units = $\frac{1069.75}{40 + 30 + 22.5 + 15}$

Total percentage decrease = 9.9.

(2) No rebate shall be granted or surcharge levied if the total percentage decrease or increase as calculated in sub-rule (1) is below 25 and 33½ per cent., respectively. When the total percentage decrease or increase is 25 or 33½ per cent. respectively or above, rebate shall be granted or surcharge levied as the case may be in accordance with the following scale :—

| Decrease. | Rebate. |
|--|-----------------------|
| From 25 per cent. to below 33 $\frac{1}{3}$ per cent. | 2 annas in the rupee. |
| From 33 $\frac{1}{3}$ per cent. to below 40 per cent. | 3 annas in the rupee. |
| From 40 per cent. to below 50 per cent. and over | 4 annas in the rupee. |
| Increase. | Surcharge. |
| From 33 $\frac{1}{3}$ per cent. to below 50 per cent. | 2 annas in the rupee. |
| From 50 per cent. to below 66 $\frac{2}{3}$ per cent. | 3 annas in the rupee. |
| From 66 $\frac{2}{3}$ per cent. to below 100 per cent. | 4 annas in the rupee. |
| 100 per cent. and over | 6 annas in the rupee. |

19-L. The rebate shall be granted or surcharge levied on the actual demand due for collection during the year after allowing for the suspensions or remissions granted during the year on consideration of the annewari of crops in the village.

19-M. All agricultural assessments (or judi) shall be calculated to the nearest pie at the rate (per acre or otherwise) sanctioned upon the area chargeable and rounded off in the following manner. When the assessment (or judi)—

(a) *does not exceed one rupee*, the nearest half anna shall be taken neglecting 3 pies and under and counting 4 pies and 5 pies as 6 pies, in case of all districts, except the Konkan and below-ghat talukas of Kanara where the nearest 3 pies shall be charged. For example, in the Thana, Kolaba, and Ratnagiri districts and the below-ghat talukas of Kanara—

| | |
|-----------------------------|-------------------------------|
| an assessment of Re. 0-10-4 | shall be taken as Re. 0-10-3; |
| an assessment of Re. 0-10-5 | shall be taken as Re. 0-10-6; |
| an assessment of Re. 0-0-2 | shall be taken as Re. 0-0-3. |

Elsewhere

| | |
|----------------------------|------------------------------|
| an assessment of Re. 0-8-3 | shall be taken as Re. 0-8-0; |
| an assessment of Re. 0-9-4 | shall be taken as Re. 0-9-6. |

(b) *exceeds one rupee*, the nearest anna shall be taken in all cases neglecting 6 pies and under and counting 7 to 11 pies as one anna, for example—

| | |
|----------------------------|------------------------------|
| an assessment of Rs. 1-3-6 | shall be taken as Rs. 1-3-0; |
| an assessment of Rs. 1-3-7 | shall be taken as Rs. 1-4-0: |

Provided that—

(1) when the calculation results in the sum total of the new assessments (or judi) of all sub-divisions of a survey number being greater or less than the whole assessment (or judi) of that number, the difference shall be equitably distributed over the sub-divisions by deduction or addition in the largest shares, so as to make the total equal to the assessment (or judi) on the survey number;

(2) subject to proviso (1), the assessment of a sub-division shall in no case be less than a pie and every fraction of a pie shall be considered as one pie, the addition being counterbalanced by deduction in the assessment of any of the other sub-divisions of the same survey number in an equitable manner;

(3) no new assessment (or judi) on a survey number or sub-division of a survey number shall be less than 3 pies in the Thana, Kolaba and Ratnagiri Districts, and in the below-ghat talukas of the Kanara District or less than 6 pies elsewhere, but this provision shall be subject to the condition that the total of the assessments of all the sub-divisions of a survey number shall not exceed the assessment (or judi) of that survey number. Where this condition cannot be fulfilled any assessment of less than 3 pies or 6 pies as the case may be, may be retained subject to proviso (2).

CHAPTER IV.

Sub-division of Survey Numbers.

20. Before field operations a notice shall be issued by the Mamlatdar and posted in the village chavdi and proclaimed by beat of drum, stating that the sub-divisions of survey numbers in the village are about to be measured according as they have been divided by the holders, and daily notices shall be given as far as possible specifying the numbers or parts of numbers which are to be measured next day and warning landholders to be present.

21. (1) 'When there is no dispute the boundary of each sub-division shall be laid down according to the statements of the holders.

[1] Sind: In Rule 21, sub-rule (2) and the brackets and figure (1) from sub-rule (1) shall be deleted.—[Vide R. D. (Sind) No. R-4102-E, dt. 3-1-1941].

(2) 'Where there is any dispute, the boundary to which the dispute relates shall be measured and mapped in accordance with the claims of both disputants, and the dispute entered in the register of disputed cases. After the dispute has been settled under sections 37 and 119-120, or Rule 108 as the case may be, the map shall be corrected accordingly and the areas finally entered into the land records.

22. The fees to be recovered for making sub-divisions in cases to which section 135G(b) applies shall, unless the Provincial Government in any case otherwise direct, be such as will cover the entire cost of measuring, assessing and mapping the sub-division; they shall be assessed by the Collector.

22-A. ²Deleted in Bombay. [For Sind see ³Foot-note.]

23. ⁴The proportionate assessment of sub-divisions to the land revenue settled upon the survey number shall be calculated subject to the proviso to section 117A (2) according to the relative classification value of the several parts of the survey number as directed in rule 10. Detailed instructions shall be prescribed by the Commissioner of Survey subject to the approval of the Provincial Government, and may provide for the rounding off of fractions of annas.

[1] Sind: In Rule 21, sub-rule (2) shall be deleted.—[*Vide R. D. (Sind) No. R-4102-E, dt. 3-7-1941*].

[2] Rule 22-A: Deleted in Bombay by *G. N. R. D. B-205 of 19-10-1938*.

[3] Sind: 22-A. A survey number comprising land irrigable by the Lloyd Barrage Canals shall not be divided into sub-divisions:

Provided that the Collector may permit any such survey number to be divided into sub-divisions of not less than one acre in extent subject to the following conditions:

(i) No such sub-division shall if it measures less than 4 acres be partitioned, alienated, assigned, transferred, mortgaged, charged or otherwise encumbered, apart from the survey number of which such sub-division forms part, and

(ii) If any such sub-division measuring less than 4 acres is partitioned, alienated, assigned, transferred, mortgaged, charged or otherwise encumbered apart from the survey number of which such sub-division forms part, the whole survey number or the sub-division thereof shall be liable to forfeiture (*G. R. R. D. 1078/33 of 22-6-1934*).

[4] Sind: Rule 23 has been deleted in Sind by *R. D. (Sind) R-4102-E of 3-1-1941*.

CHAPTER V.

Boundary Marks.

24. On the introduction of a Survey Settlement, the Superintendent of Survey shall furnish the Collector with a map and statements showing the position and description of the boundary marks erected or prescribed by or under the orders of the Commissioner of Survey. It shall be the duty of the Director of Land Records to amend these maps in accordance with any subsequent alteration of boundaries, in a revision survey or in the subdivision of a survey number or on any other authorised occasion.

Details of boundary marks to be furnished by the Survey Department to the Collector.

25. The following boundary marks are authorized :—

Continuous marks—

- (1) A boundary strip.
- (2) Sarbandhs or hedges and other permanent continuous structures, such as walls.

Discontinuous marks—

- (3) Conical earthen mounds or cairns (*buruz*) of loose stones.
- (4) Pillars of cut stone, or brick or rubble-stone masonry.
- (5) Prismatic or rectangular earthen mounds.
- (6) Roughly dressed long stones.
- (7) Any other marks found suitable for special localities and sanctioned by the Collector or Survey Officer, such as teak posts in the marine marshes on the Gujarat coasts.

XX. In districts to which the experiment authorized in R. 7671-14 is extended the Collector may permit the holders of land to substitute for one kind of mark any other authorized mark within the limits below defined :—

(a) A continuous mark of clause (2) may be substituted along the true boundary line for single or discontinuous marks, or *vice versa*.

(b) Single marks (3) or (4) may be substituted for groups of two or more of (5) or (6) on the intersections of the boundaries of 3 or more survey numbers or *vice versa*.

(c) Any sanctioned single discontinuous marks may be inter-changed at the corners or bends of the boundary common to only two survey numbers.

[1] Sind: Rule 25 has been deleted in Sind. [*Vide R. D. (Sind) R-4102-E of 3-1-1941*].

Marks so substituted, if themselves in proper repair, shall not be deemed to be marks out of repair. Nor shall it be necessary to alter the map so long as the substituted marks occupy the same position and indicate the same boundary as the marks in the printed map.

XXI. [A general notice should be given to the villagers by 15th November that the village boundary marks are due for repairs and directing the khatedars to put their boundary marks in order. This date would apply both to kharif and rabi villages. The notice will be as usual posted in the chavdi and published by beat of drum. Government consider that a month is sufficient time to allow the khatedar to put his boundary marks in order if he intends to do so. The Circle Inspector should be directed to visit the villages on the 15th of December or as soon thereafter as possible. The date of his visit should be published widely in the village. On the date of his visit the Circle Inspector accompanied by the talati together with as many khatedars as possible should inspect the boundary marks, mark on the map the boundary marks that have not been repaired and require repair, replacement, etc., make a list of these boundary marks and give full instructions to the talati and khatedars of what is to be done.

This work should be completed before the 15th of January and a general notice should be published in the chavdi before that date together with a map and the list and notes of what is to be done. The Circle Inspector should not be expected to bring to each individual khatedar's notice what he has to do. The talati may be directed to do so. The notice should inform all concerned that this work is to be completed by the 15th of February at the latest and that if it is not so completed by then it will be completed by contract at their cost. After the 15th of February the talati should at once proceed to check the work done according to the original list prepared by the Circle Inspector. He should strike off from that list all boundary marks which have been repaired according to the instructions given by the Circle Inspector to the khatedars and make a list of what remains and submit a copy of this list to the Circle Inspector. The talati should have completed these notes and made this list by the 1st of March. He should then give a

[1] Adm. Or. XXI: This has been substituted by G. R. R. D. (Bom.) 9715/33 of 25-7-1940.

[1] Sind: XXI. Ordinarily a general notification under the second paragraph of section 122 requiring all landholders to repair their boundary marks within a period of thirty days shall be issued for each village thirty days before the Circle Inspector expects to commence the periodical complete boundary mark restoration.

notice to the villagers to select a contractor from amongst themselves within a week. If they fail to do so within the time he should select a contractor himself preferably from amongst the villagers, but if not, from outside, and should proceed at once to get the work done by him at Government cost to be recovered later from the khatadars concerned.]

26. (1) ¹Boundary strips or ridges shall not be ploughed up or otherwise injured by cultivation. Maintenance of boundary strips.

(2) The minimum width of boundary strips shall be as follows :—

(a) in dry crop lands 1½ feet.

(b) in rice and garden lands 9 inches.

(c) On the frontier lines between British India and Baroda State :—3 ft. (on the British side of the exact pillar-to-pillar demarcation line).

This strip shall also be kept free from tree-growth, any young plant, being destroyed at inspection time.—*G. R. 9277/24 of 2-2-28.*

Provided that—

(i) where the boundaries of such lands are well defined by banks, hedges, or the like, the actual width of the strip covered by such bank, hedge, or the like, shall be sufficient for the purpose of this rule ;

(ii) where the boundary of a survey number also forms the boundary of ²[an Indian] or Foreign State, the minimum width prescribed above shall be maintained for the portion of the boundary strip on the British side ; and

(iii) where village boundaries have been defined at the time of survey by double lines of boundary marks, the whole of the intermediate strip shall be maintained as a boundary strip.

27. ³The following boundary marks shall be considered out

of repair and shall be repaired in the manner prescribed for each kind as follows :—
What boundary marks to be considered out of repair and how to be repaired.

(a) A continuous mark (strip, sarbandh, hedge, etc.), if it deviates more than three feet from the true straight line of the boundary. *Mode of repair*—either the deviation shall be rectified or the continuous mark

[1] Sind : Rule 26 has been deleted in Sind. [*Vide R. D. (Sind) R-4102-E of 3-1-1941.*]

[2] Rule 26 : *Vide G. N. R. D. (Bom.) B-205 of 19-10-1928.*

[3] Sind : Rule 27 has been deleted in Sind. [*Vide R. D. (Sind) R-4102-E of 3-1-1941.*]

not being a boundary strip must be replaced or supplemented by discontinuous marks.

(b) Any conical mound or cairn less than $2\frac{1}{2}$ feet in height and 6 feet in diameter at the base. *Mode of repair*—raise it to 3 feet in height and 6 feet in width at the base.

(c) Any rectangular mound less than 2 feet high, or less than 5 feet long and 4 feet wide at the base. *Mode of repair*—the mound shall be raised to full dimensions, that is $2\frac{1}{2}$ feet high, 6 feet long and 5 feet wide at the base.

(d) Any mound, conical or rectangular, within 4 feet of which earth has been dug for repairs, when such excavation has affected the stability of the mark or allows water to lodge. *Mode of repair*—the excavation shall be filled up.

(e) Any pillar (i) less than 1 foot square or $2\frac{1}{2}$ feet in depth, (ii) broken down, or (iii) rising less than 4 or more than 9 inches clear above the adjacent ground level. *Mode of repair*—(i) replace by one of proper dimensions, (ii) rebuild, (iii) raise the pillar or clear away or make up the ground.

(f) Any stone less than 2 feet long and 6 inches thick. *Mode of repair*—a stone of proper size shall be substituted.

(g) Any stone out of the ground, or buried less than two-thirds of its length and loose. *Mode of repair*—the stone shall be replaced or fixed firmly.

(h) Any mark considerably out of proper position or so repaired or erected as to indicate a materially incorrect line of boundary. *Mode of repair*—the mark shall be correctly placed.

(i) Any mark overgrown or surrounded by vegetation of any kind so as not to be easily visible. *Mode of repair*—the vegetation shall be cleared away until the mark is easily visible.

(j) Any sarbandh, or continuous embankment less than 2 feet high and 4 feet wide at the bottom. *Mode of repair*—the sarbandh shall be made full 2 feet high and 4 feet wide at the bottom throughout, unless the occupant prefers the substitution of authorized discontinuous marks.

(k) Any hedge or other continuous mark which by reason of want of continuity or disrepair fails to define the boundary. *Mode of repair*—the necessary renewals shall be made or other authorised marks substituted.

(l) Any boundary strip or ridge which has been ploughed up or otherwise obliterated or the dimensions of which are less than those prescribed by Rule 26. *Mode of repair*—the landholder shall be ordered to restore the strip or ridge within a prescribed period by leaving it unploughed and undisturbed; on his failure to comply he may be prosecuted under section 125.

(m) Missing marks. *Mode of repair*—new marks shall be erected.

Provided that in any case where a boundary mark cannot, owing to flooding of a nala, or river, the breaking away of the bank, or other causes, be kept in repair, another kind of authorised mark may be substituted. Where even that is impracticable the direction of the boundary must be fixed by a pair of discontinuous marks erected at an adequate distance back from the abandoned position ; either both on the same side, or one on each opposite side thereof.

Proviso as to marks liable to injury from flooding.

28. (1) The responsibility of the several landholders for boundary marks on a common boundary lies on the holder of the survey number which is numerically lowest.

Determination of responsibility for maintenance.

(2) Sub-rule (1) is subject to the proviso that when any survey number is unoccupied or assigned for public or Government purposes the responsibility for repair of the marks on its periphery will pass to the landholder on the other side of the boundary. Repairs will be made at Government expenses only when the marks in disrepair lie between survey numbers each of which has no holder except the Provincial Government.

(3) Within each survey number the holder or holders of each sub-division are responsible for the marks if any have been prescribed on the periphery of that sub-division to the same extent as they would be responsible if 'sub-division' were read instead of 'survey number' in sub-rules (1) and (2).

(4) A mark which is on the common boundary of two or more villages must be repaired by the holder of the land in the village which is under restoration when the marks are found out of repair.

CHAPTER VI.

Enquiries under Section 37.

29. (1) (a) Before an enquiry under section 37 a written notice in form B of the proposed enquiry and of the time and place and subject-matter thereof shall be affixed not less than ten days before the enquiry at the chavdi or some other public place in the village in which the property is situate ; and in a conspicuous position upon the property with respect to which the enquiry will be held.

Notice of enquiry.

(b) A copy of the notice shall also be served not less than ten days before the enquiry on all persons who are known or believed to have made any claim to the subject-matter of the enquiry, and every such notice shall be served in the manner provided in section 190 for the service of a summons.

(2) (a) Written notice in form C of any order passed under section 37, specifying briefly the subject-matter, contents and date of the order passed, shall be served in the manner specified in clause (b) of sub-rule (1) upon the persons referred to in that clause.

(b) Such written notice shall also be affixed in the places specified in clause (a) of sub-rule (1).

XXII. Where the right to any piece of ground is in dispute between a Municipality and Government, the Collector shall endeavour to decide the dispute and with special regard to Rule 53. Where the Collector is in doubt or the Municipality does not accept his decision, the case shall be referred to the Commissioner. To secure finality the ultimate order should be made under section 37 (2).

CHAPTER VII.

The Disposal of Land Vesting in '[the Crown;] and Exemptions from Land Revenue.

30. (a) The right of '[the Crown] to mines and mineral products which is reserved by section 69 shall not be disposed of without the sanction of the Provincial Government, and in all grants of land the right to mines and mineral products and full liberty of access for the purpose of working and searching for the same shall be deemed to be reserved unless the Provincial Government direct to the contrary and unless such right and liberty are expressly granted.

(b) No land situate within port limits shall be disposed of without the written concurrence of the Collector of Salt Revenue and without the reservation as to the tree-growth provided for in Rule 58 (d).

(c) In all grants and disposals of land the right of occupation and use only subject to the provisions of the Code shall be granted: and not the proprietary right of '[the Crown] in the soil itself.

[1] Rule 30:—Vide G. N. R. D. (Bom.) B-205 of 19-10-1938 and R. D. (Sind) R-4102-E of 3-1-1941.

31. Land may not be granted free of land revenue without the sanction of the Provincial Government except as hereinafter provided.

Gifts of the possession and the revenue.

32. (1) Land may be given free of price and free of revenue, whether in perpetuity or for a term for any [of the purposes mentioned below from which no profit is expected] by the authorities and to the extent specified in this table:—

| Purpose. | Estimated revenue-free value. | |
|--|-------------------------------|----------------------|
| | By the Commis- sioner. | By the Collector. |
| | Rs. | Rs. |
| (1) For sites for the construction at the cost of a local, municipal, or village fund or a fund of a sanitary committee or sanitary board of— | | |
| (a) schools or colleges. | | |
| (b) hospitals. | | |
| (c) dispensaries, and | | |
| (d) other public works * * * ... | 5,000 | 500 |
| (2) For sites for the construction at the cost of a fund other than those specified in sub-clause (1) of any of the works referred to in sub-clause (1) above ¹ * * * ... | 500 | 50 |

Provided that the land in the neighbourhood of railway stations shall not be granted for dharmashalas under head (2) in the table unless when erected they are to be in the charge of the Local Board, Municipality, Village Panchayat, Sanitary Committee, or Sanitary Board concerned.

Proviso as to land near railway stations.

[1] Rule 32: *Vide* G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and G. N. R. D. (Bom.) 4536/39 of 22-12-1941 and in Sind Rev. Commissioner (Sind's) No. 1937/31/126-F of 8-4-1942 and R. D. (Sind) 1935/33-I-E, dt. 1-9-1942.

[2] Sind: In Rule 32 insert the word 'Revenue' before the word 'Commissioner'.—*Vide* R. D. (Sind) R-4102-E of 3-1-1941.

Provided further that land shall not be given under this rule for any of the purposes mentioned in rule 32-A.

(2) Such gifts shall ordinarily be made in form D.

32-A. Land may be leased at a nominal rent of Re. 1 a year for playgrounds or other recreational purposes to educational institutions or local bodies ¹[or for Gymnasiums recognised by Government] for a term not exceeding fifteen years by the Collector when the revenue-free value of the land does not exceed Rs. 500 and by the ²Commissioner when the revenue-free value of the land does not exceed Rs. 5000.

Such leases shall ordinarily be executed in form DD. The ²Commissioner or the Collector with the approval of the ²Commissioner as the case may be, may make such variations in the conditions of the lease or annex such additional conditions as he may deem necessary.

33. ³When it is clear that such a sale is preferable to any other course on grounds of obvious convenience to Government no less than to the parties concerned, any land wherever situated of which the estimated revenue-free value does not exceed rupees one hundred may be sold revenue-free by the Collector to a private person for a private purpose.

Gifts of the possession only.

34. (1) ⁴In the district of Dharwar whenever unoccupied land is available for the purpose, the Collector may give such land to any shetsanadi who is willing to accept remission at the rate of one rupee of the assessment in exchange for two rupees of the usual annual cash remuneration :

Provided that no such land shall be given if the estimated occupancy value thereof exceeds five hundred rupees.

(2) Where a grant is made under this rule no sanad need be issued to the grantee, but it is to be a condition of his tenure that the land is granted revenue-free to the agreed extent only in

[1] Rule 32-A: *Vide G. R. R. D. (Bom.) 3783/33 of 11-8-1939 and G. N. R. D. (Bom.) 4536/39 of 22-11-1941.*

[2] Sind: In Rule 32-A insert the word "Revenue" before the word "Commissioner" wherever it occurs.—*Vide R. D. (Sind) 1935/33-I-E of 1-9-1942.*

[3] Rules 33: *Vide G. R. R. D. (Bom.) 3783/33 of 11-8-39 and R. D. (Sind) 1935/33-I-E of 1-9-42.*

[4] Sind: Rule 34 has been deleted in Sind—[*Vide R. D. (Sind) R-4102-E (b) dt. 14-8-1942.*]

consideration of the shetsanadi's service, and that it is resumable at the pleasure of the Provincial Government.

Gift of the revenue only.

35. (1) The Collector may exempt from payment of land revenue without any limit lands used for sites of hospitals, dispensaries, schools and for other public purposes, so long as such lands are used for such purposes and yield no [profit] to private individuals or local bodies.

(2) Lands used for sites of buildings solely devoted to [* *] charitable purposes may be exempted from payment of land revenue by the authorities and to the extent specified below, so long as such lands are used for such purposes and yield no [profit] to private individuals or local bodies :—

By the Collector—upto an annual amount of Rs. 10.

By the Commissioner—upto an annual amount of Rs. 50.

* * *

(3) Such exemptions shall ordinarily be made in form E.

(4) Exemptions from payment of land revenue granted before 6th October 1937 in respect of any land used for or dedicated to religious purposes shall remain in force for the period specified in the grant and may thereafter be continued in whole or in part, according to the discretion of the Collector.

Conditions attached to grants under foregoing rules.

36. (1) Every grant under rule 32 or 34 shall be made expressly on the following conditions in addition to any others that may be prescribed in particular cases, namely :—

Conditions attached to grants under rules 32, 34 or 35.

(a) that the land with all fixtures and structures thereon shall be liable to be resumed by the Provincial Government [if not used for the specific purpose or purposes for which it is granted by such date as the Collector may fix in this behalf or] if used for any purpose other than the specific purpose or purposes for which it is granted, or if required by the Provincial Government for any public purpose, and that a declaration under the signature of the Commissioner that the land is so required shall, as between the grantee and the Provincial Government, be conclusive ;

[1] Rule 35: *Vide G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and R. D. (Sind) 1935/33-1-E of 1-9-1942.*

[2] Sind: For '6th October 1937' occurring in cl. (4) of Rule 35 substitute '13th July 1940'.—*Vide R. D. (Sind) 1935/33-1-E of 1-9-1942.*

(b) that, if the land is at any time resumed by the Provincial Government under condition (a), the compensation payable therefor shall not exceed the amount (if any) paid to the Provincial Government for the grant, together with the cost or value at the time of resumption, whichever is less, of any building or other works authorizedly erected or executed on the land by the grantee.

(2) Where exemption from revenue is granted under rule 35 on land already occupied by the grantee, the following condition shall be imposed, in addition to any others that may be settled in particular cases, namely, that, if '[the Collector is satisfied that] the land is used for any purpose other than the specific purpose or purposes for which exemption is granted, '[or yields profit to the grantee], it shall, in addition to the assessment to which it becomes liable under section 48, become liable to such fine as may be fixed in this behalf by the Collector under the provisions of section 66, as if the land having been assessed or held for the purpose of agriculture only had been unauthorizedly used for any purpose unconnected with agriculture.

XXIII. In all cases a sanad in such form as may from time to time be prescribed by Government shall be issued to the grantee by the Collector.

Where any land is granted revenue-free with the sanction of Government for any purpose not mentioned in Rules 32, 34 and 35, the form of sanad to be issued by the Collector will be specially prescribed by Government.

Every sanad issued under this rule shall be registered in the register prescribed by section 53, in the form of Appendix O-C.

The Collector and all Revenue Officers subordinate to him shall exercise due vigilance to prevent the terms of any such sanad being either exceeded or evaded.

Grant of land for agricultural purposes.

37. (1) Any unoccupied survey number not assigned for any special purpose may, at the Collector's discretion, be granted for agricultural purposes to such person as the Collector deems fit, either upon payment of a price fixed by the Collector, or without charge, or may be put up to public auction and sold subject to his confirmation to the highest bidder.

Survey numbers how to be disposed of.

[1] Rule 36: *Vide G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and R. D. (Sind) 1935/33-I-E dt. 1-9-1942.*

(7) In the case of such grants an agreement in Form F shall ordinarily be taken from the person intending to become the occupant.

(3) When the land is granted on inalienable tenure the clause specified in Form I shall be added to the agreement.

(4) When the land is granted on impartible tenure an agreement in Form F (1), and, when it is also granted on inalienable tenure, an agreement in Form I (1), shall ordinarily be taken from the person intending to become the occupant.

(5) The declaration below the agreement shall be subscribed by at least one respectable witness and by the patel and village accountant of the village in which the land is situate.

38. Where any survey number disposed of under rule 37 has not already been assessed, it shall be assessed by the Collector (after reference to the Superintendent of Land Records) at the rates placed on similar soils in the same or neighbouring villages; and the assessment so fixed shall hold good for the period for which the current Settlement for the village in which the land is situated has been guaranteed, and shall be liable thereafter to revision at every general settlement of the said village.

39. Where it appears that the bringing of any survey number under cultivation or its reclamation for other purposes will be attended with large expense, or where for other special reasons it seems desirable, it shall be lawful for the Collector (with the previous sanction of the Commissioner, in cases where *the assessment* on the land included in the total grant exceeds one hundred rupees) to grant the survey number revenue-free or at a reduced assessment for a certain term, or revenue-free for a certain term and at a reduced assessment for a further term, and to annex such special conditions as the outlay or other reasons aforesaid may seem to him to warrant, and to cancel the grant or levy full assessment on breach of these conditions.

Where survey numbers may be given at reduced assessment.

Provided that, on the expiry of the said term or terms, the survey number shall be liable to full assessment under the rules then in force for lands to which a settlement for agricultural use has been extended or which are assessed for other uses.

(2) Form GI may generally be used in cases under this rule.

[1] Sind: Rule 38 has been deleted in Sind.—Vide R. D. (Sind) R.-4102-E dt. 3-1-1941.

40. Salt land or land occasionally overflowed by salt-water, which is not required or likely to be Grants of salt-marsh lands for reclamations. required for salt manufacture, may, after consultation with the Commissioner of Salt, be leased for purposes of reclamation by the Collector, on the following maximum terms, and with such modifications in particular cases as may be deemed fit:—

(a) no rent shall be charged for the first ten years ;

(b) rent at the rate of four annas per acre shall be levied for the next twenty years on the whole area leased, whether reclaimed or not ;

(c) after the expiry of 30 years the lease shall be continued in the case of reclaimed lands at the rate at which they would be assessed to land revenue from time to time if they were subjected to survey settlement ; and in the case of unreclaimed lands, if any, at the average rate of the reclaimed lands ;

(d) any portion of the land used for public roads shall be exempt from the payment of rent ;

(e) if the reclamation is not carried on with due diligence within two years, or if half the area is not reclaimed so as to be in a state fit for use for agricultural purposes at the end of ten years, and the whole at the end of twenty years, or if any land once reclaimed as aforesaid is not maintained in a state fit for use for agricultural purposes, the lease shall be liable to cancellation at the discretion of the Collector ;

Provided that the lessee shall be at liberty during the first ten years to relinquish any area which he cannot reclaim.

(f) if the land reclaimed is used for any non-agricultural purpose, its rent shall be liable to be revised according to the rates under whichever of rules 81 to 85 has been applied to the locality notwithstanding that any of the periods specified above may not have expired ;

(g) Form G2 may generally be used in cases under this rule.

41. Land situated in the bed of a river and not included in a survey number shall, save as otherwise provided in sections 46 and 64, ordinarily be leased annually by auction to the highest bidder for the term of one year or such further period as the Collector thinks fit. The accepted bid shall be deemed to be the land revenue chargeable on such land.

[1] Sind: Rule 41 has been omitted in Sind. (*Vide R. D. (Sind) R.-3359-E, dt. 29-10-1940.*)

Grant of land for non-agricultural purposes.

42. Unoccupied land required or suitable for building sites or other non-agricultural purpose shall ordinarily be sold after being laid out in suitable plots by auction to the highest bidder whenever the Collector is of opinion that there is a demand for land for any such purpose; but the Collector may, in his discretion, dispose of such land by private arrangement, either upon payment of a price fixed by him, or without charge, as he deems fit.

43. (1) Save in special cases in which the Collector with the sanction of the Provincial Government otherwise directs, or in localities falling under rule 44, land for building sites shall be granted in accordance with the following provisions:—

(a) The land shall be granted in perpetuity subject to the provisions of the first paragraph of section 68, and shall be transferable.

(b) Where the land has already been assessed for agriculture, the assessment shall be altered under whichever of rules 81 to 85 has been applied to the locality.

(c) Where the land has not been assessed the Collector shall fix the assessment in accordance with the principles laid down for alteration of assessment in rules 81 to 86 and the provisions of the said rules shall as far as may be, apply.

(d) All such assessments shall be fixed for the period specified in Rule 87 (a) and may be commuted when they do not exceed one rupee in accordance with the provisions of rule 88.

(2) [In the case of such grants an agreement in Form F or Form H, as the Collector may deem fit, shall ordinarily be taken from the person intending to become an occupant, and in the case of land in development schemes undertaken by the Provincial Government in any district or, in special cases, an agreement in Form HH shall be taken. In the case of grants in which an agreement in Form H or Form HH is to be taken, the Collector may, subject to any general or special orders of the Commissioner, annex such additional conditions to, or omit, or vary such of the conditions in the agreement as he thinks fit.]

[1] Rule 43: Cl. (2) of this Rule is substituted in Bombay by G. N. R. D. (Bom.) 10025/28 of 16-12-38.

[1] Sind: For Rule 43(2) substitute in Sind. "In the case of such grants an agreement in Form F or Form H, as the Collector may deem fit, shall ordinarily be taken from the person intending to become the occupant. In the case of grants in which an agreement in Form H is to be taken, the Collector may, with the approval of the Revenue Commissioner annex such additional conditions to the grant as the Collector thinks fit.—Vide R. D. (Sind) R.-4102-E of 3-1-1941.

(3) When the land is granted on inalienable tenure, the clause specified in Form I shall be added to the agreement.

(4) The declaration below the agreement shall be subscribed by at least one respectable witness and by the patel and village accountant of the village in which the land is situate.

43-A. Unoccupied lands which are eventually intended for building sites within ¹[the Bombay Suburban District or] any ²[other] area, to which Government may by notification in the ¹[*Bombay*] *Government Gazette*, extend this rule but of which the immediate disposal for the said purpose appears to the Collector to be undesirable, may be let under written leases in a form approved by Government for short terms not exceeding in any case seven years at a ground rent equal to double the standard rate of non-agricultural assessment in force in the locality, or at a ground rent which may in special cases or localities be fixed with the sanction of the Commissioner.

43-B. ²[When any small strip of land vesting in the Crown adjacent to an occupied unalienated building site cannot reasonably be disposed of as a separate site, the Collector may, notwithstanding anything to the contrary contained in any of the rules in this Chapter, grant such strip to the holder of the said site on the same tenure on which he holds the said site if he agrees to pay—

(a) assessment or rent, as the case may be, for such strip of land at the same rate, if any, at which he pays assessment or rent for the said site, and

(b) such price or premium as the Collector deems adequate having regard to the situation of such strip and any other advantages which are likely to accrue to the holder on account of its disposal to him.]

44. In hill stations and such other localities as the Provincial Government may direct land shall not be granted for building except on such conditions as are considered desirable regarding the style of

[1] *Sind*: In Rule 43-A of the said rules (a) the words 'the Bombay Suburban District or' and the word 'other' between the words 'any' and 'area' shall be deleted; and (b) for the words '*Bombay Government Gazette*' [the words '*Sind Government Gazette*' shall be substituted. (*Vide R. D. (Sind) R-4102-E dt. 3-1-1941.*

[2] Rule 43-B: (*Vide Bombay Government Gazette, Pt. IV-B, p. 17 dt. 15-1-1942.*)

building, the period for construction and the observance of municipal or sanitary regulations. Such conditions should be embodied in the instrument (Form H).

45. Where an entirely new village site is established, or an addition is made to an existing site, the disposal of the lots therein shall be made under such of the rules 42, 43, ¹[43-B] or 44 as may be applicable.

Establishment of entirely new village site.

46. Where a new village site is established, in lieu of a former one which it is determined for any reason to abandon, an agreement shall be taken in Form J, from each occupant before he is permitted under section 60 to enter into the occupation of any lot.

Substitution of a new village site for an old one.

47. Where unoccupied land is granted for non-agricultural purposes ²[* *] the Collector shall annex such conditions to the grant as may be directed by the Provincial Government or, in the absence of any order of the Provincial Government, may annex such conditions thereto as he thinks fit, subject to the control of the Commissioner; and where the land has already been assessed for the purpose of agriculture, the assessment of such land shall, in the absence of any order of the Provincial Government to the contrary, be altered in accordance with the provisions of Rules 81 to 85. Where it has not been assessed, its assessment shall be fixed by the Collector, as far as may be in accordance with the principles laid down for alteration of assessment in the said rules.

Conditions of grant of land for non-agricultural purpose ²[* *] and alteration of assessment.

XXIV. (1) Where unoccupied land of the kind described in Rules 42 to 47 is to be disposed of, it shall, in the first instance, be marked out in convenient lots and mapped in such a manner that persons desirous of becoming occupants may clearly know what plots are available.

(2) Due provision should be made in the plans for roads and approaches and access of air and light, and careful regard should be had to sanitary requirements.

[1] Rule 45: Add the word and figure, [43-B] between the figure '43' and the word 'or'.—*Vide B. G. G., Pt. IV-Bom., pp. 16 and 17 dt. 15-1-1942.*

[1] Rule 47: The words "other than building sites" have been deleted by G. R. R. D. 9138 of 14-10-1936 and in Sind R. D. (Sind) R-4102-E dt. 3-1-1941.

XXIV-A. [In growing and important villages in which there are no municipalities, before permission is given under section 65 or 67 of the Land Revenue Code to use for building purposes lands occupied and assessed for agriculture, the following regulations shall be followed in all the districts except Bombay Suburban District which has separate building regulations :—

(1) The Collector shall from time to time select areas in which on account of the existence or probability of development by the erection of permanent buildings for residential, business or factory purposes, special regulation of building is required.

(2) Plans showing the boundaries of such areas should be maintained in the offices of the Collector, Prant Officers and Mamlatdars concerned.

(3) Where necessary and especially when such areas contain undeveloped land, the Collector shall prepare a general layout of each such area sufficiently in advance to meet the probable demands of several years ahead for permission to use the land for building purposes. He shall obtain the assistance of the Consulting Surveyor in preparing such layouts in suitable cases. The layouts shall provide necessary roads for access and if possible also public open spaces. The points of entry of side roads into main roads shall ordinarily not be less than 200 yards from each other measured from the nearest points of the side roads.

(4) In such areas, the Collector shall determine the minimum open space to be maintained within each building plot and appurtenant to each main building. Such space shall ordinarily be three-quarters of the plot but may be reduced to two-thirds when the land is of a very high value or the buildings are likely to be inhabited by the poorer classes and to one half in areas already densely built over such as bazars and the central parts of towns where values of lands are very high. Such areas shall be separately shown on the plans maintained under regulation (2).

(5) The Collector shall determine the maximum number of storeys which shall be permitted to be built over the ground floor in any building in such area. The number of such storeys shall not ordinarily exceed one in areas where the minimum open space required to be maintained is three-quarters of the plot.

[1] Adm. Or. XXIV-A has been added in Bombay by G. N. R. D. (Bom.) 2648/33 of 18-10-1940 and G. M. R. D. (Bom.) 2648/33-1709-B of 31-1-1941.

(6) When any part of any such area selected under regulation (1) is in the vicinity of a railway station, the Collector shall consult the railway authorities as to the manner in which, and conditions on which development of the area for building purposes should be permitted.

(7) In such selected area—

(a) no application for permission to use the land for building purposes will be entertained unless the applicant forwards with his application the site and elevation plans drawn to scale ;

(b) the grant of the permission shall ordinarily be subject to the following conditions :—

(i) No building shall be allowed to be erected unless it has suitable access by an existing road or by a projected road which is in conformity with the development scheme.

(ii) Every building to be built shall face the main road.

(iii) In case of a chawl it shall not measure more than 100 feet in any direction.

(iv) No building shall be erected within 30 feet of the boundary of main roads.

Note.—(1) The Collector shall define the main roads for the purpose of this regulation.

(2) The intention of this regulation is to provide generously for future widening of roads when motor traffic increases. Consequently when a road has been declared a main road, this regulation should be enforced as strictly as possible.

(v) No building shall be erected within 15 feet of the boundary of roads other than main roads.

(vi) No building shall be erected within 10 feet of the perimeter of the plot.

(vii) The distance between the main building and the rear boundary of the plot shall not be less than 20 feet.

(viii) When there is more than one building in a plot, the same open space shall be required round each main building as if each main building was in a separate plot ;

Provided that a ground floor privy or a ground floor out-house providing ancillary accommodation such as motor garage, servants' quarters, kitchen and store-room appurtenant to the main building and detached therefrom, may be allowed to be erected in the rear of a plot subject to the condition of leaving 10 feet open margin from the rear boundary of the plot.

(ix) In case of a residential building the plinth shall be at least 2 feet above the general level of the ground.

(x) No side of a room used for residential purpose shall be less than 10 feet long. One side of every such room shall abut on the surrounding open land throughout its length.

(xi) Privies shall be at the side or rear of the main building and not less than 10 feet from it. They shall be innocuous to the neighbours. They shall not be within 30 feet of a well and shall be screened from public view.

(xii) No cess-pools shall be allowed to be constructed unless there exists an agency for clearing them regularly and properly.

(xiii) No cess-pool shall be used or made within 100 feet of any well.

(xiv) No *khalkuwa* or *khalkoti* shall be used for the reception of night-soil.

(xv) No cattle shall be kept in any residential building. No stable or cattle shed shall be constructed within 10 feet of a residential building.

(xvi) All buildings shall be of *pucca* construction, and no combustible materials shall be used in their construction.

(xvii) Where shops are built, the space between the shop and the road boundary shall be of hard material such as murum or metal, levelled, well-rolled and consolidated.

(xviii) No addition to or alteration in a building shall be carried out without the previous written permission of the Collector.

(c) The Collector may, in exceptional cases, permit deviation to a small extent from any of the conditions referred to in clause (b).]

47-A.—(1) [The Collector may permit the construction or retention of a balcony or any other aerial projection over Government land on payment of an annual sum not exceeding $2\frac{1}{2}$ per cent. of the value of the land below the balcony or other aerial projection, as the case may be, subject to a minimum of 2 annas.

(2) The annual payment shall be revised at intervals of not less than 30 years.

(3) A license in Form JJ shall ordinarily be given for such purposes, subject to such additional conditions as the Collector may with the previous sanction of the Commissioner, deem fit to impose.

[1] Rule 47-A is applicable in Bombay.—Vide *G. N. R. D. (Bom.) 1834/24 of 14-3-1941*.

Special Rules for Certain City Surveyed Areas.

48. Except as may be otherwise specially directed by the Provincial Government, nothing in rules²[43-A and 44] and 37 to 47, both inclusive, shall be applicable to the grant of any lands to which a City Survey has been extended, under Bombay Act IV of 1868 or under section 131 and which do not vest in the municipality, within the sites of the towns and cities of Ahmedabad (inclusive of its suburbs of Saraspur, Dariapur, Kajipur, Rajpur, Hirpur, Asarwa, Kochrab, Chhadavad, Changis-pur and Paldi, Broach, Surat, Rander, Bulsar, Godhra, Iगतपुरि, Bandra-Danda)²[* *] or of any other town or city to which the Provincial Government may by notification in the official *Gazette* extend this rule: and nothing in rules 81 to 85 shall apply to any agricultural land lying within the same sites, but to which a City Survey cannot by law extend.

Special rules for sites of Ahmedabad, Broach, Surat, Rander, Bulsar and Godhra, and certain other places.

The granting of such lands for building sites, and the granting of permission to use such lands (when assessed for agricultural use) for non-agricultural purposes, shall be regulated by rules²[43-B and 50 to 52].

¹Disposal of strips of land adjacent to existing building sites.

49. ³Deleted.

50. (1) ⁴Any unoccupied land to which rule⁵[43-B] does not apply and which is not assigned for special purposes may be granted to such person as the Collector deems fit either for purposes of agriculture only or for other purposes.

Mode in which other lands may be disposed of.

(2) Any such land shall ordinarily be sold by auction to the highest bidder; but the Collector may in his discretion sell the same by private agreement.

Lands to be ordinarily sold by auction.

[1] Sind: Rule 48: The heading 'Special rules for certain city surveyed areas' appearing above rule 48 of the said rules, as well as Rule 48 shall be deleted.—(Vide R. D. (Sind) no. R.-4102-E dt. 3-1-1941.

[2] Rule 48: [Vide G. R. R. D. 2375 of 29-7-36; G. N. R. D. (Bom.) B-205 of 19-10-1938 and Bom. G. G. Pt. IV-B, p. 17 of 15-1-1942.

[3] Rule 49: Deleted in Bombay by G. N. R. D. (Bom.) B-205 of 19-10-1938 and in Sind by R. D. (Sind) R-4102-E of 3-1-1941.

[4] Sind: Rule 50 has been deleted in Sind.—Vide R. D. (Sind) R. 4102-E of 3-1-1941.

[5] In-Rule 50 (1) Substitute '43-B' for the figure '49' occurring in line 1.—Vide Bom. G. G. Pt. IV-B, p. 17 dt. 15-1-1942.

51. (1) Unoccupied land shall be granted for building sites and permission under section 65 to use for non-agricultural purposes lands occupied and assessed for agriculture shall be given by an instrument in a form approved by the Provincial Government, for terms expiring on the date fixed in this behalf by the Provincial Government for each city or town, at a rent or altered assessment, as the case may be, of two pies per square yard per annum, or such higher rate as the Collector may, with the previous approval of the Commissioner fix for any particular site or portion thereof.

(2) (a) Unoccupied lands which are eventually intended for building sites, but of which the immediate disposal for the said purpose appears to the Collector to be undesirable, may be let under written leases in a form approved by the Provincial Government for short terms not exceeding in any case seven years at a ground rent of not less than one anna per square yard per annum.

(b) Unoccupied lands under clause (a) shall ordinarily, subject to the provisions of the said clause, be let by auction to the highest bidder; but the Collector may in his discretion let any such land by private agreement.

(3) Notwithstanding anything contained in sub-rule (1) of this rule, lands occupied and assessed for agriculture may, ²[**] be permitted under an instrument in Form ³[JJJ], to be used for non-agricultural purposes, other than building, for short terms not exceeding seven years at an altered assessment of two pies per square yard per annum, or such higher rate as the Collector may, with the previous approval of the Commissioner, fix for any particular site or portion thereof.

52. Unoccupied lands may be leased for purposes of agriculture for terms of one year. An agreement in form F, with such modification, as may be necessary, shall be taken from every person who is to become as occupant of land under this rule, and the provisions of sub-rules (2) to (4), inclusive, of rule 37 shall be applicable to every agreement so taken.

[1] Sind: Rule 51 has been deleted in Sind.—*Vide R. D. (Sind) R-4102-E of 3-1-1941.*

[2] In Rule 51 (3) the words 'with the approval of the Commissioner' shall be deleted.—*Vide G. R. R. D. (Bom.) 6406/28 of 19-9-1944.*

[3] In Rule 51 (3) substitute the word 'JJJ' for the word 'JJ'.—*Vide G. N. R. D. (Bom.) 1834/24 of 14-3-1941.*

[Property in Municipal districts or boroughs specially reserved by the Provincial Government within the meaning of section 50 (2) of the Bombay District Municipal Act 1901 or section 63 (2) of the Bombay Municipal Boroughs Act, 1925].

53. In municipal districts, or boroughs building sites and plots of open ground, which have not been dedicated to public use or already transferred to the municipality, are hereby declared to be specially reserved by the Provincial Government within the meaning of sub-section (2) of section 50 of the Bombay District Municipal Act, 1901 ²[or sub-section 2 of section 63 of the Bombay Municipal Boroughs Act, 1925 as the case may be].

Unoccupied building sites, etc., within municipal limits to be distinguished from lands forming part of public streets.

This reservation does not apply to small pieces of ground lying between the houses and the road-way in an irregular street or road of varying width, which should be recognized as forming part of the street and vesting in the municipality unless private individuals have rights thereto. But separate vacant sites between houses do not vest in the municipality even though they are unenclosed unless they have been transferred to the municipality by the Provincial Government.

Both for agricultural and non-agricultural grants.

54. The permission in writing to be given by a Mamlatdar under section 60 to enable an intending occupant to enter upon occupation shall be in Form K, or Form KK.

Form of written permission to occupy under section 60.

XXV. No such permission shall be given until the Mamlatdar has ascertained that either a lease or an agreement has been duly executed and delivered under one of the Rules 37 to 47, 51 or 52 as the case may be.

XXVI. The Mamlatdar who takes the said agreement will be held responsible for exercising due care in ascertaining the identity of the persons signing the same, and their fitness to be accepted as occupants responsible for the payment of land revenue notwithstanding that the agreements have been duly endorsed by witnesses.

[1] The heading to Rule 53 has been inserted in Bombay.—*Vide B. G. G. Pt. IV-B, p. 17, dt. 15-1-1942.*

[2] Rule 53: These words are added in Bombay by G. N. R. D. (Bom.) B-205 of 19-10-1938.

Exceptional Cases.

55. Unalienated land to which none of the foregoing rules is applicable and concerning which no other rules have been framed by the Provincial Government, shall be disposed of in such manner, for such period and subject to such special conditions, if any, as the Collector, subject to the control of the Commissioner, deems fit.

Disposal of land to which foregoing rules are inapplicable.

56. The forms appended to these rules shall be used where applicable, but where a grant is made on special terms and none of such forms is suitable and a special form has not been sanctioned, the orders of the Provincial Government shall be obtained regarding the form to be used.

Special forms.

57. The document evidencing a grant shall be drawn in duplicate and one copy, which shall be retained by the servant of the Crown concerned or by the Provincial Government, shall be signed by the grantee.

Records.

CHAPTER VIII.**Trees and Forest Rights.**

58. The extent to which the right, of the Crown to trees is generally conceded to occupants under the third paragraph of section 40 shall be specified in the notification issued under rule 17. The said general concession will ordinarily extend to all trees, except the following :—

(a) all road-side trees planted by or under the orders of Government ;

(b) teak, blackwood, and sandalwood ;

(c) trees, the produce of which has hitherto been disposed of by the Provincial Government :

Provided that whenever any land is disposed of after the first introduction of a settlement of land revenue, such trees shall also be disposed of under section 62 ;

(d) any trees specially reserved in the terms of the grant of the land.

59. Trees in groves, trees round temples or places of encampment declared to be such by the Collector, and trees other than teak, blackwood or sandalwood, which for any reason are of special value

Special reservations.

or utility, shall be specially reserved at the settlement and entries to that effect made in the settlement records.

60. (1) Subject to the provisions of rule 63 the disposal of trees on land occupied or being given out for occupation shall be regulated by the following sub-rules:—

Disposal of trees on occupied lands.

(2) Of the trees to which the rights of the Crown are reserved, such number or kinds as the Provincial Government may from time to time direct will be at the disposal of the Forest Department. Lists shall be kept for all occupied numbers, over the trees in which the Forest Department has any control or lien; the clearing of these numbers by the Forest Department shall be arranged in concert with the Collector, and every number when cleared shall be recorded as exempt from all interference in the future on the part of the Forest Department. In districts, where there is no Forest Officer, these functions will be discharged by the Collector alone.

(3) All other reserved trees shall be in charge of the Collector who may dispose of the same or of their produce as he may deem fit, subject to the general rules for the disposal of property of the Crown.

(4) In talukas in which the demarcation of forests has been completed, when any unoccupied land containing jungle or valuable trees which have not been included in any forest reserve is granted to any person for cultivation the Collector may offer the trees, or such of the trees as he may see fit, to the occupant. If such person agrees to purchase the same, the value shall be recovered from him by the Collector and credited as land revenue. If the occupant refuses to buy under this sub-rule or sub-rule (3) then the Forest Department should clear the land of trees.

(5) In talukas in which the demarcation of forest reserves has not been completed, the Collector may, if he thinks fit, consult the Conservator of Forests before any land containing jungle or valuable trees is granted; and if any such land is granted to any person the provisions of sub-rule (4) shall apply; in no case shall land be granted which is likely to be required for forests.

[(6) In Sind the clearance of reserved trees under sub-rule (1) and of trees not accepted by the new occupant under sub-rule (4) shall be effected by the Collector].

[1] Rule 60 (6) has been deleted in Bombay by *G. N. R. D. (Bom.) B-205 of 19-10-1938*.

[1] Sind: In Rule 60 (6) "the clearance of reserved trees under sub-rule (1), and of trees not accepted by the new occupant under sub-rule (4) shall be effected by the Collector".—*Vide R. D. (Sind) R-4102-E of 3-1-1941*.

61. Whenever the right to unreserved trees in any land is at the disposal of the Provincial Government simultaneously with such land all such trees shall invariably be disposed of to the same person who acquires the holding and not to any other person.

62. When the right of the Crown to the trees in a holding has been once disposed of to the occupant, or when all the reserved trees have been once cut and removed either—

(a) at the grant of the land, or

(b) after such grant, or

(c) within five years before such grant; the Crown will have no further claim to trees which may afterwards grow in the holding, or which may spring up from the old roots or stumps, so long as the land continues in occupation.

63. (1) ³Nothing in rules 60 to 62 inclusive shall be deemed to apply to varkas lands in the districts of Thana, Kolaba and Ratnagiri, and beta lands in the district of Kanara, or to any land in the Dindori Taluka or the Peth Taluka of the Nasik District or to any land on the banks of streams and nalas in the Godhra Taluka of the Panch Mahals District, or to any riverside jambul trees growing in occupied lands on the banks of the rivers Mula, Pravara, Mhais and Mhalungi in the Parner, Rahuri, Sangamner and Akola Talukas of the Ahmednagar District; or (pending the completion of the acquisition of all occupied lands within the sanctioned demarcation limits of the forest in the Haveli, Purandhar and Junnar Talukas and the Ambegaon Peta of Poona District) ⁴[and the Patan, Karad and Wai Talukas and the Shirala Peta of the Satara District] to any teak trees in such unalienated land.

(2) In the said lands the trees on which the rights of the Crown are reserved shall be available for cuttings to be made from time to time by or under the orders of the Forest Department, in consultation with the Collector.

(3) The sale of any such tree or of the timber thereof will confer no right to the after-growth from the root or stump of the tree so cut. The reservation of the rights of the Crown over the trees will extend to all such after-growth also.

[1] In Rule 62 the words beginning with '(c) in Sind (d) elsewhere than in Sind' have been deleted by *G. N. R. D. (Bom.) B-205 of 19-10-1938.*

[1] Sind: In Rule 62 read '(c) at any time before such grant'.—*Vide R. D. Sind R.-4102-E of 3-1-1941.*

[3] Sind: Rule 63 has been deleted.—*Vide R. D. (Sind) R.-4102-E of 3-1-1941.*

[4] In Rule 63 (1) these words have been added.—*Vide B. G. G. Pt. IV-B, p. 93 dt. 2-3-1944.*

CHAPTER IX.

Disposal of Grazing and Minor Products of Land.

64. (1) The produce of trees belonging to the Crown may be sold by auction annually or for a period of years.

Sale of produce of trees belonging to the Crown, of years.

(2) Where any such trees are sold under section 41, the sale shall be by auction or otherwise as the Collector may direct.

65. (1) The grazing or other produce of all unoccupied land vesting in the Crown whether a survey settlement extends to such land or not, and whether the same is assessed or not and of all land specially reserved for grass or for grazing (except land assigned to villages for free pasturage), may be sold by public auction or otherwise, as the Collector deems fit, year by year, or for any term not exceeding five years, either field by field or in tracts, and at such time as the Collector shall determine.

Grazing and other similar produce to be ordinarily disposed of by sale for periods not exceeding five years.

Provided that the purchasers' rights over such land shall entirely cease on the dates respectively fixed in the following table, unless, under special circumstances, the Collector deems it necessary to alter the time so fixed :—

| Collectorates | Waste assessed Dry-crop Land | Waste assessed Rice Land | Reserved Kurans and unassessed Waste |
|------------------|---------------------------------|-----------------------------|--|
| All in Sind' ... | 31st July ... | 31st July ... | 31st July. |
| Thana ... | 31st March ... | 31st March ... | 31st December. |
| Dharwar ... | 31st March ... | 31st December | 1st May. |
| All others ... | 31st March ... | 31st March ... | 1st May. |

66. (1) The Collector may, at his discretion, sell by public auction or otherwise dispose of the right to remove earth, stone, kankar, sand, muram, or any other material which is the property of the Crown for such period and in such quantities and on such terms as he thinks fit.

Disposal of earth, stone etc., by the Collector.

Provided that such sale or other disposal shall be made subject to the privileges conceded by Rules 67 to 70 inclusive.

[1] Rule 65: Vide G. N. R. D. (Bom.) B-205 of 19-10-38 and R. D. (Sind) R.-4102-E of 3-1-1941.

(2) The rate charged by the Collector under this rule, when the right in question is not put up for sale by public auction, may be either a lump sum, or so much per cubic foot of excavation, or in the case of a Railway Company requiring land for excavating ballast, so much per mile of the railway line for which ballast is obtained, or otherwise as the Collector thinks fit.

67. (1) With the previous permission in writing of the revenue patel, or where there is no such patel of the Mamlatdar ¹[or (in Sind) of the Tapedar], but without payment of fees (a) any potter or maker of bricks or tiles may, for the purposes of his trade, (b) any person may, for his domestic or agricultural purposes, remove earth, stone, kankar, sand, muram or other material from the bed of the sea or from the beds of creeks, rivers and nalas or from any unassessed waste land ²[* * *] within the limits of the village in which he resides or in which the land for the benefit of which the materials are required is situated.

²[Provided that no such permission shall be given in respect of lands assigned as burial or burning grounds or for religious purposes].

(2) Nothing in this rule applies to any case falling under Rule 69, and where it appears to the revenue patel or ¹[Tapedar] that any case in which application is made to him under this rule falls under Rule 69 he shall refer the application to the Mamlatdar for orders.

68. With the previous permission in writing of the Mamlatdar but without payment of fee, any person may, for the purpose of building a well, remove stone from any of the sources specified in sub-rule (1) of Rule 67 if those sources are within the limits of the taluka in which he resides.

69. (1) In any case where excavation of the soil is likely to damage or destroy any valuable building or any land required for any special or public purpose or any boundary mark, the previous sanction of the Mamlatdar to any such removal shall be required and he shall refuse permission to the extent necessary to prevent such damage or destruction.

[1] Rule 67: Vide *G. N. R. D.*, (Bom.) B-205 of 19-10-1938 and *R. D.* (Sind) R-4102-E of 3-1-1941.

[2] In Rule 67 (1) the words 'not assigned for special purposes' have been deleted and the proviso at the end has been added in Bombay.—Vide *G. N. R. D.* (Bom.) 482/39 of 2-2-1940.

(2) No Patel or Mamlatdar may permit any removal under rule 67 or 68 from land within port limits, or on the banks or shore of any port without the written concurrence of the "Collector of Salt Revenue" and under such conditions, if any, as he may impose.

Ports.

(3) In any case where it appears to the Mamlatdar that the trade carried on by any potter or maker of bricks or tiles is sufficiently extensive and lucrative to render such a charge fair and equitable, he may grant permission only on payment of fees at such rates as may be prescribed by the Collector in this behalf under rule 66.

Bricks, etc.

¹[Provided that no such fees shall be charged in areas to which rule 82-A has been applied.]

(4) In such cases or localities as he thinks fit, the Collector may prohibit the Mamlatdar, ²[the Tapedar] or the revenue patel from giving permission without obtaining his previous sanction; and in any such case all applications for permission shall be referred to the Mamlatdar for the Collector's order.

(5) Where the revenue patel ²[or Tapedar] refuses permission when the same is applied for under rule 67 or does not refer the application to the Mamlatdar under sub-rule (4) an appeal shall lie to the Mamlatdar.

70. ³Any person may, with the sanction of the revenue patel, take free of all charge from village tanks as much earth, stone, kankar, sand, muram or other material as he requires: provided that no stones shall be removed that may have fallen from the banks of built tanks, and that no excavation shall be made within 10 cubits of the foot of the embankment of any such tank.

Removal of earth, etc., from village tanks.

[1] In Rule 69 (3) the proviso has been added at the end in Bombay. Vide *G. M. R. D. (Bom.) 2640/B-27825 of 24-9-1940.*

[2] Rule 69: Vide *G. N. R. D. (Bom.) B-205 of 19-10-1938* and *R. D. (Sind) R-4102-E of 3-1-1941.*

[3] Sind: Rule 70 has been deleted in Sind; vide *R. D. (Sind) R-4102-E of 3-1-1941.*

*CHAPTER IX-A.

Disposal of Water Vesting in the Crown.

70-A. ¹No person shall, without the previous permission of the Collector in writing, make use of any water which is the property of the Crown for the purpose of irrigating his land unless—

- (i) a water rate is levied for the supply of water to the land under the Bombay Irrigation Act, 1879, or
- (ii) the land is assessed for the advantages accruing to it from such water under the Bombay Land Revenue Code, 1879, or
- (iii) the land is subject to an existing 'nala chad' on account of irrigation by means of a budki or pumping plant or any other contrivance.

70-B. ¹The Collector shall before granting permission under rule 70-A for the use of water which is the property of the Crown take into consideration the interests of all persons already authorised to use such water.

70-C. ¹The Collector may grant the permission subject to the payment of such water rate, if any, as he may deem fit to impose having regard to the general or special orders passed by the Provincial Government for the levy of water rates for occasional irrigation under section 55 of the Bombay Land Revenue Code, 1879.

70-D. ¹Any person who, without the previous permission of the Collector, in writing, required under rule 70-A makes use of any water which is the property of the Crown for the purposes of irrigating any land shall be liable to pay such water rate not exceeding Rs. 50 per annum per acre of land so irrigated as the Collector may deem fit to impose.

70-E. ¹The water rates payable under rules 70-C and 70-D shall be recoverable as arrears of land revenue.

* Sind: Ch. IX-A is deleted in Sind.—Vide R. D. (Sind) R.-4102-E of 3-1-41.

[1] Rules 70-A to 70-E have been added in Bombay.—Vide G. R. R. D. (Bom.) 7241/33-III, dt. 24-3-1942; Deleted in Sind: Vide R. D. (Sind) R.-4102-E of 7-1-1941.

CHAPTER X.

Alluvion and Diluvion.

71. 'When a holding is bounded on any side by the bank or shore of a river, creek or nala or of the sea, the holder will be permitted, subject to the provisions contained in sections 46, 47, 63 and 64, to occupy and use the land up to such bank or shore, notwithstanding that

Holders of land with shifting boundaries may occupy up to such boundaries.

its position may shift from time to time.

72. (a) Claims to decrease of assessment on account of diluvion under section 47 shall be disposed

The Collector to dispose of claims under section 47.

of by the Collector.

(b) It shall be the duty of the village officers to ascertain and to record the increases due to alluvion and losses due to diluvion in every holding subject to such changes. They shall also report to the Mamlatdar for orders when the area of any newly formed alluvial or island, or of any abandoned river bed, or land lost by diluvion exceeds the limits prescribed in sections 46, 47 and 64.

CHAPTER XI.

Assignment of Land for Special Purposes.

73. (1) Gurcharan ('gairan') or grazing ground for cattle,

Cattle stands and dhobis' and potters' grounds.

burial and burning grounds, spots near villages on which the village cattle stand, and lands for the use of village dhobis

and potters, and for other recognised public needs may be assigned by the Collector for these purposes respectively, according to the reasonable requirements of the villagers without charge: and he may for sufficient reasons at any time revoke such assignment.

(2) Orders under this rule shall be passed in writing and recorded.

[1] Sind: Rule 71 is as follows in Sind:—71 (i). The alluvial land forming on a bank or shore which according to any law wherever contained vests in the Crown shall, save as otherwise provided in sections 46, 47, 63 and 64 of the Bombay Land Revenue Code, be offered first to the occupant of the bank or shore on which it has formed subject to the following conditions, namely:—

(a) Alluvial land formed in front of kacha land held by an occupant on eksali or other temporary tenure shall not be deemed as forming mohag to any paka land behind the kacha land held by him on the eksali or temporary tenure. Such alluvial land shall be disposed of firstly to compensate the occupant of the land held on eksali or temporary tenure in the mohag of which such land is formed to the extent to which he has lost his land by erosion in the same deh and the rest of such land, if any, shall be given to persons who have lost land by erosion in the same deh;

(b) Mohag grants shall not be in excess of the original holding to which the mohage is formed:

(2) Alluvial land vesting in the Crown not falling under clause (i) shall be disposed of in the discretion of the disposing authority. (*Vide R. D. (Sind) R. 3859-E, dt. 29-10-1940.*)

CHAPTER XII.

Relinquishments.

74. (1) Every notice given under section 74 shall be in Form L and the declaration below the notice shall be subscribed by two respectable witnesses.

Endorsement as to identity required below rajinamas.

(2) The Mamlatdar who receives any such notice will be held responsible for exercising due care in ascertaining the identity of the person who has signed the same, notwithstanding that such notice has been duly endorsed as hereinbefore required.

XXVII. All notices received under section 74 shall be kept in the records of the village accountant until the expiry of one year after the end of the year in which they were given and afterwards in the records of the Mamlatdar for at least 12 years. Entry will at once be made in the Diary of Mutations and certified in due course : this will ensure sufficient record.

74-A. (1) Subject to the provisions of sections 74 and 76 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the holder or holders of any land held for service intending to relinquish the same or any part thereof, that is, to resign or surrender it in favour of Government, shall make an application to the Collector of the district in which such land or part thereof is situate. Such application shall be in writing and shall be signed by the holder or, if there are joint holders, by all such joint holders. If the land is held hereditarily for service, the application shall be accompanied by the consent in writing of all persons who may, at the date of the application, have a present hereditary interest in the land.

(2) If the holder or any of the joint holders or any person having the present hereditary interest is affected with a legal disability, the application or consent, as the case may be, shall be signed by his legal representative entitled to act or enter into contracts on his behalf.

74-B. On the receipt of such application, the Collector may, after holding an inquiry himself or causing such inquiry to be held by an officer not lower in rank than a Mamlatdar or Mahalkari, and on being satisfied that the requirements of sub-rule (1) have been duly complied with, direct that the land shall, subject to any rights, tenures, incumbrances or equities (other than those of Government, the applicant and any other person consenting to the relinquishment) lawfully subsisting in favour

of any person, be entered in Government records as unalienated unoccupied land, and the land shall thereupon cease to be land held for service. The Collector may, subject to such orders as may be passed by the Commissioner in this behalf, grant permission to occupy the said land or any portion thereof to any person who made or consented to the relinquishment on such terms and conditions as he thinks fit.

CHAPTER XIII.

Restrictions on Use of Land

Cultivation of unarable land in survey number when prohibited.

75. (1) Land included as unarable (*pot kharab*) in a survey number assessed for purposes of agriculture only is of two kinds:—

(a) that which is classed an unfit for agriculture at the time of survey including the farm buildings or threshing-floors of the holder ;

(b) that which is not assessed because it is reserved or assigned for public purposes ; or because it is occupied by a road or recognized footpath, or by a tank or stream used by persons other than the holder for irrigation or for drinking or domestic purposes, or used for a burial or burning ground by any community, or by the public ; or because it is assigned for village potteries.

(2) Class (a) may be brought under cultivation at any time by the holder and no additional assessment shall be charged therefor.

The cultivation of class (b) is hereby prohibited under section 48, sub-section (4) :

Provided that this prohibition shall not apply in the case of a tank or stream when such tank or stream is used for irrigation only and waters only land which is in the sole occupation of the holder, or when the privilege of cultivating the dry bed of the tank or stream has been specially conceded to the holder.

76. (1) [No occupant of unalienated land, whether assessed for any purpose or not, shall use the same or any part

[1] Rule 76 has been substituted in Bombay. Vide Bombay G. G. Pt. IV, B. p. 187 of 27-7-1944.

Use of land for the manufacture of salt prohibited except on certain conditions.

[2] Sind : Rule 76. (1) No occupant of unalienated land shall use the same or any part thereof for the manufacture of salt without the previous permission in writing, first of the "Collector of Salt Revenue," and then of the Collector of the district.

(Contd. on Foot-note to p. 62)

thereof for the manufacture of salt without the previous permission in writing of the Collector of the district.

(2) The Collector may, in consultation with the Collector of Central Excises and Salt Revenue, Bombay, grant permission for the use of such land for such purpose, subject to the payment of non-agricultural assessment leviable on the land, and to such further conditions as the Collector may, subject to the general or special orders of the Provincial Government, impose.]

77. Save as provided in section 65 and rule 76, no occupant of land assessed or held for purposes of agriculture only, and no person claiming under or acting by authority of any such occupant, shall excavate or remove earth, stone other than loose surface stones, kankar, sand, muram or any other material of the soil thereof, or make any other use of the land (a) so as, in the opinion of the Collector, thereby to destroy or materially injure the land for cultivation or (b) for purposes of trade or profit, or any other purpose except his own domestic or agricultural purposes.

78. No holder of land assessed or held as a building site, or lease-holder of a building site in a hill station, and no person claiming under any such holder or lease-holder, shall, subject to any special provision in the conditions annexed to his holding under section 62, section 67 or otherwise, or prescribed by his lease, excavate or remove for any purpose whatever earth, stone other than loose surface stones, kankar, sand, muram or any other material of the soil thereof, except

(Contd. from Foot-note to p. 61)

(2) The Collector of the district may, in any case where such permission is granted, either (a) require the occupant to relinquish his rights of occupation, and to enter into an agreement that such land shall be placed at the disposal of the Salt Department, subject to a lease in favour of the applicant on such terms as the Collector of Salt Revenue under the general orders of the Provincial Government may require; or (b) permit the use applied for without requiring the occupant to relinquish his rights of occupation on the following conditions:— (i) that the occupant shall pay such fine as the Collector may deem proper, not exceeding one-tenth of the amount which would be leviable under section 66 in a case of unauthorized use, and (ii) that the occupant shall execute an agreement that he will pay, in lieu of the existing assessment and Local Fund cess, such amount or rate as may be imposed by the license to be granted by the Collector of Salt Revenue in accordance with the general and special orders of the Provincial Government, and shall also in respect of the land used conform to all the conditions of such license; and (iii) that whenever the Collector of Salt Revenue declares that the land, or any part thereof, is not used or has ceased to be used for the manufacture of salt, such land shall forthwith become liable to the survey assessment which was chargeable upon it immediately before it was permitted to be used for the manufacture of salt.

with the previous permission in writing of the Collector, and in accordance with such terms (including the payment of fees for any such excavation or removal) as the Collector in each case thinks fit to prescribe.

79. (1) No unalienated land within the site of any city, town or village shall be excavated without the previous written permission of the Collector, for any purpose except the laying of foundations for buildings, the sinking of wells and the making of grain-pits.

Excavation of unalienated land within site of village, town or city prohibited except for certain purposes.

(2) When permission is granted by the Collector to excavate any such land as aforesaid for any purpose other than those above-mentioned, such excavation shall not be made otherwise than in accordance with such terms (including the payment of fees for any such excavation) as the Collector in each case thinks fit to prescribe.

CHAPTER XIV.

[Imposition and Revision of Non-Agricultural Assessment].

Alteration of assessment in the case of unalienated lands.

80. Where unalienated land assessed or held for purposes of agriculture only is subsequently used for any purpose unconnected with agriculture, the assessment upon the land so used shall 'except in the cases provided for' in rule ²[43-B, 51] or 76 and except as otherwise directed by the Provincial Government) be altered under subsection (2) of section 48 and such alteration shall be made by the Collector ²[in accordance with the rules contained in this chapter.]

Alteration of assessment when land assessed or held for agricultural purposes is used for non-agricultural purposes.

80-A. ³[On the expiry of the period for which the assessment of any land assessed or held or used for any non-agricultural

[1] Ch. XIV: The heading is substituted in Bombay.—*Vide G. N. R. D. (Bom.) 1472/33 of 31-8-1939.*

[1] Sind: For Sind substitute the original heading viz. "The use of Land for any purpose other than that for which it has been assessed".

[2] Sind: In rule 80: for the words "in accordance with the rules contained in this Chapter" read "in accordance with the following rules" and for the figures 43-B, '51' substitute the original figure '59'.

[3] Rules 80-A and 80-B have been inserted in Bombay.—*Vide G. N. R. D. (Bom.) 1472/33 of 31-8-1939.*

purpose has been fixed, the assessment shall be revised by the Collector from time to time in accordance with the rules contained in this Chapter].

80-B. ¹[When land which is held or used for any non-agricultural purpose is assessed under the provisions of section 52, such assessment shall be fixed and revised by the Collector from time to time in accordance with the rules contained in this Chapter].

81. (1) For the purpose of determining generally the rate of ²[non-agricultural] assessment leviable, each Commissioner shall, from time to time, by notification published in the official Gazette, divide the villages, towns and cities in each district in his division (to which a standard rate under Rule 82 has not been extended) into two classes.

(2) The assessment shall then be fixed by the Collector at his discretion, subject to the general or special orders of the Provincial Government at a sum per square yard within the following limits :—

Maximum—For Class I land 2 pies.

For Class II land 1 pie.

Minimum—The agricultural assessment.

In fixing the rate within the above limits due regard shall be had to the general level of the value of lands in the locality used for non-agricultural purposes.

Provided that the ²[non-agricultural] assessment of plots of land not built upon in Development Department Schemes shall be limited to a maximum rate of Re. 1 per 250 square yards or part thereof.

(3) The Collector with the previous sanction of the Commissioner which shall only be given for special reasons to be recorded in writing, may levy on any land ²[non-agricultural] assessment at a rate higher than the maximum fixed under Sub-rule (2) in respect of any village, town or city in which such land is situated, in cases where the land is either situated in an exceptionally favourable position, or where it is used temporarily for a non-agricultural purpose, or where the purpose for which it is used is of a special kind. Such higher rate shall not however exceed 50 per cent. of the estimated annual rental value of the land when put to non-agricultural use in question.

[1] Rule 80-B : Vide *G.N.R.D. 1472/33 of 31-8-39*. This applies to Bombay.

[2] Rule 81 : Vide, *ibid.*

[2] **Sind** : In Rule 81 in Sind substitute the original words 'altered assessment'

82. In any area in which, on account of there being a keen demand for building sites or for any other special purpose, the Provincial Government may, by notification in the official *Gazette*, direct that this rule shall be applied, the rate of '[non-agricultural] assessment shall be determined in accordance with the following provisions and not under rule 81 :-

Special rates of 'non-agricultural assessment in certain areas.

I. The '[non-agricultural] assessment shall ordinarily be a percentage on the full market value of the land as a building site.

II. In cases where this rule is applied on account of there being a demand for building sites, the market value of the land shall be estimated as far as possible on the basis of actual sales of unoccupied land for building purposes in the locality. In cases where this rule is applied on account of the demand being for other special purposes, the market value shall be estimated as far as possible, on the basis of actual sales of unoccupied land of which the value is enhanced by the existence of the special demand.

III. Government shall determine what percentage shall be charged in any locality to which this rule is applied, and the standard rates of '[non-agricultural] assessment shall be calculated thereupon and shall be levied in place of the current rate of assessment. At intervals of ten years or, in particular localities, at such shorter intervals as the Provincial Government may direct, the rates shall be revised with the sanction of Government. Until the rates are so revised, the old rates shall remain in force. The rates sanctioned from time to time shall be published in the official *Gazette*. A public notice shall be given one year before any revised rate comes into force.

IV. A rate differing from the standard rate of '[non-agricultural] assessment in any locality shall not be levied without special reasons which shall be recorded: provided that the Collector, with the previous sanction of the Commissioner, may levy a higher rate in the case of land situated in an exceptionally favourable position.

V. Deleted (*G. R. 1890/28 of 1-2-1929*).

VI. *The rates of '[non-agricultural] assessment leviable on lands in the Bombay Suburban Division, to which this rule applies, shall however be reduced to such extent as the Provincial Government may specify by a notification in the official *Gazette*.

[1] Rule 82: Vide Foot-note to rule 81 at page 64, *supra*.

[2] Sind: Rule 82 (VI) has been deleted in Sind by R. D. (Sind) R-4102-E of 14-3-1942.

82-A. Notwithstanding anything in rules 81 and 82 in any area to which the Provincial Government may by notification in the official *Gazette* direct that this rule shall be applied an additional rate of Rs. 2½ for every lakh of bricks manufactured in any one year shall be levied in addition to the annual assessment [at the rate determined in accordance with the provisions of rule 81 or 82, as the case may be, and if such rate is less than Rs. 40 at the rate of Rs. 40 per acre] on land used for the manufacture of brick: Provided that where exact accounts of manufacture are not available, the Collector shall be at liberty to fix the number according to the known capacity of the kiln, and his decision shall be final.

83. (Cancelled by G. R. 1890/28 of 29-8-1929).

84. In hill stations and such other localities as the Provincial Government may direct, permission shall not be granted under section 65 except on such conditions as are considered desirable, regarding the style of building, the period for construction and the observance of municipal or sanitary regulations. Such conditions shall be embodied in the Sanad.

85. ²[Non-agricultural] assessment shall ordinarily be levied upon the whole of the land within the compound of a building and not merely upon the land covered with building.

86. (a) The ²[non-agricultural] assessment shall ordinarily be levied from the first day of the revenue year next succeeding the revenue year in which permission to use the land for non-agricultural purposes was given, provided that (1) where the use is temporary the Collector may in his discretion levy it from the first day on which or the commencement of the year in which the non-agricultural use begins.

(2) In the case of building sites held by Co-operative Housing Societies which are not built upon, no ²[non-agricultural] assessment shall be levied for the three years subsequent to the date on which possession of the land was taken or the building permission granted, ³[as the case may be]: And on the expiry of that period, ²[non-agricultural] assessment shall be levied with effect from the first day of the next revenue year at half the rate current in the locality, unless for special reasons

[1] Rule 82-A—Vide G. N. R. D. (Bom.) 5882-B of 6-11-1940.

[1] Sind: In Rule 82-A substitute the original words "of Rs. 40 per acre".

[2] Rules 85 and 86:—Vide Foot-note to Rule 81 on page 64, *supra*.

[3] Sind: In Rule 86 Substitute 'whichever was later'.

which shall be specified in writing the Collector considers it desirable that the full exemption from '[non-agricultural]' assessment should be continued for a further period or periods. In all cases, the full '[non-agricultural]' assessment payable in the locality shall be levied as soon as a plot is built upon.

(b) Where no permission was given the '[non-agricultural]' assessment levied for non-agricultural use shall always be levied from the first day of the revenue year in which the use commenced.

86-A. If the '[non-agricultural]' assessment fixed in accordance with the rate determined under rule 82 in respect of land used for building purposes is revised and increased, such revised '[non-agricultural]' assessment shall be levied in the following manner :—

(1) If the rate of the revised '[non-agricultural]' assessment does not exceed 2 pies per square yard the whole of such revised '[non-agricultural]' assessment shall be levied from the year in which the revised '[non-agricultural]' assessment is leviable under rule 86.

(2) If the rate of the revised '[non-agricultural]' assessment exceeds 2 pies per square yard,

(i) an assessment equal to double the '[non-agricultural]' assessment existing at the time of revision in respect of the said land or an assessment at the rate of 2 pies per square yard whichever is greater shall be levied in the year in which the revised '[non-agricultural]' assessment is leviable under rule 86, and

(ii) thereafter in subsequent years the assessment shall be increased every year by an amount which is equal to the '[non-agricultural]' assessment existing at the time of revision or to an assessment at the rate of 1 pie per square yard whichever is greater until the whole amount of the revised '[non-agricultural]' assessment as fixed is leviable in any year :

Provided that—

(a) the whole of the revised '[non-agricultural]' assessment so fixed shall be levied from the year in which the limit of such revised '[non-agricultural]' assessment is reached or from the eleventh year computed from the year in which the revised '[non-agricultural]' assessment is leviable under rule 86, whichever is earlier, and

(b) in localities where the concession of reduced assessment has been granted under rule 56-III and IV of the Land Revenue

Rules published in Government Notification No. 7368, dated 6th December 1881, as subsequently amended from time to time, each successive increase in the '[non-agricultural] assessment under sub-clause (ii) of clause (2) above shall be made at intervals of two years and the whole of the revised '[non-agricultural] assessment which is fixed shall be levied from the year in which the limit of such revised '[non-agricultural] assessment is reached or from the twenty-first year computed from the year in which the revised '[non-agricultural] assessment is leviable under rule 86, whichever is earlier.

87. (a) The period for which the '[non-agricultural] assessment is to be fixed shall ordinarily be 30 years²['* * * *'], [except in the Bombay Suburban District where, on account of its special conditions the period shall ordinarily be fifty years]. On the expiry of this or any other period³* * * [so fixed], and at such further intervals as may be from time to time directed by the Provincial Government in this behalf, the assessment fixed shall be liable to revision in accordance with the Code and the rules and orders for the time being in force thereunder.

(b) When land which is used for non-agricultural purposes is assessed under the provisions of rules 81 to 85, a sanad shall be granted in the Form M if the land is used for building purposes, in Form NI if the land is used temporarily for non-agricultural purpose other than building and in Form N in all other cases.

88. ⁴Deleted in Bombay. [For Sind see Commuting ¹non-agricultural assessment. ⁵Foot-note].

[1] Rules 86-A and 87 :—Vide Foot-note to Rule 81 at page 64, *supra*.

[2] Rule 87 : The words 'from the date prescribed is the Sanad' have been deleted in Bombay by G. N. R. D. (Bom.) 1472/33 of 31-8-1939.

[2] Sind : In Rule 87 read the original words 'from the date prescribed in the Sanad'.

[3] Rule 87 : The words 'so fixed' have been substituted for the words 'mentioned in the Sanad' in Bombay ; vide, *ibid*.

[3] Sind : In Rule 87 read the original words 'mentioned in the Sanad'.

[4] Rule 88 : Deleted in Bombay.—Vide G. R. R. D. (Bom.) 5542/33 of 24-1-1939.

[5] Sind : Rule 88. In cases where the altered assessment is fixed under rule 87 the assessment, if not exceeding one rupee, instead of being rendered annually, may, with the consent of the Collector, be commuted by the occupant for a lump payment of its present value, for the residual term for which that assessment is fixed, at a rate of interest not more than half per

Commuting altered assessment.

89. (1) Each Collector shall permanently maintain in his office and from time to time as required renew a map of his district upon which it shall be clearly shown by distinct colours, or otherwise as may be convenient, under which of the foregoing rules and classes all the land of the district falls.

Maps showing non-agricultural assessment.

(2) When an area is very small, or when its limits intersect a village in an intricate way, insets on a larger scale or a supplementary file of village maps shall be provided.

(3) Whenever any area is brought under a different class or rate by a fresh order, the map shall be corrected and the authority for the change noted over the Collector's signature on the map.

(4) Each Mamlatdar shall similarly maintain a map of his taluka with similar supplements which shall be similarly corrected and endorsed by the Collector at each change.

(5) These maps shall be open to public inspection free of charge during all office hours.

90. (1) When any holding which has been assessed or is held for non-agricultural purposes other than building, is with the Collector's permission, used for residential building, the Collector shall levy the rate of assessment imposed on land used for such purpose in the locality.

Levy of rate when land assessed for a purpose other than building is used for building.

(2) In such cases the holder shall be given a new sanad in the form prescribed from time to time under rule 87 (b).

91. (1) When any holding, which has been assessed or of which the assessment has been altered for any non-agricultural use, is used for agriculture only, the Collector may, on the application of the holder, remove the non-agricultural assessment and impose either the old agricultural assessment, if any, and if the settlement period has not expired; or may impose in other cases a new agricultural assessment equivalent to that imposed on other similar agricultural lands in the vicinity.

Re-imposition of agricultural assessment.

(2) Such agricultural assessment shall be subject to the same conditions as to periodical revision and the same rules and

(Contd. from Foot-note [5] to page 68)

cent. above the market rate at the time of commutation upon public securities the interest on which is liable to income-tax; and a note of such payment or commutation shall be made in or at the foot of the sanad granted in respect of the land under rule 87 (b), on the expiry of the period for which it has been commuted to assessment, whether revised or not, shall again be leviable unless it is again commuted under this rule.

[1] Rule 89: Vide Foot-note to Rule 81 at page 64, *supra*.

provisions of law as if they had been imposed at the ordinary revenue settlement of the village in which the land is situated :

Provided that if the holder has paid any lump sum as commuted assessment for any period, he shall not be entitled to any refund or to any change in the conditions of his lease or agreement until the period for which the commutation has been paid expires.

Alteration of Assessment in surveyed and settled Alienated Villages.

92. When land assessed for purposes of agriculture only is subsequently used for any purpose unconnected with agriculture, the assessment upon the land so used shall, unless otherwise directed by the Provincial Government, be altered under sub-section (2) of section 48 by the Collector in accordance with rules 81 to 87 inclusive :

Application of rules ; subsequently used for any purpose unconnected with agriculture, the assessment to be exercised by holder upon the land so used shall, unless otherwise with commission. directed by the Provincial Government, be altered under sub-section (2) of section 48 by the Collector in accordance with rules 81 to 87 inclusive :

Provided that the powers of the Collector under those rules, other than the power of estimating the full market value and fixing standard rates of assessment, shall be exercised by the holder or holders of the alienated village in respect of land specified in a commission conferring the powers of a Collector under section 65 or 66 upon such holder or holders under section 88 (d).

93. For the purposes of determining the amounts of the fines leviable under section 66, rules 99 to 102 shall be applied :

Provided that the powers of the Collector under section 65 or 66 respectively shall be exercised in accordance with the provisions of rules 99 to 102 by the holder or holders of the alienated village in respect of land specified in a commission conferring the powers of a Collector under section 65 or 66 respectively upon such holder or holders under section 88 (d).

94. (1) When the Collector receives an application under section 65 for permission to use for any other purpose land assessed for purposes of agriculture only, he shall forthwith forward to the holder or holders of the alienated village in which the land is situated a copy of the application and shall as soon as possible thereafter also forward to such holder or holders a letter showing the '[non-agricultural] assessment leviable upon use of the land for such other purpose and requesting such holder or holders to intimate within one month of the date of the letter whether the application should be granted or refused.

[1] Rule 94: Vide Foot-note to rule 81 at page 64, *supra*.

(2) If such holder or holders intimate that the application should be granted it shall be granted accordingly; but if such holder or any of such holders intimate that the application should be refused or do not make any intimation within the time specified, the application shall be refused.

95. (1) When the Collector receives information that any inferior holder of land assessed for purposes of agriculture only has rendered himself liable to any of the penalties specified in section 66 the Collector shall address to the holder or holders of the alienated village a letter communicating the information and the liabilities of the holder of the said land and showing the '[non-agricultural] assessment or fine or both leviable and requesting the holder or holders of the alienated village to intimate within such time as the Collector considers reasonable whether the liabilities should or should not be enforced.

Procedure when information of use for non-agricultural purposes is received.

(2) If such holder or holders intimate that the liabilities should be enforced, they shall be enforced accordingly; but if such holder or any of such holders intimate that the liabilities should not be enforced or do not make any intimation within the time specified or within such further time as may specially be granted, they shall not be enforced.

(3) Provided that the Collector shall not pass any such orders in respect of land specified in a commission conferring the powers of a Collector under section 66 upon the holder or holders of the alienated village under section 88 (d) but shall forthwith communicate the information for the orders of such holder or holders of the alienated village; and also provide that any such information may be received and acted upon by such holder or holders of the alienated village direct.

96. (1) The Collector, or the holder or holders of the alienated village, as the case may be, shall communicate any orders passed by him or them under these rules to the Mamlatdar, who shall communicate such orders to the applicant or holder of the land concerned and shall direct the village officers to levy any '[non-agricultural] assessment or fine so ordered.

Communication of orders and levy of assessment.

(2) Such '[non-agricultural] assessment or fine shall be levied in the same manner as other land revenue and shall be paid wholly to the holder or holders of the alienated village where

such holder or holders are entitled to the whole land revenue of the village or proportionately to their shares when such holder or holders are entitled to a proportion only of the land revenue in accordance with the conditions under which they hold the alienated village.

Reimposition of agricultural assessment in surveyed and settled alienated villages.

96-A. The provisions of rule 91 shall apply also to the holdings assessed to non-agricultural use in surveyed and settled alienated villages.

97. Nothing in rules 92 to 95 [and 96-A] shall be deemed to apply to lands which are alienated lands apart from the alienation of the village in which they are situated, nor alienated land in the possession of and occupied in person by the holder or holders of the alienated village.

Kadim and sheri lands exempted.

98. For the purposes of rules 92 to 97 the holder or holders of any alienated village shall be taken to mean the actual holder or holders or in cases of doubt the person or persons whose name or names is or are registered as such in the register kept under section 53.

Meaning of "holder" of alienated village.

Permission for non-agricultural use and fines in cases of unauthorized use.

99. No fine shall ordinarily be imposed under section 65, that is to say, where land assessed or held for purposes of agriculture is used for any purpose unconnected with agriculture with the permission of the Collector.

No fine ordinarily to be imposed under section 65.

100. Any fine imposed by the Collector under section 66 shall be fixed by him at his discretion subject to rule 101 shall not exceed ten times the [non-agricultural] assessment imposed under this Chapter.

Maximum fine leviable under section 66.

101. When the material of the soil of any occupied land is employed for bricks or tiles or pottery or for any other non-agricultural purposes, without the permission of the Collector being first obtained and the value of the land is thereby adversely affected, a fine may be levied at a rate not exceeding double the rate prescribed in rule 100.

Maximum fine leviable for unauthorized use for building, brick making etc.

[1] Rules 96-A and 97: Vide *G. N. R. D. (Bom.) 3783/33 of 11-8-1939* and *R. D. (Sind) 1935/33-I-E of 1-9-42*.

[2] Rule 100: Vide Foot-note to Rule 81 at page 64, *supra*.

102. Notwithstanding anything contained in rules 99 to 101, the Collector may, in such cases as the Provincial Government deem exceptional or unusual, impose a fine, whether under section 65 or under section 66, at such rate as may be fixed by the Provincial Government in that behalf.

Saving of special cases dealt with by the Provincial Government.

103. The limit of fine to be levied under section 61, when land is unauthorizably occupied and used for any non-agricultural purpose, shall be double the amount of the fine that would be leviable under section 66 and rule 100 if the same land being in lawful occupation had been used by the holder for the same purpose without the permission of the Collector.

Limit of fine under section 61a

Provided that a fine up to Rs. 100 may be levied in any such case irrespective of the area of the land involved.

CHAPTER XV.

Record of Rights.

104. The record of rights and mutations, the index of lands and the register of disputed cases shall be kept in forms O, P and Q respectively; provided that in sites surveyed under section 131, these forms may be modified by the Director of Land Records to suit the requirements of cities, the record of rights being termed the "Property Register". After the original preparation of the Record, all later entries altering or transferring those rights are termed "mutations".

105. (1) When the record of rights is first introduced in any village, as soon as the preparation has begun, the village accountant shall cause notice thereof to be given by beat of drum and shall post up a written notice in the chavdi. He shall also write at the head of the record a certificate that such notice was duly given.

(2) Prior to the preparation of the fair copy of the record of rights, the village accountant shall prepare a rough copy of the record in the form of an Index of Lands with all rights noted against each parcel. Until the fair copy is prepared, such rough copy shall be used as and be deemed to be the register of mutations, and the provisions of the Code and of these rules which apply to the said register shall apply so far as may be to such rough copy, and the provisions of rule 111 respecting the introduction of the re-written copy of the index shall apply so far as may be to the introduction of this first fair copy of the record.

106. (1) Every mutation shall be posted in the Diary by the village accountant and examined by the Circle Inspector and shall be read out and explained by the latter to all persons present.

(2) The Circle Inspector shall initial all entries so examined.

(3) If any person adversely affected admits an entry to be correct, the Circle Inspector shall note the admission.

(4) If any interested person disputes the correctness of an entry, the Circle Inspector shall not erase but shall correct any errors admitted by all parties either by bracketing the errors and inserting the correct entries by interlineation or side note or by an entirely fresh entry, in either case authenticated by his signature: if the error is not admitted, he shall enter the dispute, in the Register of Disputed Cases (form Q), and it shall be disposed of under rule 108.

107. (1) The entries in the Diary of mutations shall be further tested and revised by a revenue officer not lower in rank than a ¹[Mamlatdar's First Karkun].

(2) Any entry found by such officer to be correct shall be certified by him.

(3) Any entry found to be incorrect shall, if no dispute is brought to his notice, be corrected as in rule 106 (4) and certified by him; such correction shall be a new mutation for the purpose of section 135D (2).

(4) Where such officer finds that there is a dispute regarding any entry examined by him, he shall enter the dispute in the register of disputed cases and the dispute shall be disposed of under rule 108. Such officer shall, wherever possible, himself dispose of the dispute under the said rule forthwith.

(5) One appeal only shall lie against any entry certified under sub-rule (2) or corrected under sub-rule (3) otherwise than by the Collector himself, to the same authority to which an appeal lies in a case decided under rule 108.

108. (1) Disputes entered in the register of disputed cases shall ordinarily be disposed of by the ²[Mamlatdar's first Karkun] or by the Mamlatdar, but may be disposed of by the District Inspector of Land Records or by any revenue officer of superior rank to that of ²[First Karkun].

(2) The enquiry shall ordinarily be made in the village in which the land is situate or where the interested parties reside.

[1] Sind: In Rule 107 (1) for "Mamlatdar's First Karkun", the words "Taluka Head Munshi" shall be substituted.—*Vide R. D. (Sind) No. R-4102-E of 3-1-1941.*

[2] Sind:—Rule 108 (1): *Vide Foot-note [2] on p. 75, infra.*

(3) The officer making the enquiry shall record his order disposing of the dispute in the said register, and shall then make such entry in the Diary of mutations as may be necessary.

(4) Such officer shall certify the entry in the diary of mutations to be correct.

(5) ¹[An appeal] against an order under this rule shall, if the order has been made by the ²[Mamlatdar's First Karkun], the ²[Mamlatdar], the ³[District Inspector] or a Revenue Officer of lower rank than that of a Deputy Collector, lie to the Sub-Divisional Officer, or to an officer appointed by the Provincial Government in this behalf, and if the order has been made by the Sub-Divisional Officer, the Superintendent of ³Land Records or by a Revenue Officer of a rank not lower than that of a Deputy Collector, to the Collector; such appeal shall be presented within sixty days from the date on which the copy of the order was served on the appellant or was otherwise intimated to him :

Provided that the appellate authority may after recording its reasons in writing admit an appeal after the aforesaid period of sixty days if it is satisfied that the appellant had sufficient cause for not presenting the appeal within such period.

Subject to the provisions of sub-rule (6) the decision of the appellate authority shall be final. There shall be no appeal against the order of the Collector. No second appeal shall lie in any case.

(6) ¹The ⁴[Provincial Government] may call for and examine the record of any enquiry or the proceedings of any subordinate revenue officer held under rules 106, 107 and sub-rules (1) to (5) of this rule for the purpose of satisfying ⁵[itself] as to the regularity of such proceedings and as to the legality or propriety of any decision or order passed in such proceedings.

If, in any case, it shall appear to the ⁴[Provincial Government] that any proceedings so called for or any decision or order made in such proceedings should be modified, annulled or reversed, ⁵[it] may pass such order thereon as it deems fit.

[1] Rule 108: Vide *G. N. R. D. (Bom.) 1586/39 of 11-10-1939*.

[2] Sind: In Rule 108 for 'Mamlatdar', 'Mamlatdar's First Karkun', 'First Karkun' the words 'Muktiarkar', 'Taluka Head Munshi', 'Head Munshi' respectively shall be substituted.—Vide *R. D. (Sind) R-4102-E of 3-1-1941*.

[3] Sind: In Rule 108, sub-rule 5 delete the words 'the District Inspector' and add after the words 'Superintendent of' 'Survey and'.

[4] Sind: In Rule 108 sub-rules (6) and (7) for the words 'Provincial Government' substitute 'Revenue Commissioner for Sind' wherever they occur.

[5] Sind: In Rule 108 sub-rules (6) and (7) for the word 'it' substitute the word 'he'.

(7) If the appellate order or the order passed in revision by the ²[Provincial Government] confirms the previous decision it shall be noted in the remarks column against the entry which is confirmed. If ³[it] alters it, the change shall be entered as a fresh, but not disputable, mutation.

109. Entries in the Diary of mutations shall ordinarily be transferred to the Index of lands as soon as certified.

110. The index of lands shall be re-written incorporating all mutations recorded upto the date prescribed by the sub-divisional officer whenever that officer, in view of the number of entries in the Diary of mutations, shall so direct.

111. (1) When the re-written Index of land is reported to be complete, the Collector or sub-divisional officer shall fix a date for its inspection and shall cause notice thereof to be given calling upon all persons interested to appear on such date at a specified place in or in the immediate vicinity of the village concerned, and notifying that any such person may before such date inspect the Index on application.

(2) On the date and at the place appointed, the Collector or sub-divisional officer shall compare the new copy with the old Index and the diary of mutations, cause such portions thereof to be read out as any of the persons present may desire to hear, read and make any correction that may be necessary.

(3) Such officer shall then sign the new Index and subscribe below it a certificate that the entries therein have been duly tested and found correct.

112. Where a revenue officer or a village accountant issues any summons or notice under section 135E (1) or G, he shall follow the provisions of section 190 or 191 as the case may be.

113. Record of such tenancies as are not perpetual or notified under section 135B (2) shall be kept in form R. The entries therein shall be tested by the Circle Inspector when he examines the crops, and by other officers of higher rank. When any error is discovered by any of these inspecting officers, they may correct it and initial the corrected entry. The register will be compiled every ten years, but there will be no notification. When any dispute as to such tenancies is found to exist, a note of the fact may be made in the register, but no entry will be made in the register of disputed cases, nor will any revenue officer decide the dispute.

[1] Rule 108: Vide G. N. R. D. (Bom.) 1586/39 of 11-10-39.

[2] Sind: Rule 108, Sub-Rule (7) vide Foot-note [4] on p. 75 *supra*.

[3] Sind: Rule 108, Sub-Rule (7) vide Foot-note [5] on p. 75 *supra*.

CHAPTER XVI.

Recovery of Land Revenue.

114. All payments of land revenue shall be made to the officers of the village in which such revenue is due : provided that, with the sanction of the Collector, such payment may in special cases be made into a Government Treasury within the district to which the payment appertains.

¹[Provided further that where the Collector acting under the general or special orders of Government, declares any village in a Taluka to be a centre for the payment of land revenue in respect of such villages as the Collector specifies in that behalf, payment of the land revenue due in the villages so specified, to the officers of those villages shall be made at the centre so declared].

114-A. ²[Any declaration made by the Collector under rule 114 shall be made known by affixing a copy thereof in the Chavdi or some public building in the villages concerned or in such other manner as the Collector may deem expedient.]

114-AA. (1) ³[In cases where the non-agricultural] assessment is fixed under rule 87, the assessment, if it does not exceed one rupee, may, with the consent of the Collector instead of being rendered annually, be commuted at any time by the occupant for a lump payment for the term or residual part of the term for which it is fixed.

The lump payment shall be equal to three-quarters of the aggregate amount of the assessment due for the said term or residual part thereof as the case may be or twenty times the assessment, whichever is less.

A note of such payment or commutation shall be made in or at the foot of the sanad or lease granted in respect of the land under rule 87 (b). On the expiry of the period for which it has been commuted, the assessment, whether revised or not, shall again be leviable unless it is again commuted under this rule.

(2) The lessee of any land the rent of which is fixed under rule 51 may in the like manner commute such rent if it does not exceed one rupee.

[1] In Rule 114 add the proviso in Bombay.—Vide G. N. R. D. (Bom.) 8214/39 of 3-12-1942.

[2] Rule 114-A : Added in Bombay.—Vide, *ibid.*

[3] Rule 114-AA : vide G. N. R. D. (Bom.) 5542/33 of 24-1-1939; G. N. R. D. (Bom.) 8214/39 of 3-12-1942.

(3) The Commissioner may, by general or special order, authorise the commutation of any other item of annually recurring land revenue which does not exceed one rupee, for a period not exceeding fifty years.

(4) The provisions of sub-rule (1) shall apply *mutatis mutandis* to every case of commutation of rent or other items of land revenue under sub-rule (2) or (3).

115. Except in Ratnagiri, Kolaba, Kanara and Thana, Collectors shall, with the sanction of the Commissioner, classify the villages in their districts into the following three classes:—

Class I: kharif villages in Ghat districts and elsewhere where it is necessary that the revenue be secured specially early;

Class II: kharif villages in Gujarat and elsewhere where no such special provision is necessary;

Class III: rabi villages generally.

116. (1) The land revenue payable in respect of lands assessed for purposes of agriculture only shall be paid in equal or nearly equal instalments on the following dates:—

Dates on which agricultural revenue to be paid.

(a) Deleted in Bombay³ [For Sind see Foot-note.]

(b) In Thana district—the 1st January and the 16th February;

(c) and in villages classed under rule 115 in—

Class I, on the 5th December and the 5th January;

Class II, on the 5th January and on the 5th March;

Class III, and the whole of the District of Ratnagiri, Kanara and Kolaba the 5th February and the 5th April:

(2) Provided that—

(i) in any district or in any part of a district where the dates above specified are found unsuitable, the Collector may, with the sanction of the Commissioner, fix such other dates as he may deem expedient according to the circumstances of the season and of the villages concerned and the character of the crops generally sown therein;

[1] Sind: Rule 115 has been deleted in Sind.—Vide R. D. (Sind) R-4102-E of 3-1-1941.

[1] In Rule 115 delete the word 'Sind'.—Vide G. N. R. D. (Bom.) B-205 of 19-10-1938.

[2] Rule 116 (1) (a) deleted in Bombay.—Vide G. N. R. D. (Bom.) B-205 of 19-10-1938.

[3] Sind: In Rule 116 (1) add: "(a) in Sind for Kharif cultivation the 1st to 10th February, and 1st to 10th March, and for rabi cultivation the 10th to 23rd June". Vide R. D. (Sind) No. R-4102-E of 3-1-1941 substituted by R. D. (Sind) 4156 of 10-7-1936 and G. N. R. D. (Sind) 1938/270-II-E of 3-9-1941 respectively.

(ii) where the annual amount of the revenue is five rupees or under, it shall be payable in a lump sum at the date of the first instalment;

(iii) if the person from whom the year's revenue is due so wishes, he may in any case pay the whole amount at once instead of by instalments.

117. Land revenue, other than that due upon agricultural land, shall ordinarily be paid in one instalment, at the time of the first instalment of agricultural land revenue or on such other date as the Collector thinks fit in any case to prescribe; but in special cases the Collector may in his discretion allow the payment to be made in two or more instalments on dates which shall be fixed by him.

Form of notice of demand. 118. The notice of demand to be issued under section 152 shall be in form S.

Duties of village officers. 119. (a) It shall be the duty of the village officers to warn landholders verbally from time to time of the dates on which their instalments are due, and to use their influence in securing prompt payment without resort to notice of demand or other compulsory processes.

(b) Village officers shall report to the Mamlatdar the names of landholders who, they have reason to believe, will not punctually pay their instalments, in order that precautionary measures under sections 140-145 may be, when necessary, adopted in time: and shall immediately report any case where the produce of any land on which the assessment has not been paid is attached by a Civil Court.

Superior holder may make only one application under section 86 in respect of inferior holders or co-sharers in his holdings in one and the same village. 119-A. [A superior holder seeking assistance under section 86 for the recovery of rent or land revenue payable to him by inferior holders, or by co-sharers in his holding may make one application in respect of all or any number of the inferior holders or co-sharers if the land in respect of which the rent or land revenue is payable by them is situated in one and the same village].

XXVIII. Whenever the consolidated demand is ordered to be half suspended or half remitted, the division shall be so made that no fraction less than a whole anna shall be taken in the portion to be suspended or remitted.

[1] Rule 119-A is added in Bombay vide G. R. D., no. 7302/39 of 18-12-1944.

XXIX. Whenever an amount is suspended, the suspension shall always be conditional upon the payment of the amount which is not suspended. When, for instance, half the revenue is suspended, but any revenue-payer defaults in respect of any remaining unsuspended revenue the suspension shall be cancelled so that the suspended amount also becomes 'due for the current year' (sec. 148).

Revenue which has not been suspended shall include unauthorised arrears of previous years, provided that the grant of suspensions shall not be contingent on the collection of such arrears when the Collector by special orders so directs.

General Calamities.

(R. 4966/24 of 1-5-29.)

A.—Suspensions of Consolidated Land Revenue.

XXX. When the Collector has ascertained by local inquiries that owing to a partial or total failure or destruction of the crops throughout any tract on account of drought or any other cause, it will be necessary to suspend the collection of land revenue (or judi under the Gordon and Pedder settlements) assessed for agriculture in any area, he is authorized, especially when the tract is already impoverished or the previous harvests have been poor, to grant suspensions according to the scale given below to all occupants, agriculturists and non-agriculturists alike and to superior holders of alienated land (R. 9402-19) without inquiry into the circumstances of individuals:—

| Classification of crops. | Amount of assessment to be suspended. |
|--------------------------|--|
|--------------------------|--|

| | | |
|-------------------|--------|------------|
| 4 annas and under | | The whole. |
|-------------------|--------|------------|

| | | |
|-----------------------------|--------|-------|
| Over 4 annas, under 6 annas | | Half. |
|-----------------------------|--------|-------|

| | | |
|---------------------|--------|-------|
| 6 annas and over... | | None. |
|---------------------|--------|-------|

The normal crop, or average of satisfactory seasons is reckoned at 12 annas.

XXX-A. For the purposes of the suspension of revenue, annewari is required only when there is doubt as to whether the season is below 6 annas, or, if there are suspended arrears, when there is doubt as to whether the season is below 8 or 11 annas according as the amount of arrears to be collected is half or the whole of one year's assessment. '[Prior to the annewari being taken in hand by the Circle Inspectors, the Mamlatdar should endeavour to arrange to do the annewari of one village in conjunction with them and any educated people interested in agriculture who may care to attend, more especially representatives of the District or Taluka Local Board, or the Taluka Agricultural

Development Association or of important mercantile firms interested in crop outturns.]

The procedure for making the anna valuation is thus laid down in Government Resolution No. L. C. 1145-B; dated 24th June 1927 [amended in Bombay by G. R. L. C. (Bom.) 604 dt. 25-11-1937] :—

(i) [A committee shall be formed for every village for which an anna valuation is to be prepared consisting of the Circle Inspector (as chairman), the Kulkarni, the Patil and two representative agriculturists. The representative agriculturists may be elected by the village panchayat established by law in villages in which such a body exists and in other villages the rayats may elect a panel of ten from amongst whom the Circle Inspector will be bound to select two to serve on the committee. If the elections are not duly made in time, the Circle Inspector may select the two representative agriculturists.]

(ii) The Circle Inspector shall give not less than 3 clear days' notice of his visit.

(iii) The Committee shall meet in the month preceding the harvesting of the main crops and record its opinion as to what the anna valuation should be for each of them.

(iv) This opinion shall be signed by each member who (if the Committee is not unanimous) shall record his opinion over his own signature or mark.

(v) The opinion or opinions thus recorded shall be forwarded by the Circle Inspector to the Mamlatdar, who shall proceed to make a provisional decision.

(vi) The Mamlatdar shall fix a date by which the opinion or opinions referred to in clause (v) above shall reach him.

(vii) If the opinion or opinions are not received by that date, he shall make his provisional decision on such other data as may be available.

(viii) [The Mamlatdar shall publish his provisional decisions in the Taluka Kacheri and shall communicate the decision concerning each village to the Revenue Patil, for publication in the Chavdi ²(and in two or three prominent places in the villages besides the Chavdi) and by beat of drum and to the two representative agriculturists who officiated on the committee].

(ix) Any objection to the provisional decision of the Mamlatdar shall be made within 15 days from the date of its publica-

[1] Adm. Or. XXX-A (i)-Vide G.R.R.D. (Bom.) L. C.-604 of 25-11-1937.

[2] Adm. Or. XXX-A (viii)-Vide G. R. R. D. (Bom.) L. C. 604 of 16-11-1938 and L. C. 604-III of 5-3-1941.

tion, and he shall take into account all objections which have been submitted to his superior officers, in person or by petition.

(x) Unless the Mamlatdar, on a consideration of the objections or for any other reason sees fit to amend his provisional decision, such decision shall stand as his final decision. In any case where he amends his provisional decision, the amended decision shall be published in the same manner.

(xi) If the Collector revises the Mamlatdar's decision, this further decision similarly shall be published.

(xii) The Collector may select any field in any village for a crop test with a view to checking the accuracy of any anna valuation.

(xiii) The Collector or the Mamlatdar as the case may be should supply to the public on payment of the copying fees, information relating to the anna valuation of the crops of a village embodied in the following documents :—

- (1) the opinion of the Village Committee as to the anna valuation of each of the main crops,
- (2) the provisional decision of the Mamlatdar,
- (3) the final decision of the Mamlatdar, if any,
- (4) the Collector's decision.

Where possible the Mamlatdar's decision should contain the area as well as the anna valuation of each of the main crops of a village. The information should be furnished in the form appended to R. 4966/24 of 19th June 1930.

XXXI. Where the area affected is homogeneous or whole villages are more or less uniformly affected, the suspensions should be announced for such tract or villages without detailed inspection.

XXXI-A. '[In case of an abnormally heavy fall in prices below the price level on which the current settlement is based Government will consider the propriety of issuing special orders for relief].

XXXII. The Collector shall cause the occupants and superior holders of alienated land whose revenue is suspended to understand distinctly that such suspension is provisional only, and that it will be decided subsequently whether the revenue suspended shall be ultimately remitted or collected.

[1] Adm. Or. XXXI-A—Vide G. R. R. D. (Bom.) L. C. 604 of 25-11-1937.

B.—Remissions of Land Revenue.

XXXIII. Remissions should be granted to occupants and to superior holders of alienated land in the manner explained below; there should be no inquiry into the circumstances of individuals.

(i) Except as provided in sub-paragraph (ii), the grant of remission should depend on the character of the three seasons following that in which the assessment is suspended. The oldest arrears shall be remitted first (*R. 9402—19*). Suspended revenue should be collected to the extent permissible under the table given below. In accordance with this table, all suspended arrears which either (a) in Gujarat and the Konkan are in excess of one year's revenue or (b) in the Deccan are in excess of two years' revenue or (c) are more than three years old should ordinarily be remitted by the Collector :—

Proportion of assessment the collection
Anna classification of crop. of which would be justified.

| | Current. Suspended arrears. | |
|--------------------------------|----------------------------------|---------------|
| | 11 annas and over | 1 |
| 8 annas and under 11 annas | 1 | $\frac{1}{2}$ |
| 6 annas and under 8 annas | 1 | ... |
| Over 4 annas and under 6 annas | $\frac{1}{2}$ | ... |
| 4 annas and under | ... | ... |

(ii) In the tracts noted below, *the grant of remission should depend on the character of the four seasons following that in which the assessment is suspended. In other respects the instruction in sub-paragraph (i) will apply except that the suspended arrears shall not be due for remission until they are more than four years old (*R. 4966/24 of 27-3-1928*).

'Sholapur District.

Bijapur District.

Ahmednagar District (excluding Akola, Kopargaon and Sangamner talukas).

Indapur and Bhimthadi talukas and Shirur and Dhond Petas (now Taluka) of Poona District.

Gadag, Ron and Navalgund talukas and Mundargi and Nar-gund Petas of Dharwar District.

[1] Sind: Adm. Or. XXXIII. For remission in Sind see Cir 31 as amended by Rev. Commissioner for Sind's No. R. D. 1022-E of 9-5-1939; R-1121-E of 9-6-39; R-1791-E of 24-1-40; R-945-E of 3-4-40; 1937/61-29-E/1 of 5-7-40; R-3675-E of 17-9-40; R-4166-F(b)/II of 22-3-41; R-4384-E(a)/II of 30-3-41; R-5728 G/II-E(b) of 11-3-42; R-5728-G/II-E(b) of 11-4-42; R-5083-E/II of 13-4-42; R-5083-E/II of 22-4-42; R-5728-G/II-E of 8-9-42. (Vide Revised Manual of Commissioner in Sind's Special Circulars (1939) as amended.

(iii) The amount of suspended revenue to be collected with any particular instalment should be fixed by the Collector and announced before the collection of the instalment begins.

(iv) Cases in which owing to the impoverishment of a tract by a succession of bad seasons, or for any special reasons, it appears to the Collector desirable to remit or to collect suspended revenue otherwise than in accordance with the ordinary rule, should be reported through the Commissioner for the orders of Government.

XXXIV. ¹[When water rate is fixed under section 55, Land Revenue Code or when the land revenue assessment includes a separate or separable assessment charged for water advantages then, if the water fails to such an extent that no irrigated crop or an irrigated crop not exceeding 4/6 annas can be grown, the whole/half of the water rate fixed under section 55 or of the separate or separable assessment charged for water advantages should, in the case of all occupants and superior holders, be remitted without suspensions]. If such remissions are extensive, the Collector should first consult the Irrigation Officer of the district, and in case of difference of opinion should refer the case to the Commissioner.

XXXV. When much land which would ordinarily be sown is left unsown because present or recent calamity renders sowing impossible, the case is identical with that of failure of crops and should be similarly treated.

XXXVI. Suspensions may be granted to superior holders [including Mewasdars (R. 11946-07)] in accordance with the orders and the provision of sec. 84A of the Bombay Land Revenue Code. Such grant entails the suspension and remission of rent (other than crop share) payable by the inferior holders or tenants to the extent provided by that section, under which the Collector must also record his order.

II. Local Calamities.

XXXVII. (a) ²[Relief to be given on the occasion of local calamities, including loss by fire or flood of harvested crops or other property and loss of crop by theft or mischief by unknown persons, should be determined by the investigation of individual cases.

(b) In cases where the owner of the crop or other property which has been destroyed, damaged or stolen is a person primarily liable for the payment of land revenue, the relief shall be given by suspension or remission of land revenue.

[1] Adm. Or. XXXIV. Vide G. R. R. D. (Bom.) 9230/24 of 6-7-1940.

[2] Adm. Or. XXXVII. Vide G. R. R. D. (Bom.) 3392/39 of 20-8-1941.

Before the relief is granted the resources of such person should be taken into account. If the loss amounts to total or nearly total loss of crops, immediate remission is preferable to suspension. In cases of this kind, Collectors can grant remission up to Rs. 100 and Commissioners up to Rs. 500.

GIVING OF RELIEF.

(c) In cases where the owner of the crop or other property, which has been destroyed, damaged, or stolen, is a person who is not primarily liable for the payment of land revenue to Government, the relief shall be given, as follows, after the Collector has passed the order of suspension or remission of land revenue payable by the superior holder to Government :—

(i) In areas to which section 16 of the Bombay Tenancy Act, 1939, is not extended, the relief shall be given by suspension or remission of rent or land revenue payable by such person to the superior holder to the extent provided in section 84A of the Bombay Land Revenue Code, 1879.

(ii) In areas to which section 16 of the Bombay Tenancy Act, 1939, is extended—(a) if such person is an inferior holder other than a tenant, the relief shall be given in the manner provided in sub-clause (i) above; (b) if such person is a tenant, it is not necessary for the Collector to take any action for the suspension or remission of the rent payable by such person, since under section 16 of the Bombay Tenancy Act, it is obligatory on the landlord to suspend or remit the rent payable by the tenant in the same proportion in which the land revenue payable by the landlord is suspended or remitted.

(iii) In all cases falling under clauses (i) and (ii), the Collector shall, before granting the relief, take into consideration the resources of such person and of his superior holder or landlord, as the case may be.]

General.

XXXVIII. (R. 8714-12) In order to carry out these rules it is essential that each autumn, not later than 1st October, each Sub-Divisional Officer should obtain from each Mamlatdar a list of the villages in the taluka (printed lists should be available). This list should show against each village the full normal year's demand of fixed consolidated revenue in round figures, omitting annas. The next column should show the total amount of suspended revenue in each village. When these suspensions are not given uniformly to all occupants this fact should be made clear, together with the proportion (half, whole or more than one year's demand) which stands suspended. The next column should show the Mamlatdar's Final anna valuation.

for the village. For orders as to methods of valuation see R. 3750-09, 7392-11, and 7760-12, para. 2 and 7773-B-27. A duplicate of these statements must also be sent to the Collector.

XXXIX. Upon this information the Remission and Suspension Rules can be applied. If there is no suspended revenue, no orders about its collection will be needed. If the crops are plainly well above 6 annas there will be no suspension for the current year. If they are unmistakably above 11 annas, the collection of the current revenue together with one full year's demand of suspended revenue could be ordered without further inquiry. But when the reported anna-valuation is close to one of the critical figures,—say $5\frac{1}{2}$ to $6\frac{1}{2}$, so that perhaps suspensions may be needed in the current year, or $10\frac{1}{2}$ annas, so that it is doubtful whether two years' dues can be demanded,—then a careful test of the valuation must be made. For this purpose the Sub-Divisional officer will, if necessary, go out on inspection in October (R. 438-12). It is imperative that the crops should be seen before they are reaped, and the Sub-divisional Officer must ensure that the list reaches him in time for this to be done and should call for and proceed to act on the Mamlatdar's provisional estimates should there be danger of his final estimates being received too late. He will select villages for test from the list so as to take a fair sample of the average condition of the taluka and should specially select villages for which the figures are critical.

XL. Reports of the extent and result of this test must be submitted weekly to the Collector. Duplicates of the original lists have been sent to the Collector, so that as he receives the results of the tests he can modify his estimate of the effect upon the probable demand and collections for the year. He can also see that proper progress is made in the tests. The Collector must see that reports required by Order XLIII below (F. 2225-10) are submitted promptly. He must not wait until the last tests have been taken and the conditions of both kharif and rabi crops ascertained. If this first *estimate* requires material modification, he should intimate the revised figures later. These estimates can be made upon the schedules showing the normal demands (or indeed upon the District Returns up to the end of July which will exhibit by Talukas the exact suspended revenue). He should not attempt accuracy to a single rupee and not delay while figures are collected, a task that should not be placed upon the subordinate establishment.

XLI. Only in cases where some special remission of water-revenue, or collection of the full revenue from irrigated holdings while other holdings are granted suspensions, has been

ordered, will it be necessary to collect estimates (or actual figures) of the financial effect in detail from the villages concerned. The general intention of these orders is that the village should be the unit, not the aggregate 'khata' or the single field.

XLII. The list of suspensions and remissions should be published in the following manner. As soon as the statement for any village is sanctioned, the Mamlatdar should cause a copy to be sent to the village officers, who should be required to read and explain the orders to all the villagers and to post the copy in a conspicuous place in the village chavdi, if any, or otherwise in some building to which the villagers resort. The Collector's orders, if any, under section 84A should be published and explained in the same manner. The village officers should be required at the same time to enter in the rayat's ledger (village form VIII-B) the remissions and suspensions which have been sanctioned, and in due course to note in the rent column of the Tenancy Register (Form XII) for each hissa concerned the suspension or remission granted by the Collector's orders under section 84A unless these orders are of a general character, when they may be recorded in a remark at the end of the Register. All Revenue Officers from Circle Inspectors upwards should satisfy themselves (by personal observation) that the publication has been made as directed and that any torn or defaced notice has been replaced and (by direct inquiry) that the remissions and suspensions and the Collector's orders under section 84A have been read and explained to the villagers. The Circle Inspectors and other Taluka Officers must examine not less than 25 per cent of the rayat's receipts and of the entries in the tenancy register within three months after the remissions and suspensions have been declared, giving special attention to receipts and entries effected by the orders. The District Officers should pay special attention to ensure that this examination has been properly carried out.

In alienated villages the same procedure should be followed throughout as far as practicable, and in those in which forms VIII-A and B and the Tenancy Register or corresponding forms do not exist, the Inamdar should be invited to provide every inferior holder who is entitled to remission or suspension and whose dues are not collected through the village officers with a combined demand and receipt form showing the remission or suspension sanctioned for each and the balance due for payment.

XLIII. The Collector, as soon as he issues his orders, should report to the Commissioner his proceedings as regards both suspension and remission of land revenue, stating fully the reasons for these orders and the extent of their application, with other relevant particulars.

CHAPTER XVII

Disposal of Forfeited Land.

120. Where the Collector thinks it advisable that the holding of a defaulter should, after forfeiture, be either restored to the defaulter or given out with or without any occupancy price to any other person, subject to the condition that he shall not transfer it in any way to another person without the previous sanction in writing of the Collector, the Collector, after having declared such holding to be forfeited to the Provincial Government, may, without having resort to any of the other means provided in the Code for the recovery of an arrear of land revenue, restore, or give it out (as the case may be) accordingly, and shall take an agreement in form T.

Restoration or grant on inalienable tenure.

XLV. Where Rule 120 is not applied, resort should not be had to forfeiture of land unless it appears to the Collector that the arrear cannot be readily recovered by any of the other means provided in Chapter XI of the Code.

121. Where the land in respect of which an arrear is due consists of two or more survey numbers or of two or more sub-divisions of survey numbers or of two or more estates separately assessed, and the Collector is of opinion that the whole amount of such arrear could be realized by the sale of less than all of such survey numbers, portion or estates, he shall restrict forfeiture to such one or more survey numbers or the sub-divisions as prove sufficient to realise the arrears.

Partial forfeiture.

122. Deleted, as it merely repeated sec. 117 (B) (i).

123. Forfeited land shall not be put up for sale in the following cases, but shall be disposed of in the manner hereinafter prescribed for the particular case under which it falls, namely:—

Disposal of forfeited land otherwise than by sale in certain cases.

(a) Where the Collector thinks that, owing to general agricultural depression or to the want of demand for such land, or to a combination of the neighbouring land-holders, or for any other special cause, there will be no bidders at the sale, or that the highest amount bid will be considerably below the reasonable value, he shall cause the land to be entered in the land records as unoccupied.

(b) Where the Collector finds that the land is likely to be required either immediately or within a reasonable time for any of the purposes described in section 38, he shall take steps at once to assign it for such purpose.

(c) In the case of a forfeited alienated holding, where the Collector considers it expedient to allow the land to continue in the possession of its actual holder or tenant, as an occupant of unalienated land, annulling the alienation, he shall pass orders accordingly for its continuance.

(d) In the case of an inferior holding forfeited on account of an arrear of rent or land revenue due to a superior holder, for the recovery of which assistance is being rendered under sections 86 and 87, the Collector may in his discretion transfer the holding to the superior holder thereof, subject to such tenures, rights, incumbrances or equities (if any) as he may direct under section 56.

(e) In any other case, where the Collector considers it is expedient that the disposal of a forfeited holding should be otherwise than by sale, and obtains the sanction of the Provincial Government thereto, he shall dispose of it in accordance with the particular orders for its disposal passed or sanctioned by the Provincial Government.

124. In cases not falling under rule 120, 121, 122 or 123, Forfeited land to be sold for recovery of arrears in other cases. forfeited land shall, subject to the provisions of rule 126, be put up for sale for recovery of the arrears due.

125. (1) Every sale of forfeited land shall be made subject to the same rules as are applicable to the sale of unoccupied unalienated land so far as the same are consistent with the provisions of Chapter XI.

Rules and orders applicable to sales of forfeited land.

(2) The Collector should ordinarily set aside the sale under section 179, if in his opinion—

(a) the bidding at such sale has not been *bona fide*; or

(b) there has been collusion to recover the holding without payment in full of the arrears and charges due to the Government or the superior holder; or

(c) there has been some material irregularity or mistake or fraud, in publishing or conducting such sale, which is likely to have affected the amount of the highest bid or otherwise to have caused substantial injury to any person.

126. (1) It shall be ²[within] the discretion of the Collector to restore any forfeited land at any time previous to any sale or other disposal under these rules on payment of the arrear in respect of which the forfeiture was incurred together with all costs and charges lawfully due by the defaulter, or on security being given to his satisfaction for the payment of the said arrear, costs and charge within a reasonable period :

Restoration of forfeited land. Provided that no forfeited alienated holding, which is not held for service, shall be restored as alienated land without the previous sanction of—

(a) The Commissioner if it is assessed at more than Rs. 50 :

(b) The Provincial Government if it is assessed at more than Rs. 100.

(2) Where in the case of a forfeited alienated land held for service by a watandar the Collector is satisfied that the failure to pay the land revenue due thereupon arose solely from the inability of the defaulter to meet the demand, he may deduct from the forfeited land a portion of which the price would be likely to equal the amount of the arrear recoverable, and deal with such portion in accordance with such of rules 122 to 125 as are applicable, and restore the remainder of the forfeited land to the defaulter, or may restore the entire forfeited land to the defaulter, and either remit the arrear of land revenue due, or make such arrangements for its being paid in the future as he thinks fit.

XLVI. Where land which has been forfeited for default in payment of the land revenue is not sold, the arrear payable by the defaulter shall ordinarily be remitted without having recourse to further compulsory process against him. But it is not intended that the right of recovering arrears from defaulters by other means, notwithstanding that their holdings have been forfeited, and disposed of without being sold, should be altogether relinquished : in special cases the Collector may, with the sanction of the Commissioner, enforce that right.

[1] Sind : In Rule 126 delete '(1)' and sub-rule (2).—*Vide R. D. (Sind) R. 4102-E. (b) of 14-8-1942.*

[2] In Rule 126 the word 'within' has been inserted by *Govt. letter, R. D. (Bom.) 1945-B-28/21472 of 2-9-1941.*

CHAPTER XVIII.

Sales.

127. Auctions held under rules 37 (1), 41, 42 and 50 (2) shall ordinarily be conducted in the town or village in which the land is situated.
Auction sales under rule 42 where to be held.

128. Where any land or other property is sold by public auction, an upset price shall, if the Collector thinks fit, be placed thereon.
Upset price may be fixed.

129. (1) Every sale by auction under these rules, or in pursuance of any of the provisions of the Code, shall be conducted, so far as may be, in accordance with sections 165, 166, 170 to 177 both inclusive and 180. The proclamation and written notice of sale required to be issued under sections 165 and 166 shall be in one of the forms U or W, with such modifications, if any, as may be necessary:
Sales how to be conducted.

(2) Provided that, in conducting the following sales, namely:—

(a) sales of the right of grazing and of the right to take or cut grass in waste lands,

(b) sales of the right to take the fruit of specified trees belonging to the Crown for a specified period, and

(c) sales of dead-wood,

the procedure shall be in accordance with such orders as may from time to time be made by the Collector either generally or in a particular case instead of the procedure prescribed in sections 165 and 166.

CHAPTER XIX.

Appeals.

130. Every appeal shall be made in the form of a petition addressed to the authority to whom an appeal lies, and shall be drawn up in concise, intelligible and respectful language; and shall bear the signature or mark of the appellant or of his duly authorized agent.
Form and contents.

[1] Sind: In Rule 127 delete '50 (2)' and the comma after '41' and insert 'and' between the figures '41' and '42'.—Vide R. D. (Sind) R-4102-E (b) of 14-8-1942.

[2] Rule 129:—Vide G. N. R. D. (Born.) B-205 of 19-10-1938 and R. D. (Sind) R-4102-E of 3-1-1941.

(2) The petition should give the following particulars :—
 the name, father's name, occupation and place of residence or address of the appellant ;
 the name and address of the writer of the petition.

(3) The petition should also contain a brief and unexaggerated statement of the facts on which the appellant relies in support of his appeal and the grounds of the appellant's objection to the order or decision appealed against.

131. (1) Appeals may either be presented to the authority to whom an appeal lies in person or be forwarded to him by post.
 Presentation.

(2) Where an appeal is sent by post, the postage on the cover containing it must invariably be fully prepaid.

132. Inattention in any material respect to the requirements of rule 130 or 131 will render an appeal liable to be rejected without enquiry into its merits.
 Rejection of appeals without enquiry into their merits.

CHAPTER XX.

Penalties.

133. Breaches of rules hereunder mentioned shall be punishable on conviction before a Magistrate as follows :—
 Breaches of the rules how punishable.

(1) Whoever commits a breach of rules 67, 68, 69, 70 or 78, by excavating or removing earth, stone, kankar, sand, muram or any other material of the soil without due authority :

with imprisonment which may extend to one month, or with fine which may extend to five hundred rupees.

(2) Whoever commits a breach of rules 75, 76, 77 or 79, by using or excavating land in a prohibited manner, or for a prohibited purpose, without due authority :

with fine which may extend to five hundred rupees.

(3) Breach of any of rules 67, 70, 72(b), 119(a), 119(b), 134 or 135 committed by a village officer or city surveyor—

(a) by taking or levying any fees for preparing any document or copy or extract of any document which he is bound by any such rule to prepare without charge, or

(b) by charging any fee (i) for granting any permission or inspection which he is authorized by any such rule to grant, or (ii) for making any search for records, for which no fee can lawfully be charged,

(c) by refusing without reasonable cause an inspection of land records which he is required by any such rule to permit: with imprisonment which may extend to one month, or with fine which may extend to five hundred rupees.

(d) by refusing or neglecting to prepare any document or copy or extract of any document, or to sign or to certify the same, in the manner prescribed by any such rule, or

(e) by neglecting to make any report or to perform any duty which he is required by any such rule to make or to perform: with fine which may extend to five hundred rupees.

CHAPTER XXI.

Certain Documents to be prepared free of Charge.

134. (1) It shall be the duty of every village accountant, if so requested by any occupant, or by any person about to become an occupant, of land in his village, to prepare any agreement that may be necessary under either rules 37, 43, ¹[43-B], 46 or 120 without fee or charge of any kind, and any notice of relinquishment under section 74.

Village accountants to prepare certain documents without charge when so desired.

(2) A village accountant who prepares any such agreement or notice shall affix his signature beneath the words "written by" on the lower left-hand corner of such agreement or notice.

CHAPTER XXII.

Copies, Inspection and Searches.

I.—Inspection.

135. Documents, maps, registers, accounts, and records, the right of inspection of which is provided for in section 91 of the Indian Registration Act (XVI of 1908) and in section 213 and all *public documents* which any person has, under the provisions of any law for the time being in force, a right to inspect, shall be open to inspection in the office of the officer in charge of the same during the usual office hours every day, except Sundays and public holidays, on payment of the fee hereinafter prescribed in this behalf: and not otherwise.

Certain documents to be open to inspection.

[1] In Rule 134 (1) the figure and letter '43-B' are added in Bombay.—*Vide B. G. G. Pt. IV-B, p. 17 of 15-1 1943.*

Provided that no fee shall be charged for inspection (with the permission of the officer in charge) of the Enquiry Proceedings or Register or Property Register of a City Survey by a Municipal Official for municipal purposes (Notification R. 5228/24 dt. 13-12-27) [or except in Sind, by an officer of the Panchayat established or deemed to have been established under the Bombay Village Panchayat Act, 1933, for the purposes of such Panchayat].

Provided further that no fee shall be charged for the inspection of village records by an officer or a member of any Co-operative Society for the business of the Society.

II.—Extracts and Copies.

136. (1) No uncertified copy or extract shall be obtainable of or from any documents other than those prescribed in rule 135, nor otherwise than under this rule.

Uncertified copies.

(2) Any person may himself or by an agent make a copy of any public document or of any portion of any public document of which he has duly obtained inspection, but no copy so made shall be certified by any public officer.

137. (1) So long as the originals are in their charge, all village accountants, and in the cities surveyed under section 131 all City Surveyors, shall themselves receive and grant applications for certified copies of any serial number (entry) in the record of rights, register of mutations (Property Register) or of tenancies, or of a map of a survey number or sub-division thereof.

Village accountants to grant certified copies of certain records.

(2) The Collector may, in his discretion in respect of his whole district or any part thereof, also empower village accountants to receive and grant applications for certified copies of village forms Nos. (old) 1, 3, 5, 6, 9, 11, 13, 14 and 18; (new) Nos. I, III, VII-XII combined, VIII-A and B, IX, XI, XII, XIV and XV, and of orders for levying miscellaneous land revenue.

(3) Such copies shall after comparison with the original be certified by the accountant as true, and given to the applicants direct within ten days from their application.

[1] Rule 135: *Vide G. N. R. D. (Bom.) B-205 of 19-10-1938 and R. D. (Sind) R-4102-E of 3-1-1941.*

138. Except as provided in rule 137 every application for a certified copy of any public document in the charge of a village accountant shall be made to the Mamlatdar to whom he is subordinate, who shall cause the copy to be prepared, compared with the original, and signed in token of correctness by the village accountant. The copy shall then be certified and made over to the applicant by the Mamlatdar.

139. In all other cases the officers in charge of any public document described in rule 135 shall, and in the case of any public document or portion thereof other than those described in rule 135 may, cause to be prepared and give certified copies of the same or of any portion thereof under his own signature to any person applying for such copy on payment of the fees thereafter prescribed: '[The Officer in charge of a map of a survey number or sub-division of a survey number prepared under clause (a) of section 135G on the basis of survey by plane-table shall, at the written request of an applicant, and on payment of the additional fee hereinafter prescribed in this behalf, cause the scaled-off perimeter measurements to be shown on the copy of such map to be given to the applicant after the first recording these measurements on the original, and shall clearly state both on such copy and on the original that the measurements shown are not the measurements taken in the field (bandh-maps) but have been scaled off the plane-table plan in the office.]

Provided that (a) no copy shall be granted of any record, map or plan which has been printed or lithographed and published under the authority of the 'Provincial Government' and is on sale; but small extracts of not more than five fields or plots may be granted under rule 142 [(5B) and] (6);

(b) that no copy of any document is to be given in any case in which the grant would be prejudicial to the public interest.

XLVII. Subject to the provisions of the rules, the grant of copies of some documents is obligatory, while of others it is optional. Ordinarily the latter are given, but every application must be carefully considered by the officer to whom it is made who will be guided by the administrative orders of Government and his superior officers; and in any doubtful case he must obtain the order of his immediate superior.

[1] In Rule 139 this has been added by G. R. R. D. (Bom.) 8566/39 of 4-5-1944 and G. R. R. D. (Bom.) 9394/39 of 5-10-1944 respectively in Bombay.

XLVIII. No copy of any official correspondence, or any opinion of a Government officer, or of any order or Resolution embodying any such opinion shall be given by any officer subordinate to a Collector or to the Survey Commissioner without the previous permission of those authorities.

140. On every certified copy or extract granted under these rules and delivered otherwise than through the agency of the value payable post there shall be endorsed by the officer who receives the fee for the same a receipt in the following form:—

Received Rs. as as fee for this certified copy.
Dated of 19

(Signed) A. B.

140-A. Notwithstanding anything contained in rules 136 to 140 every officer in charge of a certified copy of any public document shall on an application made to him by any person prepare and give to him a true copy of such certified copy of the document under his own signature on payment of the fees hereinafter prescribed. On every such copy it shall be clearly stated by such officer that it is a true copy of the certified copy of the document. When such copy is delivered otherwise than through the agency of the value payable post there shall be endorsed on it by the officer who receives the fee for the same a receipt in the following form:—

Received Rs. as , as fee for this true copy of the certified copy.
Dated of 19

III.—Searches.

141. When an application is made for an inspection or copy of any public document or of any portion of a public document and such application does not distinctly describe the number, date and nature of the document required; or if the description given in such application is incorrect, and it shall in consequence be necessary for the officer in charge of the document to search his records in order to find it, a fee, at the rate hereinafter prescribed, shall be payable by the applicant for such search whether the inspection or copy for which he applies, or examination of the said document by the said officer, be granted or not.

[1] Rule 140-A: Vide G. N. R., D. (Bom.) 3783/33 of 11-8-1939 and R. D. Sind 1935/33-I-E of 1-9-1942.

IV.—Fees.

142. (a) The following fees shall be levied in cash under these rules:—

- | | |
|---|---|
| <p>(1) For an inspection granted under Rule 135 for each day on which inspection is made.</p> | <p>Twelve annas an hour for each applicant subject to a minimum of Rs. 1-8-0, to be paid in advance. [Provided that a fee of annas 6 per hour subject to the maximum of Rs. 1-8-0 per day, shall be charged for the inspection of any document which is in the charge of a village accountant. Such fee shall be paid in advance].</p> |
| <p>(2) For every certified copy of a public document not falling under Articles 3, 4 and 5 of this table—</p> | |
| <p>(a) If the original be in English, for every 25 words or fraction of 25 words :</p> | <p>Nine pies.</p> |
| <p>(b) If the original be in the vernacular, for every 33 words or fraction of 33 words :</p> | <p>Nine pies.</p> |
| <p>(c) (i) for examining or comparing 100 words or fraction of 100 words, whether the original be in English or the vernacular :</p> | <p>Nine pies.</p> |
| <p>(ii) for comparing copies of maps, etc., under Articles (5), [5 (B)] (6) and (7) out of the copy fee there will be credited as comparing fee :</p> | <p>One-fourth</p> |
| <p>(d) if the original be in a tabular form, whether in English or the vernacular :</p> | <p>Twice the rates, respectively, named in clauses (a) and (b).</p> |

[1]. Rule 142 (a) (1) : In Col. 2 the proviso is added by G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and R. D. (Sind) 1935/33-I-E of 1-9-1942.

[2] Rule 142 : In item (2) (c) (ii) add '5B' in Bombay—Vide G. R. R. D. (Bom.) 9394/39 of 5-10-44.

(e) if the copy be given on a printed form for every sheet or page of forms used :

Three pies *plus* the fees at the rates herein prescribed for the manuscript additions made on the form.

(f) for each form of extract of a City Property Register :

Two annas.

(g) when no printed form is supplied or available; for each sheet of foolscap paper used in preparing the copy other than that of a map or plan under Articles (5), '5(B)', (6) and (7) :

'Three pies.

(3) For every certified extract from a register of alienations granted under section 53 :

One anna for every rupee of the amount of alienated revenue, or if the sanad lost or destroyed had been granted under Bombay Act IV of 1868 or under section 133, a sum equal to one-half of the survey fee which the holder of the building site included in the sanad would be liable to pay under section 132 if not exempted by the second paragraph of that section : provided that the fee shall in no case exceed Rs. 10 or be less than 8 annas.

(4) For every certified copy of a serial number (or entry) in the record of rights, register of mutations, or either part of the combined form V. F. VII-XII and for every Holding Sheet in V. F. VIII-A (including the printed form), and in villages to which rule 137 (2) applies for every certified copy of each entry in the forms named, or for each khata in V. F. VIII-B : provided that there shall be no charge for correcting the Holding Sheet at any time during the 5 years for which it is current :

One anna.

[1] Rule 142 : In item (2) (g) substitute 'three' for 'six' in Bombay.—Vide G. N.R.D. (Bom.) 570/39 of 27-9-1939 and add '5(B)'—Vide Foot-note [2] on p. 97.

(4-A) For every certified copy of the whole of the combined form V. F. VII-XII. Two annas.

(4-B) (i) For every certified copy of the tabular annewari statement of a village with the annewari decision worked out therein Five annas.

(ii) For every certified copy of the decision of the Collector or Mamlatdar not embodying such a form, or of the opinion of the village committee as to the anna valuation Two annas.

(5) For every certified copy of a map of a survey number or sub-division of a survey number or of any (uncoloured) map of any immoveable property prepared under clause (a) of section 135-G, or of an entry in a City Property Register : Two annas.

(5-A) ¹[For showing the scale off perimeter measurements on any certified copy of a map of a survey number or sub-division of a survey number under article (5)—

(i) if applied for at the time of the measurement of the survey number or sub-division of a survey number Two annas.

(ii) if applied for at any time thereafter] Four annas.

(5-B) ²[Subject to proviso (a) to rule 139 for every certified copy of a map or plan of a non-agricultural survey number or sub-division of such survey number in the Bombay Suburban District,]

[1] Item 5-A is added in Bombay by G. R. R. D. (Bom.) 8566 of 4-5-1944

[2] Item (5-B) and additions to item (6) are added in Bombay by G. R. R. D. (Bom.) 9394/39 of 5-10-44.

(6) Subject to proviso (a) to rule 139 for every other certified copy of a map of a survey number or of a subdivision or of a field or of any ordinary (uncoloured) map or plan of any immoveable property, or extract of City Survey map, for each field or plot: ¹[not falling under article (5-B) of this table].

Eight annas.

(7) For every certified copy of a map or plan or of any portion of a map or plan not falling under Article (5) ²(5-B) or (6) of this table :

Such fee not exceeding fifteen rupees, and not less than one rupee, as the officer who certifies the copy shall determine: provided that no fee exceeding Rs. 5 shall be charged by any officer subordinate to a Collector except with the permission of the Collector, or by an Officer of the Land Records Department except with the permission of the Superintendent of Land Records, to whom he is subordinate.

(7-A) ³[For every true copy of a certified copy].

The same fee as for a certified copy.

(8) For every search.

One rupee for each year of which the records are searched.

⁴Provided that in the case of Alienation Office Records a fee of Rs. 5 shall be charged for each Rumat searched subject to a minimum of Rs. 5 for every such search.

[1] Rule 142 Item (6) : Vide G. R. R. D. (Bom.) 9394/39 of 5-10-44.

[2] Rule 142 Item (7) : (5-B) is added in Bombay.—Vide *ibid.*

[3] Rule 142 Item 7-A : is added in Bombay by G. R. R. D. (Bom.) 3783/33 of 11-8-1939.

[4] Rule 142 Item No. 8 : in Col. 2 add proviso in Bombay by G. R. R. D. (Bom.) 2806 of 25-2-1941.

(9) For every authenticated translation of orders, and the reasons therefor, and of exhibits in formal or summary inquiries under the Code :—

(a) for the first 100 or fraction of 100 words : Eight annas.

(b) for every subsequent 100 or fraction of 100 words : Four annas.

Provided that—

(a) when any fee is required to be recovered through the agency of the value payable post, postage and postal commission shall be levied in addition, and when the total amount of fee together with postage and commission includes a fraction of an anna a whole anna shall be levied in place of the fraction :

(b) any revenue officer shall be entitled to receive free of any charge a certified copy of the final order recorded in his own case.

142. (b) While recovering copying and comparing fees, any amount less than six pies shall be remitted, and six pies or more shall be rounded to the extent of whole anna.

143. Every fee payable in accordance with the foregoing table shall either be paid in advance or recovered in pursuance of a specific request through the agency of the value payable post.

XLIX. (1) The fees levied for making each copy may be paid to the particular copyist by whom each document is prepared, or all the fees for copies collected in an office during the month may be distributed at the end of the month, at the discretion of the head of the office, amongst the persons employed by him as copyists.

(2) Copies should not be made by paid members of the office establishment, unless no other persons competent to make them are available. The fees for copies so made and all comparing fees should be credited to Government and the work done in office hours.

(3) The price of forms and papers supplied should be credited to Government under Account rules.

Provided that in the case of copies granted by village officers all the fees permitted under rule 142 shall be retained by them.

V.—Miscellaneous.

144. Every application must be made in writing and except in the case of an application for inspection made to a village accountant must be duly stamped. The application may contain a request that the copy, extract, or translation, be forwarded by value payable post (unregistered book-packet) to any Post Office which is also a Money Order Office.

L. When an application for transmission of copies by V. P. Post is received by the Accountant of a village in which there is no Money Order Office, he should send the copies with the application to the Mamlatdar for posting and recovery of the dues.

LI. Every such application shall be numbered and filed by the receiving officer and shall be endorsed with the date on which it was presented or received, the amount of fees, if any, received either at the time of presentation or subsequently at any time, and the date and manner in which the application was disposed of. Copies, extracts and translations shall ordinarily be ready for delivery or be forwarded within fifteen days of the presentation or receipt of the application. But see rule 137(3).

LII. In considering any application purporting to be made under secs. 90 and 91 of the Indian Registration Act, 1877, or under sec. 213 or under any other law which grants to any person a right of inspection, special care must be taken to see that the public document, with respect to which such application is made, is one to which the law relied upon is applicable, and that the applicant is a person entitled to inspection (and therefore, if he requires it under sec. 76 of the Indian Evidence Act, to a copy) before granting the application as a matter of right.

145. Nothing in these rules affects the provisions of the Stamp Act (II of 1899) or Court Fees Act (VII of 1870). The Stamp duty or court-fee with which an application, copy or extract made or furnished under these rules may be chargeable is in addition to the fees prescribed herein and care is to be taken that the requirements of the Stamp Act and Court Fees Act are properly fulfilled in respect of every such application, copy or extract.

'FORM A.

[RULE 19-A(ii).]

Rainfall recorded at _____, district _____, for the years _____

| Year. | Early rain (1st January to 10th April). | | Ante- monsoon (11th April to 4th June). | | Monsoon Kharif (5th June to 14th August). | | Monsoon Rabi (15th August to 21st Octo- ber). | | Late rains (22nd October to 31st December). | | Total. | | Remarks. |
|---------------|---|----------------|--|----------------|--|----------------|--|----------------|---|----------------|---------|----------------|----------|
| | Fall. | Rainy days. | Fall. | Rainy days. | Fall. | Rainy days. | Fall. | Rainy days. | Fall. | Rainy days. | Fall. | Rainy days. | |
| | Inches. | No. | Inches. | No. | Inches. | No. | Inches. | No. | Inches. | No. | Inches. | No. | |
| | | | | | | | | | | | | | |
| Ave- rage. | | | | | | | | | | | | | |

N. B.—The statistics should be collected for the last 30 years.

[1] Form A: *Vide G. N. R. D. (Bom.) 1016/39 of 5-3-1940.*

[1] Sind: *Forms A to A-11 are deleted in Sind.—Vide R. D. (Sind) R.-4102-E of 3-1-1941.*

FORM A-2.
[RULE 19-A (vii).]

Agricultural stock of the

*Government villages in the
during the year 19*

Taluka of the

District

| Number of villages. | Cattle. | | | | | | | |
|---------------------|-------------|------------------|---------------|--------------------|---------------------|------------------|---------------|-------------------|
| | For plough. | | For breeding. | | For other purposes. | | Milch cattle. | |
| | Oxen. | He Buffaloes. | Bulls. | Bull Buffaloes. | Oxen. | He Buffaloes. | Cows. | She Buffaloes. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

| Cattle—Contd. | | Total. | Horses and ponies. | Sheep. | Goats. | Plough. | | Carts. | | Cropped land per pair of plough cattle. Acre. |
|---------------|--------------------|--------|--------------------------|--------|--------|---------|---|-------------------------|---------------------------------|---|
| Young stock. | | | | | | Small. | Large (i.e. of over 2 cattle.) | For passen- gers. | For produce and goods. | |
| Calves. | Buffalo calves. | | | | | | | | | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| | | | | | | | | | | |

N.B.—Figures at the time of the last Settlement should first be given. Below them the latest figures available should be mentioned.

[1] Form A-2: Vide Foot-note [1] to Form A at page 103, *supra*.

FORM A-3.
[RULE 19-A (viii).]

Details of cultivation and crops of the Taluka of the District for the year.

| Number of villages in each Group. | Cultivated and uncultivated area. | | | | | | Details of column 2. Cereals and pulses. | | | | | | | | | | | | | | | | |
|-----------------------------------|-----------------------------------|-----------------------------|--|----------------------------|--|------------------------------|--|----------------------------|--|------------------|--|--------------------------------------|-----------|-------------|---------|-------------------------------|-------------|-------|--------|---------|--------|--------|-------|
| | | Gross area sown (T. F. XX). | | Deduct twice cropped area. | | Deduct unassessed land sown. | | Net assessed cropped area. | | Add fallow land. | | Total area occupied for cultivation. | Assessed. | Unassessed. | Forest. | Other including uncultivable. | Gross area. | Rice. | Wheat. | Barley. | Juwar. | Bajri. | Ragi. |

[1] Form A-3: Vide Foot-note [1] to Form 'A' at page 103, *supra*.

(Contd.)

| Details of column 2. Cereals and Pulses—(contd.) | | Condiments and Spices. |
|---|--------------------------|------------------------|
| | | |
| | Gram. | |
| | Mug. | |
| | Udid. | |
| | Math. | |
| | Val. | |
| | Chawali. | |
| | Kulthi. | |
| | Watana. | |
| | Masur. | |
| | Other Cereals and Pulses | |
| | Total. | |
| | Cardamom. | |
| | Chillis. | |
| | Ginger. | |
| | Turmeric. | |
| | Fennel. | |
| | Coriander. | |
| | Cummin. | |
| | Garlic. | |
| | Others. | |

(Contd.)

| | Starches— Arrowroot. | | Oil Seeds. | | | | | | | | | | Fibres. | | | Dyes. | | | | |
|--|-------------------------|--|-------------------|--|--|--|--|--|--|--|--|--|---------|--|--|-------|--|--|--|--|
| | Sugars. | | | | | | | | | | | | | | | | | | | |
| | | | Cane. | | | | | | | | | | | | | | | | | |
| | | | Palm trees. | | | | | | | | | | | | | | | | | |
| | | | Linseed. | | | | | | | | | | | | | | | | | |
| | | | Til. | | | | | | | | | | | | | | | | | |
| | | | Rape and Mustard. | | | | | | | | | | | | | | | | | |
| | | | Ground-nut. | | | | | | | | | | | | | | | | | |
| | | | Cotton seed. | | | | | | | | | | | | | | | | | |
| | | | Cocoanut. | | | | | | | | | | | | | | | | | |
| | | | Safflower. | | | | | | | | | | | | | | | | | |
| | | | Nigerseed. | | | | | | | | | | | | | | | | | |
| | | | Others. | | | | | | | | | | | | | | | | | |
| | | | Total. | | | | | | | | | | | | | | | | | |
| | | | Cotton. | | | | | | | | | | | | | | | | | |
| | | | Bombay hemp. | | | | | | | | | | | | | | | | | |
| | | | Hemp. | | | | | | | | | | | | | | | | | |
| | | | Others. | | | | | | | | | | | | | | | | | |
| | | | Indigo. | | | | | | | | | | | | | | | | | |
| | | | Others. | | | | | | | | | | | | | | | | | |

(Contd.)

| | | |
|--|-------------------------|---|
| | | |
| | Drugs and Narcotics. | Coffee. |
| | | Tea. |
| | | Tobacco. |
| | | Indian Hemp (Ganja). |
| | | Betel leaves. |
| | | Betel nut. |
| | | Ajwan. |
| | | Total. |
| | Fodder. | |
| | Gavar. | Fruits and Vegetables including Root crops. |
| | Others. | |
| | Food. | Miscellaneous. |
| | Non-food. | |
| | Grass and Babuls. | |
| | Short rain. | Fallow details (as required). |
| | Prickly pear and weeds. | |
| | Salt Efflorescence. | |
| | True Rotation fallow. | |
| | Total. | |
| | Remarks. | |

FORM A-4.

[Rule 19-A (viii).]

Details of occupied, cultivated, fallow, etc., lands in the villages of the taluka, district, year by year from to

| Year. | Total. | Occupied area of which | | Gov-ern-ment waste. | Forest. | Other. | Gross area. | Remarks. |
|-------|--------|------------------------|--------|---------------------|---------|--------|-------------|----------|
| | | Culti-vated. | Fallow | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

N.B.—Figures for the last 30 years should be given.

[1] Form A-4: Vide Foot-note [1] to Form A at page 103, *supra*.

'FORM A-5.

[Rule 19-A(ix).]

Statement showing agricultural wages prevalent in
from to

Taluka.

| Years. | Agricultural wages. |
|--------|---------------------|
| | Rs. a. p. |
| | |

N. B.—Figures for the last 30 years should be given.

'FORM A-6.

[Rule 19-A(x).]

Prices prevalent in the
from Taluka, District
to

| Year. | Retail prices. | | | | | Wholesale prices. | | | | |
|-------|---|---|---|---|---|----------------------------------|---|---|----|----|
| | Seers of 80 Tolas per Rupee. | | | | | Rupees per Maund of 3,200 Tolas. | | | | |
| | [For crops grown in the Taluka and referred to in Rule 19-1]. | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | | | | | | | | | |

N. B.—Figures for the last 30 years should be given.

[1] Forms A-5 and A-6: Vide Foot-note [1] to Form A at page 103, *supra*.

'FORM A-7.
[Rule 19-A (xiii).]

Leases of $\frac{\text{dry crop} \uparrow}{\text{rice}} \frac{\text{garden}}{\text{mixed}}$ lands in the villages of the Taluka District.

| Serial Number in Form A-9. | Name of village. | Area of land leased. | Assessment. | Rent. | Percentage of rent represented by the assessment. | Remarks. |
|----------------------------|-------------------|----------------------|-------------|-------|---|----------|
| | Group I ... | | | | | |
| | Averages per acre | | | | | |
| | Group II ... | | | | | |
| | Averages per acre | | | | | |
| | Group III ... | | | | | |
| | Averages per acre | | | | | |
| | Total for taluka | | | | | |

†N.B.—Information about dry crop, rice, garden lands, etc., should be compiled in separate forms.

[1] Form A-7: Vide Foot-note [1] to Form A at page 103, *supra*.

'FORM A-8.
[Rule 19-A (xiv).]

Selling value of $\frac{\text{dry crops}}{\frac{\text{rice}}{\text{garden}}}$ lands in the Villages of the
Taluka, District

| Serial number in Form A-9. | Name of village. | Area of land sold. | Assessment. | Sale price. | Number of times the assessment represented by the price. | Remarks. |
|----------------------------|----------------------|--------------------|-------------|-------------|--|----------|
| | <i>Group I.</i> | | | | | |
| | Averages per acre... | | | | | |
| | <i>Group II.</i> | | | | | |
| | Averages per acre... | | | | | |
| | <i>Group III.</i> | | | | | |
| | Averages per acre... | | | | | |
| | Total for taluka. | | | | | |

§ N. B.—Information about dry crop, rice, garden lands, etc., should be compiled in separate forms.

[1] Form A-8: Vide Foot-note [1] to Form 'A' at page 103, *supra*.

FORM A-9.
(Rule 19-B.)

Effect of Revision Settlement proposals on Government occupied land in the taluka of _____ in the district of _____

| Serial No. | Name of village. | No. of Group. | By former Settlement. | | | | | | | | | |
|-----------------------------|------------------|---------------|-----------------------|-------------|----------|-------------------------|-------------|----------|-----------|-------------|----------|--|
| | | | Standard rates. | | | Dry crop. | | | Rice. | | | |
| | | | Dry crop. | Rice. | Garden. | Area. | Assessment. | Average. | Area. | Assessment. | Average. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | |
| | | | | | | | | | | | | |
| By former Settlement—contd. | | | | | | By Revision Settlement. | | | | | | |
| Garden. | | | Total. | | | Standard rates. | | | Dry crop. | | | |
| Area. | Assessment. | Average. | Area. | Assessment. | Average. | Dry crop. | Rice. | Garden. | Area. | Assesment. | Average. | |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | |
| | | | | | | | | | | | | |

[1] Form A-9: Vide Foot-note [1] to Form A at page 103, *supra*.

(Contd.)

FORM A-9—(concluded from page 114)

By Revision Settlement—contd.

| Rice. | | | Garden. | | | Total. | | | Percentage increase or decrease. | Name of village. | Serial No. |
|-------|-------------|----------|---------|-------------|----------|--------|-------------|----------|----------------------------------|------------------|------------|
| Area. | Assessment. | Average. | Area. | Assessment. | Average. | Area. | Assessment. | Average. | | | |
| 25 | 26 | 27. | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 |
| | | | | | | | | | | | |

Form A-9]

FORMS

'FORM A-10.

(Rule 19-D.)

Notice under section 117(2) of the Bombay Land Revenue Code, 1879.

Notice about the standard rates proposed by the settlement officer.

It is hereby made known to the people of the under-mentioned villages of taluka _____ District that the revision of the assessment of the lands of the said villages used for agriculture is about to be effected and that it is proposed to divide the said villages into the following groups the existing and proposed standard rates in each group being as shown, against it in the following list :—

| | Name of vil-lages in the group. | Standard rates according to existing settlement, per acre. | | | Standard rates proposed by revision settlement, per acre. | | |
|------------|---------------------------------|--|-----------|-----------|---|-----------|-----------|
| | | Dry crop. | Rice. | Garden. | Dry crop. | Rice. | Garden. |
| | | Rs. a. p. | Rs. a. p. | Rs. a. p. | Rs. a. p. | Rs. a. p. | Rs. a. p. |
| Group I... | | | | | | | |
| Group II.. | | | | | | | |
| Group III. | | | | | | | |

Reasons for alteration in the rates :

The result so far as the village of _____ is concerned is that the assessment in the village is ^{raised}/_{lowered} by _____ annas in the rupee.

A copy of the translation of the Settlement Officer's report together with its appendices is also posted along with this notice in the village chavdi and at the taluka Katcheri and is open to the inspection of any person interested.

Any person may submit to the Collector objections in writing to the proposals contained in the settlement report within three months from the date of this notice.

Any person feeling aggrieved by the Report may within a period of two months from the date of this notice apply to the Provincial Government to refer the report to the Bombay Revenue Tribunal after depositing a sum of Rs. 100 in a Government Treasury on account of costs.

Dated _____

Collector.

'FORM A-11.

(Rule 19-G.)

Notice under section 117-O of the Bombay Land Revenue Code, 1879.

Whereas the Government of Bombay, has been pleased to sanction, under sub-section (2) of section 117L of the Bombay Land Revenue Code, 1879, the ^{revised}/_{original} settlement of assessment of such lands as are now actually used for the purposes of agriculture alone and of unoccupied cultivable lands (but excepting lands classed as pot kharab) in the ^{village}/_{below mentioned villages} of the taluka, notice is hereby given under section 117O of the said Code that the said assessments calculated according to the standard rates as noted ^{below}/_(* in the accompanying Akarband) shall be levied from _____ and remain in force for a term of _____ years from _____ to _____, §subject to the provisions of para. 4 below.

| Class of land. | Standard rate. | † Approximate increase or decrease in the rupee of existing assessment. |
|-----------------|----------------|---|
| | | As. pies. |
| Dry crop | Rs. a. p. | |
| Rice | | |
| Bagayat | | |

2. Government hereby reserves to itself the power to assess six months after giving a notice as required by section 117Q any land to additional land revenue during the term of this settlement for additional advantage accruing to it from water received on account of the construction of new irrigation works or improvements in existing irrigation works completed after the Provincial Government directed the settlement under section 117D but not effected by or at the expense of the holder of the land and for which no water rate is levied under the Bombay Irrigation Act, 1879.

[1] Form A-10: Vide Foot-note [1] to Form A at page 103, *supra*.

* To be substituted for the word 'below' in original settlements and if the classification basis is altered at the time of revised settlement.

§ The words underlined in para. 1 and the whole of para. 4 may be retained, only when Government directs that the provisions in question shall apply to any settlement.

† Omit in the case of original settlements or when the classification basis is altered at the time of revised settlement.

3. Exemption under section 117N (7) is hereby granted to all lands lands noted below from assessment for any advantage advantage specified below accruing to it from water.

| Village. | Kind of land. | Kind of advantage and source of water. |
|----------|---------------|--|
| | | |

This exemption is liable to be withdrawn after six months' notice as required by section 117N (2).

*4. It is also hereby declared under section 117M (7) that the provisions of sub-sections (2), (3) and (4) of 117M shall apply to this settlement and that the standard rates have been fixed with reference to the following prices of the agricultural produce noted below and that the assessments fixed shall be subject to a surcharge or rebate according to variation in the prices of these articles in accordance with rules 19-K and 19-L.

| Name of produce. | Price in rupees per maund. |
|------------------|----------------------------|
| | |

5. In addition to the assessment, a cess not exceeding such rates as may be allowed by law shall be levied under the Bombay Local Boards Act, 1923, or any other law for the time being in force, for the purpose of providing funds for expenditure on objects of local public utility and improvement.

†6. The reservations respecting the right of Government to trees as made by any general notification at the time of, or after the previous survey settlement and reproduced in the margin, or as made by any express order at the time of such survey settlement and recorded in the Settlement Records, are hereby continued. All other rights over trees are conceded to occupants.

* The words underlined in para. 1 and the whole of para. 4 may be retained only when Government directs that the provisions in question shall apply to any settlement.

† For para. 6 in the case of original settlements substitute the following :—

"6. The right of Government to trees standing in lands which are now occupied is hereby conceded to the occupants thereof subjects to the general exceptions entered in the margin and the special exceptions inscribed in the Settlement Records."

'FORM AA (Rule 17).

NOTIFICATION OF SETTLEMENT FOR SIND.

(Notice under sections 102 and 103 of the Bombay Land Revenue Code, 1879.)

For Revised Settlements.

Whereas the Provincial Government has been pleased to sanction, under section 102 of the Bombay Land Revenue Code, 1879, the levy of assessments for the revised settlements in the case of such lands as are now actually used for the purpose of agriculture alone and in the case of unoccupied cultivable lands within the village of _____ in the _____ Taluka of the _____ District. Now, it is hereby declared under section 102 of the said Code that the said assessments as noted below shall hereafter be leviable in accordance therewith and shall be fixed for a term of _____ years commencing with the revenue year _____ and ending with the revenue year _____

| Class of cultivation. | Sanctioned rates per acre. | | |
|-----------------------------------|----------------------------|--------|-------------------------|
| | Flow. | Lift. | Combined Flow and Lift. |
| | Rs. a. | Rs. a. | Rs. a. |
| Rice | ... | ... | ... |
| Sugarcane | ... | ... | ... |
| Cotton | ... | ... | ... |
| Tobacco | ... | ... | ... |
| Other Kharif | ... | ... | ... |
| Rabi Wheat | ... | ... | ... |
| Rabi Oil-seeds | ... | ... | ... |
| Leguminous crops (Kharif or Rabi) | ... | ... | ... |
| Huris | ... | ... | ... |
| Gardens | ... | ... | ... |
| Watered Dubari | ... | ... | ... |
| Unwatered Dubari | ... | ... | ... |
| Adhawa | ... | ... | ... |
| Barani | ... | ... | ... |
| Cultivation on river side of bund | ... | ... | ... |

2. Notice of the same is hereby given under section 102 of the said Code to all holders of land in respect of which the assessments have been sanctioned.

3. By this notice the revised settlement shall be deemed to have been introduced in the aforesaid village. (G. R. R. D. No. 557-B dated 5-7-1932.)

[1] Form AA is applicable to Sind only.—Vide G. N. R. D. (Bom.) B 205 dt. 19-10-38.

FORM B [Rule 29 (1)].

A FORM OF NOTICE UNDER SECTION 37 (2), AND SUMMONS
UNDER SECTIONS 189-190.

To

A. B.

Whereas (*here describe the property or right in or over any property*) is claimed by the Crown (or by C. D. against the Crown) notice is hereby given that an enquiry will be held by me in order to decide the said claim.

You are hereby required to attend before me either in person or by a duly authorized agent at _____ o'clock of the _____ noon (at the site in dispute or) at my office (camp at _____ in the _____ taluka) on the _____ day of _____ 19 _____ at _____ which time and place an enquiry into the same claim will be made.

And you are hereby required to produce before me at the abovenamed time and place any documents or evidence you may wish to be heard.

If you fail to attend in person or by a duly authorized agent in pursuance of this notice the abovementioned claim will be decided in your absence [***]

Dated this _____ day of _____ 19 _____

(Signed)

Designation of Officer.

FORM C [Rule 29 (2)].

Whereas in accordance with a notice duly issued and served under rule 29(1) of the Land Revenue Rules an enquiry was held by me on _____ and an order was passed on _____

Notice is hereby given to all persons concerned and to (*here specify the person to whom this notice is directed*) that my

[1] In Form B the words "and you will not.....of my decision" at the end are deleted in Bombay.--*Vide G. R. R. D. (Bom.) 284/24 of 29-7-1938* issued at the instance of the writer. In Sind similar amendment is necessary.

[1] Sind: In Form B add at the end: "and you will not afterwards be entitled to be heard with respect thereto, except in on appeal filed within 60 days or in a suit civil if filed within one year from the date of my decision."

[90 if the officer issuing the notice is the Collector or Superintendent of Survey, or higher officer (s. 205).]

decision and order is that:—(here summarise the order, and define the property or right to which it relates). [* * * *]

Dated this day of 19

(Signed)

Survey Officer,
or
Collector.

FORM D (Rule 32).

FORMS OF SANAD FOR REVENUE-FREE GRANTS OF LAND FOR
RELIGIOUS, CHARITABLE OR EDUCATIONAL EDIFICES
OR INSTITUTIONS.

(SANCTIONED BY G. R. 7010 OF 1905).

(To be used where the land is granted by Government).

To

A. B.

Whereas Government have been pleased to grant revenue-free to you, A. B., the possession of the below-mentioned piece of land situated in the village of in the taluka for the purpose of (namely)—

All that piece of land bounded on the North by , on the South by , on the East by , and on the West by , and measuring from North to South , and from East to West , comprising square in superficial area, be the same more or less, and bearing No. in the Land Records.

It is hereby declared that the said land shall be continued ^{for ever} free of all claim on the part of Government for a term of years the lawful holder or manager of the said on the condition that ²[the said land shall in all respects be made ready for and shall be fully used for the purpose or purposes for which it was granted before the day of 19 and that] neither the said land nor any building erected thereupon shall at any time, without the express consent of

[1] In Form C the words "you are not entitled.....by any Court" at the end are deleted in Bombay.—Vide G. R. R. D. (Bom.) 284/24 of 29-7-1938 issued at the instance of the writer. In Sind similar amendment is necessary.

[2] Form D: Vide foot note [1] at p. 122, *infra*.

Government, be diverted either temporarily or permanently to any other than the aforesaid purpose, and that no change or modification shall be made of such purpose [and that neither the said land nor any building erected thereon shall be so used as to yield a profit to the grantee] and that in the event of any such unauthorized diversion, change or modification being made, [or in the event of the said land or any building erected thereon yielding a profit to the grantee] the said land shall thereupon, in addition to the assessment to which it becomes liable under section 48 of the Bombay Land Revenue Code, 1879, become liable to such fine as may be fixed in this behalf by the Collector under the provisions of section 66 of the said Code, or other corresponding law for the time being in force relating to the recovery of land revenue, as if the land, having been assessed for purposes of agriculture only, had been unauthorizedly used for any purpose unconnected with agriculture and in any such event as aforesaid, [or in the event of failure to make the land ready for and to use it fully for the purpose or purposes for which it is granted before the aforesaid day of 31st March 1919 or in the event of the land being required by the Provincial Government for any public purpose, a declaration in respect of which under the signature of the Commissioner that it is so required shall as between the said holder or manager and the Provincial Government be conclusive,] or in the event of the land being notified by Government for acquisition under Act I of 1894, it shall be lawful for Government, on causing six months' previous notice in writing to be given to the said holder or manager, to take one of the two following courses (namely), either—

(1) to require that the said land be vacated and delivered up to Government free of all claims or incumbrances of any person whatsoever,

or (2) to resume and take possession of the said land and any buildings, erected or works executed thereon, free of all claims and incumbrances of any person whatsoever, on payment of compensation not exceeding the following amount, namely:—

(a) the amount (if any) paid to the Provincial Government for this grant, and

(b) the cost or value at the time of resumption, whichever is the less, of any buildings, or other works authorizedly erected or executed on the said land by the said grantee.

[1] In Form D inserted in Bombay.—vide *G. N. R. D. (Bom.) 3783/33 of 11-8-1939* and in Sind by *R. D. (Sind) 1935/33.I.E of 1-9-1942*.

[2] In Form D inserted in Bombay.—vide *G. N. R. D. (Bom.) 4872/33 of 29-7-1940*.

**

This grant is made subject to the reservation of the right of the Crown to all mines and mineral products and of full liberty of access for the purpose of working and searching for the same, with all reasonable conveniences.

This sanad is executed on behalf of the Governor of Bombay/Sind by the Collector of _____, this
day of _____, 19____.



(Signed)

Collector.

FORM DD (RULE 32-A).

Form of lease of land granted to educational institutions or local bodies to be used as a playground or for other recreational purposes and for Gymnasiums.

The Governor of Bombay
Sind

To

This is to certify that

_____ (hereinafter called "the lessee") has, subject to the provisions of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and the rules made thereunder and subject of the conditions hereinafter specified,

_____ Collector of _____
_____ Commissioner Division _____ hereinafter called
Revenue Commissioner

"the Collector"

"the Commissioner"

"the Revenue Commissioner"

_____ on behalf of the Governor of Bombay
Sind

(hereinafter referred to as "Government"), to occupy, for the purposes of a playground and / or gymnasium for a

** If there be any further conditions, add here the words "and subject to the following further special conditions namely :—"

[1] Form DD inserted in Bombay.—vide G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and in Sind vide R. D. (Sind) 1935-33-I. E. of 1-9-1942.

[2] In Form DD added in Bombay.—Vide G. N. R. D. (Bom.) 4536/39 of 22-12-1941.

period of _____ years commencing from the day of
 19 _____ (hereinafter called "the said term") a plot of land
 situated in $\frac{\text{village}}{\text{town}}$ of _____, taluka _____, district
 _____, bounded on the North by _____, on the South by
 _____ on the West by _____ and on the
 East by _____ bearing $\frac{\text{C. T. S. No.}}{\text{S. No.}}$ _____
 and measuring about $\frac{\text{Sq. yds.}}{\text{gunthas}}$ _____ and of the follow-
 ing shape and of the following dimensions as shown in the map
 hereto annexed.

The conditions of the lease are as follows :—

(1) The lessee shall pay to Government for the said plot of land on the first day of August every year in advance the annual rent of rupee one together with the local fund cess as may be levied thereon from time to time under section 93 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923).

(2) The lessee shall not erect any structure upon the said plot of land save with the previous permission in writing of the Collector.

(3) -The lessee shall not use the said plot of land except for the purpose of a $\frac{\text{playground}}{\text{gymnasium}}$ and/or

(4) The said plot of land and all structures thereon shall be subject to municipal taxation and to any taxation for local purposes which is or may hereafter be imposed and shall also be subject to any assessment, tax, cess or any other dues which may be levied in respect of the said plot of land or any of the structures thereon, of the nature contemplated in the second paragraph of section 45 of the Land Revenue Code or any other law for the time being in force.

*(5) In the event of the lessee's† _____ ceasing to be recognised by the $\frac{\text{Educational Department of Government}}{\text{Government}}$ the lease shall be deemed to have terminated.

(6) The lessee shall permit the servants of the Crown authorised in this behalf by the Collector at all reasonable times to enter upon and inspect any part of the said plot of land.

* To be inserted in case of an educational institution [1] or Gymnasium.

† Name of Educational Institution [1] or Gymnasium, as the case may be, to be inserted.

(7) The lessee shall not sub-let or in any other way encumber the said plot of land or any portion thereof.

(8) If, in the opinion of the Collector, the land is required for the purposes of Government or any local body, the Collector may at any time terminate this lease by giving to the lessee one calendar month's notice in writing.

(9) In the event of the lease being terminated under any of these conditions the lessee shall not be entitled to claim any compensation on account of the termination of the lease. The lessee shall, if the lease is terminated under clause 8, before the expiry of the period of the notice given under that clause and in other cases within such period as the Collector may fix, remove any structure or structures standing on the said plot of land at his own expense and on the expiry of the said period shall deliver possession of the said plot of land to the Collector in the same condition in which it was at the commencement of the tenancy.

(10) The lessee shall at the expiration of the said term deliver quiet and peaceful possession of the said plot of land to the Collector in the same condition in which he took it, unless the lease is renewed for a further term upon such conditions

Collector with the approval of the Commissioner

as the Commissioner thinks fit.

Revenue Commissioner

(11) Failure to comply with any of the above conditions of the lease or with any provisions of the said Land Revenue Code or of the Rules thereunder shall render this lease liable to cancellation by the Collector, who may thereupon resume the said plot of land and summarily evict the lessee without notice or payment of any compensation whatever or may, in lieu of such resumption and without imposing any further penalty, order the removal within a period fixed by him of any building erected thereon contrary to condition (2) of this lease and on such removal not being carried out within the said period may cause the same to be carried out at the expense of the lessee; and it shall be in the sole discretion of the Collector, subject to the orders of Government or the Commissioner, to adopt either one or other of the above remedies as may seem desirable to him in the circumstances.

(12) In this lease the words "the lessee" shall include the lessee, his heirs, successors, legal representatives and permitted assigns and the word "Collector" shall include the Collector of the District for the time being and any other officer whom Government may appoint to exercise the powers of the Collector under this lease.

This lease is executed on behalf of the Governor of Bombay
Sind
 by and under the hand and seal of the Collector of the
 District, this day of
 one thousand nine hundred and A. D.
 Signed

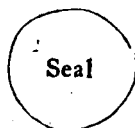
Collector

In the presence of—

(1)

(2)

Accepted by me
 Annexure : Map.



FORM E (Rule 35).

(To be used where the land is not granted by the Provincial
 Government.)

To

A. B.

Whereas, in consideration of your having built (or under-
 taken to build, *as the case may be*)* [for a public/charitable pur-
 pose, namely] on the piece of land
 hereinafter described, which is your property, the Provincial
 Government have been pleased, at your request, to exempt the
 said piece of land from liability to rent or land revenue.

It is hereby declared that the said land shall be continued
 for ever
 for a term of _____ years free of all claim on the part of Government
 for rent or land revenue to whoever shall from time to time be
 the lawful holder or manager of the said _____, [Insert
 "(a)..... (a)" as in Form D.] [If there be any further special
 conditions, here add: "and subject to the following further
 special conditions, namely" :—]

The piece of land herein referred to is situated in the village
 of _____ in the _____ taluka,
 and is bounded on the North by _____
 _____, on the South by _____, on the East by _____
 _____ and on the West by _____, and
 comprises about _____ square _____ in superficial


* The nature of the building and the extent of the public interest in it should
 be clearly set forth, as for instance "a temple with a Dharmashala attached, for
 the use of the Digambar Jain community."

[1] Form E : added by G. N. R. D. (Bom.) 3783/33 of 11-8-1939 and by
 R. D. (Sind) 1935-33-I-E of 1-9-1942.

area, be the same more or less, and bears No. : in the
Land Records.

This sanad is executed on behalf of the Governor of Bombay
by the Collector of _____, this _____ day of,
Sind

19



Seal of the
Collector.

(Signed)

Collector.

FORM F (Rules 37, 43 and 52).

FORM OF AGREEMENT* TO BE PASSED BY PERSONS INTENDING
TO BECOME OCCUPANTS.

To the Mamlatdar of

I, *A. B.*, inhabitant of

_____ in the

_____ taluka, hereby accept the right of the occupation of the
land comprised in Survey No. _____ (or of

the building site hereinbelow described, or otherwise as the case
may be), in the village of _____ in the

_____ taluka, and I pray that my name be entered in
the Government records as the occupant of the said land.

The said land has been granted to me subject to the provi-
sions of the Bombay Land Revenue Code, 1879, and of rules in
force thereunder, in perpetuity†, from the _____ day of

19 _____; § and I undertake to pay the land revenue
from time to time lawfully due in respect of the said land (or
I undertake, whenever Government shall see fit to discontinue
the exemption of the said land from payment of land revenue,
to pay such revenue as may be lawfully imposed
thereupon under the orders of Government or otherwise as the

* This agreement is (so far as it is an application) exempt from Court fee; item C.24 of Notification of the Government of India, 4650, 10-9-89. It is also exempt from stamp-duty; item A.9 of the Notification of the Government of India, 3616-Exc., 16-7-09; R. 8022, 17-8.

† When not granted in perpetuity delete the words and insert, "until the day of 19 _____"

§ When land is sold for a fixed period free of land revenue the agreement should end here, and the second endorsement may be omitted.

The said land has been granted to me in perpetuity from the day of _____ 19____, subject to (1) the provisions of the Bombay Land Revenue Code, 1879, and of the rules in force thereunder and to (2) the further condition that I, my heirs, assigns and legal representatives shall not at any time by partition, inheritance, lease, mortgage or otherwise howsoever transfer the said land except as a whole or allow any portion of it to be cultivated, used, or occupied by any other person so as to divide it.

If I fail to perform any of the aforesaid conditions I shall be liable without prejudice to any other penalties that I may incur under the said Code, and the rules made thereunder, to have the said land summarily forfeited by the Collector, and I shall not be entitled to claim compensation for anything done or executed by me in respect of the said land,

*And I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, whenever Government shall see fit to discontinue the exemption of the said land from payment of land revenue to pay such revenue as may be lawfully imposed thereon under the orders of Government or otherwise, as the case may be).

Dated the _____ day of _____ 19____

Written by

(Signed) A. B.

We declare that A. B., who has signed this agreement is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence,

(Signed) C. D.

(„) E. F.

We declare that, to the best of our knowledge and from the best information which we have been able after careful inquiry to obtain, the person who has passed this agreement is a fit person to be accepted by Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) G. H., Patel.

(„) I. J., Village Accountant.

* When land is sold for a fixed period free of land revenue the agreement should end here, and the second endorsement may be omitted.—G. R. 4702/24-III of 12-3-1931.

“In Sind the Collector is empowered to allow division of a survey number if in view of any special circumstances, he considers it necessary to do so.” G. R. 4702/24-III, of 8-3-1932.”

FORM G-1 (Rule 39) (as amended by G. 11514-11).

RECLAMATION LEASE.

Form of lease to be granted to an occupant who takes up land on special terms.

This is to certify that, with the previous sanction of the Commissioner (in Sind, or as the case may be), of _____ has been granted the right of occupation of survey No. _____ in the village of _____ in the taluka for a term of _____ years from the day of _____ 19____, subject to the payment of land revenue as follows (viz.) :—

- (a) for the first _____ years, A. D. 19____ to 19____, nil ;
 (b) for the next _____ years, A. D. 19____ to 19____, a reduced assessment of Rs. _____

The reason for the grant of the said land on the favourable terms aforesaid is that the lessee has undertaken, at his own expense, within a period of _____ from the day of _____ 19____, to carry out to the satisfaction of _____ the following work, whereby the cultivation of the said survey No. will be improved (or rendered feasible or otherwise as the case may be), viz. :—

(Here describe as accurately as possible the work to be executed).

The conditions on which this lease is granted are :—

- (1) that the lessee shall completely execute the work aforesaid to the satisfaction of the said _____ within the period above mentioned ;
- (2) that he shall keep the said work when executed in good order and repairs to the satisfaction of the said _____ until the expiry of this lease ;
- (3) It shall not be lawful to the lessee to partition, bequeath, alienate, assign, mortgage or otherwise charge or encumber any portion of the said land less than the area hereby fixed by the Collector as the economic holding, nor shall any such portion of the said land be liable to seizure, sequestration, attachment, sale or partition by process of a court ;
- (4) that if the lessee shall fail to perform any of the aforesaid conditions he shall be liable, notwithstanding anything hereinbefore written, to pay the full assessment of the land comprised in this lease amounting to Rs. _____, for the year or years during which such failure shall take place and it shall be open to the Collector either to cancel the remaining portion of the lease and re-enter upon the land, or to levy full assessment from the lessee for every subsequent year of the term of this lease ;

(5) that provided the lease shall not have previously determined under the last preceding condition, the lessee shall be entitled, on the expiry of this lease, to retain the occupation of the land herein comprised, subject to the payment of the full assessment from time to time fixed thereupon under the law and rules in force in this behalf, on his executing an agreement in the form prescribed for persons who intend to become occupants.

This lease is executed on behalf of the Governor of Bombay
Sind
by the Collector of _____ and under his seal of office, this
day of _____ 19 _____

(Signed)



Collector.

I _____ the aforesaid lessee do hereby accept this lease in the terms and conditions therein mentioned.

Signed by

Lessee.

in the presence of—

FORM G-2 (Rule 40).

RECLAMATION LEASE.

This indenture made the _____ day of _____ 19 _____ between the Governor of Bombay
Sind (hereinafter called the Lessor) of the one part and inhabitant of _____ (hereinafter called the Lessee) of the other part WITNESSETH that the Lessor doth hereby lease unto the Lessee all the Salt Marsh Lands situated in the village of _____ in the Registration sub-district of _____ and in the _____ taluka, the Survey Numbers, Area and Boundaries of which are set forth in Schedule A hereunder written which said Lands were let in the occupation of _____ and are now in the occupation of _____ and are delineated in the Plan attached hereto and signed by the Collector of _____ (hereinafter referred to as the Collector) TO HOLD the said Lands unto the Lessee for the term of 999 years from the _____ day of _____ 19 _____, paying during the said term unto the

Lessor for the said lands save such portion as may be appropriated for Public Roads which portion shall be exempt from payment the yearly Rents following that is to say for the first ten years of the said term the Rent of One Pie if demanded and for the next 20 years, viz., from the _____ day of _____ 19____, till the _____ day of _____ 19____ a yearly sum equal to Four annas *per* Acre in such Instalments on such Dates and to such Person as may be from time to time prescribed and designated by the Collector and for such Period if any as shall intervene between the _____ day of _____ 19____, and the date of the first settlement of Assessment hereinafter provided for the yearly sum hereinbefore lastly reserved payable in the manner hereinbefore mentioned AND from and after the first settlement of Assessment hereinafter provided for such sum of Land Revenue as under the Laws or Rules having the force of Law for the time being in force in respect of lands held under the Crown by ordinary Occupants shall from time to time be found to be payable AND the Lessee hereby covenants and agrees with the Lessor in manner following that is to say FIRST that the Lessee shall at his own expense and with due diligence completely reclaim the lands hereby leased so as to be in a state fit for use for agricultural purposes AND shall so reclaim at least one-half of the said lands within ten years and the whole thereof within twenty years from the _____ day of _____ 19____, respectively and shall maintain such Reclamation during the residue of the term hereby granted AND shall not until the whole of the said Lands shall have been completely reclaimed and rendered cultivable assign or underlet the said Lands or any portion thereof or charge or receive any Tax or Fee for Cattle-grazing upon any portion thereof without the previous consent in writing of the Collector. And that the lessee shall not at any time partition, bequeath, alienate, assign, mortgage or otherwise charge or encumber or allow to be cultivated, used or occupied by any other person, any portion of the said land less than the area—hereby fixed by the Collector as an economic holding in respect of the said lands nor shall any such portion of the said land be liable to seizure, sequestration, attachment, sale or partition by process of a Court. PROVIDED that if any SERVANT of the Crown duly empowered in this behalf by the Government of Bombay Sind shall certify in writing that any portion of the said Lands is unreclaimable such portion shall be excluded from the operations of the covenants hereinbefore contained. Provided further that the lessees shall be at liberty during the first ten years to relinquish any portion of the said lands which he cannot reclaim:

and such portion shall thereupon be excluded from the operation of the covenants herein contained (R. 372-B—17th April 1923) SECOND that the Lessee shall at his own expense (a) keep open the several Roads mentioned and described in Schedule B hereunder written and delineated in the Plan hereunto annexed (b) provide and keep in good order to the satisfaction of the Collector such water-ways in and along the Lands hereby leased as may from time to time be required by the Collector (c) erect such new Boundary-marks upon the said Lands as may from time to time be required by the Collector and maintain and keep in good repair to the satisfaction of the Collector all such new Boundary-marks as well as all those at present existing thereon, THIRD that the said Lessee shall pay the rents hereinbefore respectively reserved at the times and in manner hereinbefore provided for payment of the same respectively and that whenever any Instalment of the said Rents respectively shall be in arrear, it shall be recoverable from the Lessee as an arrear of Land Revenue under the provisions of the Law for the time being in force in that behalf AND the Lessee shall also pay all Rates, Taxes and other Outgoings (if any) which shall at any time during the continuance of this Lease be payable in respect of the said Premises or any part thereof, FOURTH that from and after the

day of 19 the Lands hereby leased shall be

liable to be from time to time surveyed and assessed to the Land Revenue under the Laws or Rules having the force of Law for the time being in force in respect of Lands held under the Crown by ordinary occupants and thenceforward during the residue of the term hereby granted the Lessee shall hold the said Lands subject to all the provisions of such Laws and Rules and subject also to such of the Covenants and Provisions of this Lease as shall then be capable of continuing effect PROVIDED ALWAYS AND IT IS HEREBY AGREED that if and whenever there shall be a breach by the Lessee of any Covenant, Condition or Provision herein contained the Lessor may re-enter upon the said Lands or upon part thereof in the name of the whole and thereupon this Lease shall determine AND that in case default shall be made in reclaiming the half or the whole of the Lands within the periods respectively hereinbefore prescribed in that behalf the Lessor may re-enter upon the said Lands and determine this Lease under the power in that behalf hereinbefore contained AND that if in the opinion of the Collector (whose decision shall be final) the reclamation is not carried on with due diligence during the two years ending on the

day of 19 the Lessor

may on or after the said day re-enter upon the said Lands and determine this Lease under the power in that behalf hereinbefore contained AND that notwithstanding anything hereinbefore

contained if at any time any portion of the said Lands (other than such portion as may be appropriated for Public Roads) is after being reclaimed used for any purpose unconnected with agriculture, such portion shall be liable to such assessment or altered assessment as may be leviable under the Law or Rules having the force of Law for the time being in force in respect of land which is held for agricultural purposes and subsequently used for purposes unconnected with agriculture and such assessment or altered assessment shall be leviable notwithstanding that any of the periods hereinbefore specified shall not have elapsed AND that the right of the said Lessor to all Mines and Mineral Products and of full liberty of access for the purpose of working and searching for the same with all reasonable conveniences shall be reserved.

AND IT IS LASTLY AGREED that the word "Lessor" in this Lease shall mean the Lessor and his Successors and Assigns and the word "Lessee" shall mean the Lessee and his Legal Representatives.

In witness whereof
 Esq., Collector of _____, has, hereunto set his hand and affixed his official seal on behalf of the Governor of ^{Bombay} Sind and the Lessee has hereunto set his hand the day and year first above written.

Schedule A above referred to :

| | | |
|--|--|--|
| | | |
|--|--|--|

Schedule B above referred to :

Signed by the above named
 in the presence of

Seal of the
 Collector.

Signed by the above named
 in the presence of

FORM H (Rule 43).

ALTERNATIVE FORM OF AGREEMENT TO BE PASSED BY
PERSONS INTENDING TO BECOME OCCUPANTS,
IF THE COLLECTOR SO REQUIRES.

*Agreement.

To

*The Mamlatdar of

I, A. B., of _____ in the said taluka, agree on behalf of myself and my assigns to occupy the land specified in the Schedule appended hereto on the conditions stated below, and I pray that my name may be entered in the land records as occupant of the said land.

Conditions.

1. I will pay the land revenue from time to time lawfully due in respect of the said land, to wit: as assessment the sum of Rs. _____ (being at the rate of _____ per _____) for the period of _____ years commencing on _____, and thereafter I will pay such assessment for such further periods as may from time to time be fixed by lawful authority.

2. Within a period of two years from the date hereof, or within such further period as may be fixed by lawful authority, I will erect on the said land a building (or buildings) of a substantial and permanent character, and of the following description, and such building (or buildings) will cover not more than one-fourth of the total area of the said land.

(Here enter description.)

3. The provisions of the Bombay Land Revenue Code, 1879, and all rules and orders for the time being in force thereunder, shall apply to my occupation of the said land, so far as the same may be applicable and not inconsistent with these conditions.

4. [(a) Subject to the foregoing conditions I shall be entitled to occupy the said land in perpetuity but if I contravene

*NOTE.—This agreement is exempt from Court-fee under item C (24) of the Notification of the Government of India, 4650—10-9-89.

It is also exempt from the payment of stamp duty, under item A-9 of Notification of Government of India, No. 3516, Exc.—16-7-09.

[1] Form H: Substituted in Bombay.—Vide G. N. R. D. (Bom.) 10325/28 of 16-12-1938.

[1] Sind: In Form H condition 4, read as follows:—

"4 Subject to the foregoing conditions I shall be entitled to occupy the said land in perpetuity, but if I contravene any of the foregoing conditions the Collector may

(Contd. on Foot-note to p. 136)

any of the foregoing conditions the Collector may continue the said land in my occupation on payment of such fine and/or such assessment as he may direct.

(b) Notwithstanding anything contained in sub-clause (a) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out of the same from me as an arrear of land revenue].

The Schedule.

Dated the _____ day of _____ 19 _____

Written by _____ (Signed)

[Declaration, if necessary.]

Then follows the Plan.

'FORM HH.

**FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING
TO BECOME OCCUPANTS OF LAND INCLUDED IN A
DEVELOPMENT SCHEME OR IN OTHER
SPECIAL CASES (*vide* RULE 43).**

Agreement.

The Special Mamlatdar,
The Mamlatdar, _____, taluka..... District.....

I, A. B., of _____ agree on behalf of myself and my heirs, executors, administrators and assigns to occupy the land specified in the schedule appended hereto (hereinafter referred to as the said land) on the conditions stated below, and I pray that my name may be entered in the land records as occupant of the said land:—

Conditions.

(1) I will pay the land revenue from time to time lawfully due in respect of the said land to wit: as assessment the sum

(*Contd. from Foot-note to page 135*)

declare the said land forfeited to Government and may dispose of the same in any way he may deem fit, free from any claim by me or by any person holding through or under me."

[1] Sind: Form HH has been deleted in Sind.—Vide R. D. (Sind) R-4102-E of 3-1-1941.

of Rs. (being at the rate of per or at such lower rate as is leviable under the rules for the time being in force and applicable to such land) for the period of years commencing on and thereafter, I will pay such assessment for such further periods as may from time to time be fixed by lawful authority.

(2) *Use.*—I will use the said land only for building purposes of the nature specified in condition (3) of this agreement.

(3) *Building.*—I will erect and complete on the said land* of a substantial and permanent description; I will in regard thereto duly comply in every respect with the building regulations contained in clauses , etc., of the second schedule hereto; † (and I will not use, or permit the use of, any of the buildings erected or to be erected on the said land as a shop, or carry on in any of the said buildings any trade or business, other than).

§(4) *Reservation of margin.*—If at any future date the Collector shall give me notice in writing that a strip from the margin of the said land not more than feet in depth is required by Government for the purposes of a road, I will, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such strip to the Collector in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to () times the assessment proportionately payable upon the strip so surrendered.

Provided that, where the materials of any gate, wall, pavement or other such authorised erection or construction on such strip cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to me as the Collector may deem fit.

(5) *Liability of rates.*—I will pay all taxes, rates and cesses leviable in respect of the said land.

(6) *[Code provisions applicable.*—The provisions of the said Code and all rules and orders for the time being in force thereunder shall apply, to my occupation of the said land, so far as the same may be applicable and not inconsistent with the conditions of this agreement.]

* Here insert description of the buildings such as "a residential bungalow and outhouses."

† To be scored out in areas where business premises are permitted.

§ To be omitted where not required.

[1] Form HH: Substituted in Ecm. by.—Vide G. N. R. D. (Ecm) 10025/28 of 16-12-1938.

(7) '[Penalty clause :—(a) If I contravene any of the foregoing conditions, the Collector, may, without prejudice to any other penalty to which I may be liable under the provisions of the said Code continue the said land in my occupation on payment of such fine and/or assessment as he may direct.

(b) Notwithstanding anything contained in sub-clause (a) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out the same from me as an arrear of land revenue]

MAP.

Schedule I.

| Length and Breadth. | | Total Superficial area. | Boundaries. | | | | Remarks. |
|---------------------|---------------|-------------------------|-------------|--------|-------|-------|----------|
| North to South. | East to West. | | North. | South. | East. | West. | |
| | | | | | | | |

Schedule II.

(The number of the conditions which are applicable should be entered in condition 3 of the grant; and special conditions should be inserted in continuation.)

1. Buildings may be erected only within the area marked on the map annexed and the remaining area of the said land shall be left as an open space.

2. Three-quarters of the said land shall be left open to the sky.

3. No latrine, cesspool or stables shall be constructed on the said land in any place which shall not have been approved for such purpose by the Collector or an officer authorised by him.

4. No building shall be erected in the said land with more than a ground floor and one upper storey.

5. The building erected on the said land shall be used for residential purposes only.

6. No building erected on the said land shall be used as a factory or as a place for carrying on an offensive trade.

7. The grant shall be subject to the following special conditions :—

(a)

(b)

etc.

etc.

Dated the

day of

at

(Signed) A. B.

We declare that A. B., who has signed this agreement, is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto, in our presence.

(Signed) E. F.

G. H.

N. B.—1. This document need not be registered.

2. This document is exempt from stamp duty.

FORM I [Rules 37 (3) and 43 (3)].

CLAUSE FOR INALIENABLE TENURE ADDITIONAL TO FORMS F AND H OR OTHER AGREEMENTS.

In cases where the land is granted subject to the condition that the occupant shall not transfer it in any way to another person without the sanction of the Collector, the following clause should be added in the agreement to be taken from him :—

“The said land has been granted to me subject to the condition to which I hereby assent, namely, that I, my heirs, executors, administrators and approved assigns may not at any time lease, mortgage, sell or otherwise howsoever encumber the said land or any portion thereof without the previous sanction in writing of the Collector.”

FORM I-1 [Rule 37 (4)].

FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS OF LAND ON THE INALIENABLE TENURE.

To the Mamlatdar of _____ in the _____
I, A. B., inhabitant of _____ in the _____
taluka, hereby accept the right of occupation of the land com-
prised in *survey No. _____ [or of the building site hereinafter
described or otherwise, as the case may be], in the village of _____
in the _____ taluka and I pray that my name be entered
in the Government records as the occupant of the said land.

*In Sind the Collector is empowered to allow divisions of survey number if in view of any special circumstances, he considers it necessary to do so. (G. R. R. D., No. 4702/24-I II of 8-3-1932.)

The said land has been granted to me in perpetuity from the day of _____ 19____ subject to the conditions here-inbelow mentioned and to the provisions of the Bombay Land Revenue Code, 1879, and of the rules in force thereunder ;

*And I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, whenever Government shall see fit to discontinue the exemption of the said land from payment of land revenue, to pay such revenue, as may be lawfully imposed thereon under the orders of Government or otherwise, as the case may be).

The said land has been granted to me subject also to the further condition to which I hereby assent, namely, I, my heirs, assigns and legal representatives shall not at any time—

(1) partition the said land ;

or

(2) lease, mortgage or otherwise howsoever encumber the said land or any portion thereof without the previous sanction of the Collector, which shall not be given except in respect of the whole land.

If I fail to perform any of the aforesaid conditions I shall be liable without prejudice to any other penalties that I may incur under the said Code, and the rules made thereunder, to have the said land summarily forfeited by the Collector, and I shall not be entitled to claim compensation for anything done or executed by me in respect of the said land.

Dated the _____ day of _____ 19____ at _____
written by _____ (Signed) A. B.

We declare that A. B. who has signed this agreement is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) C. D.

(„ „) E. F.

We declare that, to the best of our knowledge and from the best information which we have been able after careful enquiry to obtain, the person who has passed this agreement is a fit person to be accepted by Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) G. H.,
Patel.

I. J.,
Village Accountant.

*When land is sold for a fixed period free of land revenue this paragraph should end here, and the second endorsement may be omitted.

FORM J (Rule 46).

FORM OF AGREEMENT* FOR EXCHANGE TO BE EXECUTED BY
VILLAGERS REMOVING TO A NEW VILLAGE-SITE.

Agreement executed the _____ day of _____ 19 ____ by
A. B. resident of _____ in the _____ taluka :

Whereas Government have been pleased to sanction a change being made in the position of the site of the village of _____ in the registration sub-district of _____, and in pursuance of such sanction the following plot of ground has been allotted to me in the new site in exchange for the ground held by me in the old site, namely, the piece of land bounded as follows, that is to say on the North by _____, on the South by _____, on the East by _____, on the West by _____, measuring _____ in length from North to South, and _____ in length from East to West, and comprising about _____ square _____ in superficial area and bearing No. _____ in the Land Records.

I do hereby agree, in consideration of the allotment to me of the new piece of land aforesaid, as follows, namely:—

(1) That all my right, title and interest in any land whatsoever, situate within the old site of the said village, shall be deemed to be, and is hereby, surrendered to Government, together with the trees standing thereon and all rights over or other benefits arising out of or enjoyed by me in respect of the said land :

(2) That I shall hold the piece of land aforesaid in the new site from the date of this agreement on the same terms and with the same rights and subject to the same liabilities as would apply to my tenure of the ground held by me in the old site, if I continued to be the holder thereof.†

In witness whereof I have hereto set my hand the day and year aforesaid.

Written by _____
Signed and delivered by _____

(Signed) A. B.
in our presence.

* The stamp duty for this agreement is reduced to four annas; item 10 of Notification of the Government of India, 3616-Exc. 16-7-09, R 7317-09.

† In omitting a clause reserving the right to impose land revenue if hereafter thought fit, Government nevertheless do actually reserve that right. (R. Nos. 9021 and 10096-85.)

'FORM 'JJ'.

FORM OF LICENSE FOR AERIAL PROJECTIONS, ETC.
(e.g. BALCONIES) OVER GOVERNMENT LAND.

This indenture made the _____ date of _____
one thousand nine hundred and _____ between the Governor
of Bombay (hereinafter referred to as 'the Government') of the
one part and of _____ (hereinafter referred to as
'the licensee') (which expression shall, unless it is excluded by
or repugnant to the context, include his heirs, executors, adminis-
trators and assigns) of the other part.

Whereas the Government is possessed of and absolutely en-
titled in perpetuity free from encumbrances to the piece of land
measuring _____ approximately _____ square yards and situate
at _____ in the _____ (village) _____ taluka _____ of the
_____ district and bearing Survey No. _____ and bounded
on the North by _____ on the South by _____ on the East
by _____ on the West by _____ and of the shape and
approximate dimensions shown in the sketch hereto annexed
(hereinafter referred to as 'the said land');

And whereas the licensee has projected balcony
wishes to project other aerial projections*
on the said land.

And whereas the licensee has applied for permission to
retain the said balcony
project projection over the said land and whereas the
Government has by Government Resolution, Revenue Depart-
ment, No. 1884/24, dated 16th October, 1939, authorized the
Collector of _____
Executive Engineer, _____ Division, hereinafter referred to as
"the Collector" to grant such permission.

And whereas the Collector of
Executive Engineer, _____ Division has agreed
to grant such permission on the terms and conditions hereinafter
mentioned.

Now, this indenture witnesseth that in consideration of the
payment by the licensee of the sum hereby reserved and of the
conditions hereafter contained and on the part of the licensee to
be observed and performed, the Collector
the Executive Engineer hereby grants

[1] Form JJ: This form has been added in Bombay by G. N. R. D. (Bom.)
1834/24 of 14-3-1941.

to the licensee permission to retain
project the said balcony
projection over the
said land subject to the following conditions, namely:—

(1) The licensee shall pay to Government every year during the continuance of this license at the office of the Collector
Executive Engineer on the first day of _____ the annual sum of Rs. _____ in cash, the first of such payments to be made on the day of _____ ;

(2) The licensee shall not without the previous permission in writing of the Collector
Executive Engineer extend or add to the said balcony
projection ;

(3) The permission hereby granted shall not in any way be deemed to convey to the licensee any right to, or over, or any interest in, the said land or any easement thereof or any right to put up posts or supports on the said land for the said balcony
projection ;

(4) In the case of licensee's building to which the said balcony
projection is attached falls down or is destroyed by fire, earthquake, storm or as a result of civil commotion or by any other cause whatsoever or is reconstructed, this license shall immediately determine and the licensee shall not be entitled to claim any right to put up a similar balcony or any similar aerial projection in respect of any building which may be constructed in lieu of the building fallen or destroyed as aforesaid ;

(5) The Collector
Executive Engineer may cancel this license at any time by giving to the licensee one month's notice in writing of his intention and at the expiration of such period this license shall cease and be void ;

(6) During the subsistence of this license the said balcony
projection shall be deemed to have been constructed and continued by the consent and permission in writing of the Government so that the right of the licensee to any easements on the said land shall not become absolute or indefeasible by lapse of time.

In witness whereof

the Collector
the Executive Engineer.

District
Division

has on behalf of the Governor

of Bombay hereunto set his hand and seal of his office the day and year first above written.

Signature of the Collector
Executive Engineer in the presence of—

1

2

I accept the above conditions.

Signature of the licensee in the presence of—

1

2

(Note.—1. This license requires one rupee stamp and does not require registration.

2. This form is also meant for use by Executive Engineers for grant of such licenses in respect of Government land in charge of the Public Works Department (Vide G. R., H. D. (Bom.) 5940/3-II, dt. 1st Dec., 1938.)

FORM 'JJJ].

[Rule 51 (3)].

Form of Sanad in cases where assessment on land in certain city-surveyed areas assessed for agriculture and permitted to be temporarily used for non-agricultural purposes other than building is altered under section 48.

Whereas the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and bearing (or forming part of)

City Survey No. _____ in the $\frac{\text{City}}{\text{Town}}$ of _____ in the taluka of _____

entered in the name of, and at present held by _____, resident of _____, has been hitherto assessed for purposes of agriculture at the rate of _____

; and whereas the said land has been permitted to be used for a non-agricultural purpose, other than for a permanent

building to wit, for _____ (Describe purpose.); and such assessment has

thereby become liable, under section 48 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code") to be altered and fixed at a different rate :

[1] Form JJJ; For 'JJ' insert the word 'JJJ' in Bombay.—Vide G. N. R. D (Bom.) 1834/24 of 14-3-1941.

Now this is to certify that under the provisions of the said Code and the rules in force thereunder the said land is hereby permitted to be used for the purpose stated above for term of years from

194 and that the amount to be paid as land revenue on the said land has been fixed for the said term of years at [Rupees (words)] [Rs. (figures)] payable in one instalment on

If the permission hereby granted is renewed on the expiry of the said term, the assessment aforesaid shall be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder.

In case of a breach of any of the conditions of this sanad, the Collector may, without prejudice to any other penalty to which the holder of the said land may be liable under the provisions of the said Code, direct the removal or alteration of any structure erected or used contrary to the provisions of this sanad within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the period so prescribed, may cause the same to be carried out and may recover the cost of carrying out the same from the holder as an arrear of land revenue.

Schedule hereinbefore referred to.

| Length and Breadth. | | Total Superficial area. | Bearing (or forming part of) City Survey No. or Nos. | Boundaries. | | | | Remarks. |
|---------------------|---------------|-------------------------|--|-------------|--------|-------|-------|----------|
| North to South. | East to West. | | | North. | South. | East. | West. | |
| | | | | | | | | |

In witness whereof the Collector of his hand and the seal of his office this

has hereto set day of 19

Seal.

Collector.

Note.—The Collector has full power to impose any conditions he thinks fit for the erection of temporary structures. Such conditions will be inserted after the schedule.

(R. 3278/28 of 19th October 1935).

FORM K (Rule 54).

FORM OF WRITTEN PERMISSION TO OCCUPY LAND TO BE GIVEN
BY A MAMLATDAR UNDER SECTION 60.

Permission is hereby given to *A. B.*, inhabitant of
in the _____ taluka, to occupy Survey No.
(*or the building-site hereinbelow described or otherwise as
the case may be*), in the village of _____ in the
_____ taluka, in accordance with the Sanad granted
(*or, upon the conditions sanctioned by the Collector*
in his order No. _____ dated _____).

Dated the _____ day of _____ 19 _____ at _____



(Signed)

Mamlatdar.

'FORM KK (Rule 54, Bombay Suburban).

Permission is hereby given to you *A. B.*, inhabitant of
, to occupy _____ the building site hereinbelow
described in the village of _____ in the
_____ taluka in accordance with the conditions sanctioned
by the Collector and accepted by you in the agreement dated
the _____ day of _____ 19 _____ subject to which this
permission is given.

Description of Land.

- Plot No. _____ in the Suburban Scheme No. _____
Dated the _____ day of _____ 19 _____
at _____



(Signed)

Mamlatdar.

FORM L (Rule 74).

FORM OF NOTICE* OF RELINQUISHMENT.

To the Mamlatdar of
 I, A. B., inhabitant of in the taluka,
 the ^{occupant}holder, of Survey No. (or sub-division
 No.) or the building-site hereinbelow de-
 scribed (or otherwise as the case may be), in the village of
 in the taluka, hereby give notice under section 74 of
 the Bombay Land Revenue Code, 1879, that it is my intention
 to relinquish and I hereby do relinquish the said Survey No.
 (or building-site, etc.) at the end of the current year, § subject
 to any rights, tenures, incumbrances or equities lawfully sub-
 sisting in favour of any person (other than Government or the
^{occupant}holder).

Dated this day of 19 at

Written by

(Signed) A. B.

FORM M.

FORM OF SANAD IN CASES WHERE THE ASSESSMENT ON LAND
 APPROPRIATED TO BUILDING PURPOSES IS ALTERED
 UNDER SECTION 48.

WHEREAS application has been made to the Collector of
 (hereinafter referred to as "the Collector" which expres-
 sion shall include any officer whom the Collector shall appoint
 to exercise and perform his powers and duties under this grant)
 under section 65 of the Bombay Land Revenue Code, 1879
 (hereinafter referred to as "the said Code" which expression
 shall where the context so admits include the rules and orders
 thereunder) by inhabitant of
 being the registered occupant of Survey No.
 in the village of in the
 taluka hereinafter referred to as "the applicant" which ex-
 pression shall where the context so admits include his heirs,
 executors, administrators and assigns) for permission to use
 for building purposes the plot of land (hereinafter referred to

* No Court-fee is chargeable, vide Court-fees Act VII of 1870, section 19 (XI).

§ These notices must be given before the 31st March, or such other date as Government prescribe under sec. 74 for each district.

as the "said plot") described in the first schedule hereto and indicated by the letters _____ on the site plan annexed hereto, forming part of Survey No. _____ and measuring _____ be the same a little more or less.

When used under rule 51 for land already occupied for agricultural purposes within certain surveyed cities the period for which the assessment is leviable will be ordered to coincide with the expiry of 99 years' period running in that city.

Now this is to certify that permission to use for building purposes the said plot is hereby granted subject to the provisions of the said Code, and on the following conditions namely:—

(1) *Assessment.*—The applicant in lieu of the assessment heretofore leviable in respect of the said plot shall pay to Government on the _____ day of _____ in each year an annual assessment of Rupees _____ (Rs. _____) during the thirty (30) years commencing on the _____ day of 19____, or in composition therefor a lump sum of Rupees _____ (Rs. _____) being twenty times the said annual assessment; and on the expiry of the said period of thirty years, such revised assessment as may from time to time be fixed by the Collector under the said Code.

Provided that where the applicant is a Co-operative Housing Society, it shall be entitled to such exemption from the payment of altered assessment in whole or in part as is permissible under proviso (2) to clause (a) of rule 86.

(2) *Use.*—The applicant shall use the said plot only for building purposes of the nature specified in condition (3) of this sanad. [He shall not without the previous permission in writing of the Collector, use the said plot or any part thereof for any purpose other than that for which permission to use it has been granted to him.]

(3) *Building Time Limit.*—The applicant shall within three (3) years from the date hereof, erect and complete on the said plot* _____ of a substantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in clauses _____ etc., of the second schedule hereto.

["From the date of permission" has been suggested by one Commissioner: but there *ought* not to be any material difference

[1] Form M: In condition (2) added in Bombay. *Vide* G. N. R. D. (Bom.) 9115/33 of 24-7-1940.

* Here insert description of the buildings such as "a residential bungalow and outhouses.

and the "permission" can only date from its formal expression in the Sanad. Government did not accept the suggestion. (R. 1432/24—3-1-25).]

(4) *Liability for Rates.*—The applicant shall pay all taxes, rates and cesses leviable on the said land.

¹[(5) *Penalty clause.*—(a) If the applicant contravenes any of the foregoing conditions, the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, continue the said plot in the occupation of the applicant on payment of such fine and/or assessment as he may direct.

(b) Notwithstanding anything contained in sub-clause (a) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out the same from the applicant as an arrear of land revenue.]

(6) *Code provisions applicable.*—Save as herein provided, the grant shall be subject to the provisions of the said Code.

(Map.)

Schedule I.

| Length and Breadth. | | Total superficial area. | Forming (part of) Survey No. or Hissa No. | Boundaries. | | | | Remarks. |
|---------------------|---------------|-------------------------|---|-------------|--------|-------|-------|----------|
| North to South. | East to West. | | | North | South. | East. | West. | |
| | | | | | | | | |

[1] Form M : Condition (5) is substituted in Bombay.—Vide *G. N. R. D. (Bom.) 10025/28 of 16-12-1938.*

[1] Sind : Read Condition (5) as follows in Sind :—

"(5) *Penalty clause.*—The Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector and on such removal or alteration not being carried out within the prescribed period, may cause the same to be carried out and may recover the cost of carrying out the same from the applicant as an arrear of land revenue."

Schedule II.

(The numbers of the conditions which are applicable should be entered in condition 3 of the grant : and special conditions should be inserted in continuation.)

1. The applicant may build on the area marked on the map annexed and shall leave the remaining area of the said plot as an open space.

2. of the said plot shall be left open to the sky.

3. Any latrine, cesspool, or stables constructed on the said plot shall, if any place shall have been set apart in the map annexed for such purpose be constructed in such place and not elsewhere.

4. No building shall be erected in the said plot more than feet in height.

5. The building erected on the said plot shall be used for residential purposes only.

6. No building erected on the said plot shall be used as a shop or a factory or as a place for carrying on an offensive trade.

7. The grant shall be subject to the following special conditions :—

(a)

(b) etc., etc.

IN WITNESS WHEREOF the Collector of has hereunto set his hand and the seal of his office on behalf of the Governor of Bombay Sind ; and the applicant has also hereunto set his hand this day the of 19 .

(Signature of applicant.)

(Signatures and designations of witnesses.)

(Signature of Collector.)

(Signatures and designations of witnesses.)

(Seal of Collector.)

We declare that *A. B.*, who has signed this notice, is, to our personal knowledge, the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) *E. F.*

G. H.

N. B.—1. The document need not be registered sec. 90 (1) (d), Act XVI of 1908.

2. This document is exempt from stamp duty (Rule 7, G. of 1. Notfn. 3616,—Exc. 16-7-09). See also R. 7431-23. Form was sanctioned in G. R. 1291-20.

3. When an additional condition regarding the reservation of margin and surrender of a strip of land to Government for purposes of a road is to be imposed, the applicant should be required to execute an agreement in form "MM" along with the sanad in form "M".

[FORM MM.]

Form of agreement to be executed by the applicant where an additional condition regarding the reservation of margin and surrender of a strip of land to Government for the purpose of a road is to be imposed in addition to the conditions in Form M.

This agreement made the day of one thousand nine hundred and forty between the Governor of Bombay (hereinafter called 'the Government') of the one part and A. B., , inhabitant of in the taluka of the district (hereinafter called 'the occupant,' which expression shall, unless excluded by or repugnant to the context, include his heirs, executors, administrators and assigns) of the other part.

Whereas permission has been granted by the Collector of (hereinafter referred to as 'the Collector') to the occupant to use for building purposes the plot of land (hereinafter referred to as 'the said plot') described in the Schedule hereto and indicated by the letters on the site plan annexed hereto, forming part of Survey No. and measuring , be the same a little more or less, subject to certain conditions ; and whereas a sanad in Form M appended to the Bombay Land Revenue Rules, 1921, has been granted to the occupant this the day 19 ;

And whereas the occupant has agreed to use the said plot for building purposes subject, *inter alia*, to the condition that a portion thereof shall be left as an open space.

Now this indenture witnesseth that in consideration of the permission being given to use the said plot for building purposes, the occupant hereby agrees with the Government that if the Collector shall give the occupant notice in writing that a strip of land from the said open space left in the said plot not more than feet in depth, is required by Government for the purposes of a road, the occupant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such strip of land to the Collector in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to () times the assessment proportionately payable upon the strip so surrendered :

Provided that where the materials of any gate, wall, pavement or other such authorised erection or construction on such

[1] Form MM : This Form has been newly inserted.—*Vide* G. R. R. D. 4575/33 dt. 22-5-1937 and G. N. R. D. (Bom.) B-205 dt. 19-10-1938.

portion cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to the occupant as the Collector may deem fit.

2. The occupant shall bear all costs incurred in the preparation, execution and stamping of these presents.

SCHEDULE.

(HERE DESCRIBE THE PLOT OF LAND.)

In witness whereof the Collector of _____ hath set his hand and the seal of his office on behalf of the Government and Mr. _____ has set his hand hereto the day and year first above written. Signed, sealed and delivered by
Collector of _____

In the presence of

1.

2.

Signed and delivered by

1.

2.



ANNEXURE: "SITE PLAN".

FORM N [Rule 87 (b)].

Form of Saad in cases where the Assessment on land appropriated to Non-agricultural purposes other than Building is altered under section 48.

WHEREAS the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and forming (part of) Survey No. _____ in the village of _____ in the taluka of _____, entered in the name of and at present held by _____, resident of _____ has been hitherto assessed for purposes of agriculture at the rate of _____; AND WHEREAS the said land has been used for a non-agricultural purpose, to wit for (*describe purpose*) (but not for building) and such assessment has thereby

become liable under section 48 of the Bombay Land Revenue Code, 1879, to be altered and fixed at a different rate :

Now this is to certify that under the provisions of the said Code and rules in force thereunder the assessment of the amount to be paid annually as land-revenue on the said land has been fixed for a term of _____ years from the day of _____ 19____, at the sum of Rs. _____ (figures) [Rupees _____ (words)] payable in each year of the said term in one instalment due on* _____ in each year.

On the expiry of the said term, and at such further intervals as may be from time to time directed by Government in this behalf, the assessment aforesaid will be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder. [The occupant is hereby prohibited from using, without the previous permission in writing of the Collector, the said land or any part thereof for any purpose other than the one hereinbefore stated.]

Schedule hereinbefore referred to.

| Length and Breadth. | | Total superficial area. | Forming (part of) Survey No. or Hissa No. | Boundaries. | | | | Remarks. |
|---------------------|---------------|-------------------------|---|-------------|--------|-------|-------|----------|
| North to South. | East to West. | | | North. | South. | East. | West. | |
| | | | | | | | | |

In witness whereof the Collector has hereto set his hand and the seal of his office this _____ day of _____ 19____.



Collector.

NOTE.—In such Sanads also the Collector has full power to impose conditions, which will be inserted after the schedule.

* Here insert the usual date of the Land Revenue first instalment or such other date as the Collector may fix (Rule 116).

[1] Form N: This has been added in Bombay by G. N. R. D. 9115/33 of 24-7-1940.

FORM N1 [Rule 87 (b)].

FORM OF SANAD IN CASES WHERE THE ASSESSMENT ON LAND TEMPORARILY APPROPRIATED TO NON-AGRICULTURAL PURPOSES OTHER THAN BUILDING IS ALTERED UNDER SECTION 48.

WHEREAS the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and forming (part of) Survey No. in the village of in the taluka of entered in the name of, and at present held by, resident of, has been hitherto assessed for purposes of agriculture, at the rate of; and whereas the said land has been used for a non-agricultural purpose, to wit for (describe purpose) (but not for a permanent building) and such assessment has thereby become liable under section 48 of the Bombay Land Revenue Code, 1879, to be altered and fixed at a different rate:

Now this is to certify that under the provisions of the said Code and rules in force thereunder, the assessment of the amount to be paid as land-revenue on the said land, has been fixed for a term of from the day of 19 at the sum of Rs. (figures) [Rupees (words)] payable in one instalment on

On the expiry of the said term the assessment aforesaid will be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder.

[In case of breach of any of the conditions of this sanad the Collector may, without prejudice to any other penalty to which the holder of the land may be liable under the provisions of the said Code—

- (a) continue the said land in the occupation of such holder on payment of such fine and/or assessment as he may direct; and
- (b) direct the removal or alteration of any building or structure erected or used contrary to the provisions of this sanad

[1] Form N1: substituted in Bombay by G. N. R. D. (Bom.) 4256 dated 7-8-1940.

[1] Sind: In Form N1 the last para. should be read as it originally stood i.e. "

"In case of a breach of any of the conditions of this Sanad the Collector may, without prejudice to any other penalty to which the holder of the said land may be liable under the provisions of the said Code, direct the removal or alteration of any structure erected or used contrary to the provisions of this Sanad within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, may cause the same to be carried out and may recover the cost of carrying out the same from the holder as an arrear of land revenue:—"

within a time prescribed in that behalf by the Collector and, on such removal or alteration not being carried out within the prescribed period, cause the same to be carried out and recover the cost of carrying out the same from the holder as an arrear of land revenue.]

Schedule hereinbefore referred to.

| Length and Breadth. | | Total Superficial area. | Forming (part of) Survey No. or Hissa No. | Boundaries | | | | Remarks. |
|---------------------|---------------|-------------------------|---|------------|--------|-------|-------|----------|
| North to South. | East to West. | | | North | South. | East. | West. | |
| | | | | | | | | |

In witness whereof the Collector has hereto set his hand and the seal of his office this day of 19 .



Collector.

NOTE—The Collector has full power to impose any conditions he thinks fit. Such conditions will be inserted after the schedule for the erection of temporary structures.

FORM O (Rule 104 and Rule 113).

RECORD OF RIGHTS.

A double-page form with sufficiently wide columns for (or cards in V F. VII-XII ruled to contain) the following particulars:—

1. Serial Number.
2. Survey Number (if inam, the kind of inam).
3. Area.
4. Ordinary or Special Assessment and Judi.
5. Sub-division Number.
6. Area.
7. Assessment.
8. Judi or Special or Non-agricultural Assessment payable.
9. Occupant of Khalsa Land or Holder of Alienated Land.
10. Nature and origin of Title.
11. Other rights or encumbrances with names of right-holder or encumbrancer.
12. References to Mutation Diary, Form P.
13. Remarks.

instalment of land revenue on the land held by you, of which full details can be obtained from the Village Accountant (or otherwise as the case may be), in the village of _____ in the taluka of _____ has not been paid, and that, unless it is paid within ten days from the date of this notice together with the sum of _____ annas, being the fee chargeable for this notice, compulsory proceedings will be taken according to law for the recovery of the whole of the revenue still due by you on the said land, together with an additional penalty not exceeding one-fourth of the said arrears under section 148 of the Land Revenue Code.

Dated the _____ day of _____ 19 ____
(Signed) Mamlatdar (or Aval Karkun). †

FORM T (Rule 120).

Form of Agreement to be passed when forfeited land is restored on new Tenure.

Agreement.

To

The Mamlatdar of _____
I., A. B., inhabitant of _____ in the Taluka _____
hereby accept the right of occupation of the land comprised in Survey Number _____ in the village of _____ in the Taluka _____ and I pray that my name may be entered in the Government records as the occupant of the said land.

The said land which has been forfeited for arrears of land revenue has been regranted to me subject to the provisions of the Bombay Land Revenue Code, 1879, and of the Rules in force thereunder in perpetuity§ from the _____ day of _____ 19 ____; and I undertake to pay the land revenue from time to time lawfully due in respect of the said land.

The said land has been regranted to me after forfeiture, subject to the condition to which I hereby assent in consideration of the regrant, namely, that I, my heirs, executors, administrators and approved assigns may not at any time lease, mortgage, sell or otherwise howsoever encumber the said land or any portion thereof without the previous sanction in writing of the Collector.

† Authorised by G. R. No. 2459-83; 9263-11.

§ When not granted in perpetuity delete the word and insert "until the day of _____ 19 ____".

Dated the _____ day of _____ 19 _____ at _____
 Written by _____

(Signed) *A. B.*

We declare that *A. B.*, who has signed this agreement, is to our personal knowledge, the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) *C. D.*

E. F.

We declare that to the best of our knowledge and from the best information we have been able, after careful inquiry, to obtain, the person who has passed this agreement is a fit person to be accepted by Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) *G. H., Patel,*

I. J., Village-Accountant.

FORM U (Rule 129).

(Standard form R. M. 20.)

FORM OF PROCLAMATION AND WRITTEN NOTICE OF SALE OF
 ATTACHED PROPERTY.

(Under Section 165, L. R. C.)

Whereas the property of _____ hereinunder specified has been attached on account of the Government assessment Rs. _____ due by the said _____; and whereas it is necessary to recover the said amount by sale of the said property, together with all lawful charges and expenses resulting from the said attachment and sale :

Notice is hereby given that on the _____ day of _____ 19 _____ at _____ o'clock A. M. _____ A. B. _____ the Mamlatdar of _____ (or other person appointed) will, at _____ in _____ taluka in this district, sell by auction to the highest bidder and upon such conditions as to upset price and other conditions as are set out in the subjoined Schedule of Conditions of Sale, the right, title and interest of the said _____ in the property hereinunder specified, and every power of disposing of the same or any of them or of the profits arising therefrom which the said _____ may now consistently with the law exercise for his own benefit.

Moveable Property.

(This table only should be omitted when the form is to be used under rules for the execution of decrees.)

| 1 | 2 | 3 | 4 | 5 | 6 |
|---------|-------------------------------------|-----------------|-------------------|--------------------|---|
| Lot No. | Number and description of articles. | Where attached. | Where now placed. | When to be viewed. | Whether the sale is subject to confirmation or not. |
| | | | | | |

Immoveable Property.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---------|--|--|--|-------------------|---|---|---|---|
| Lot No. | Description of Lot, including local situation, supposed or estimated rent or annual value and if leased, for how long, on what terms, and to whom. | Survey number, municipal number and other cadastral designation. | Government Revenue, including any Local Cess and any other known fiscal charge resting on the Lot. | Present occupant. | (Here enter any other particulars the Collector may see fit.) | | | (This column should be used for particulars which the Collector may see fit to enter under the rules for the execution of Civil Court decrees.) |
| | | | | | | | | |

N. B.—No guarantee is given of the title of the said _____ or of the validity of any of the right, charges or interests claimed by third parties.

(Signed)

Collector.

A printed *schedule* setting forth the conditions of sale according to the Code and Rules shall be appended.

FORM W (Rule 129).

FORM OF PROCLAMATION AND WRITTEN NOTICE OF SALE
OF RIGHT OF OCCUPATION OF UNOCCUPIED LAND.

Notice is hereby given that the right of occupation of the under mentioned unoccupied land, situate in the village of _____ in the _____ taluka will be put up to public auction at _____ on the _____ day of _____ 19____, at or after _____ o'clock $\frac{\text{A. M.}}{\text{P. M.}}$

The written (or printed) conditions of sale signed by * [may be seen on application during office hours, on any office day before the day of the auction, to the Mamlatdar of _____ or, at the time of the auction, to the officer who conducts the same] and intending bidders are warned that they should ascertain the said conditions before bidding.

Description of the Land.

Here give a full description of the land, viz., the Survey Number or Numbers, if it has been surveyed, if not, its boundaries; the class of land, i. e., whether it is dry-crop land, garden land, or a building-site, etc., the area of the land, adding "be the same more or less"; the assessment, if any, at present payable for the land, and the term for which that assessment has been fixed.

(Signed)

Collector (or other competent officer).

Dated the _____ day }
of _____ 19____ }

APPENDIX O-A. (Order XII).

SCHEDULE A.

Whereas I, _____ inhabitant of _____ have been appointed to the office of _____ and have been called upon to furnish security for the due discharge of the trusts of the said office, or of any other office to which I may be hereafter appointed, and for the due account

* [or "are subjoined to this Proclamation"].

[1] Sch. A to Or. XII: Vide Notfn. 4874/33 (e); B. G. G. Pt. IV-A, p. 766, dt. 30-5-1940 issued under s. 241 (2) (b) of the Government of India Act, 1935, by the Government of Bombay.

of all moneys, papers and other property which shall come into my possession or control by reason of any such office, I hereby bind myself to pay to the Government of Bombay the amount of any loss or defalcation in my accounts, and to deliver up any papers or other property within such time, and to such person as shall be demanded by the person at the head of the office to which I belong, such demand to be in writing and to be left at my office or place of residence, and, in case of my making default therein, I bind myself to forfeit to the Government of Bombay the sum of _____ rupees.

Provided always that nothing herein contained nor the security hereby given shall be deemed to limit my liability in respect of the matters aforesaid to the forfeiture of the said sum of _____ rupees only, and that should that sum be insufficient to recoup the Government of Bombay in full for any loss or damage sustained by it in respect of the matters aforesaid, I agree to pay to it on demand such further sum as shall be deemed by the person at the head of the said office as necessary in addition to the said sum to cover such loss or damage as aforesaid.

Dated

(Signature)

FORM OF SECURITY TO BE SUB-JOINED TO THE BOND OF
THE PRINCIPAL.

We _____ hereby declare ourselves sureties for the abovesaid _____ that he shall do and perform all that he has above undertaken to do and perform, and in case of his making default therein we hereby bind ourselves to forfeit to the Government of Bombay the sum of _____ rupees ; in which the abovesaid _____ has bound himself, or such smaller sum as shall be deemed sufficient by the _____ to cover any loss or damage which the Government of Bombay may sustain by reason of such default.

Dated

(Signatures)

'APPENDIX O-A-1 (Order XII).

SCHEDULE B.

Register showing the results of inquiries made as to the sufficiency of the security furnished by Revenue Officers in the district of

| Consecutive number. | Name and designation of officer required to give security. | Amount of security given. | Nature of security given. | Names of securities, if any, and dates of their bonds. | Names of new securities, if any, substituted for former ones who have died or withdrawn, or whose fitness is considered doubtful and dates of their security bonds. | Amount of security, if any, for which each surety is liable on account of other officers, whether in the same or in any other Department. | Opinion of the head of office as to sufficiency of present security and date on which such opinion was recorded. | Date of receipt of surety's notice of withdrawal. | Commissioner's inspection notes. |
|---------------------|--|---------------------------|---------------------------|--|---|---|--|---|----------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

[1] Sch. B to App. O.A.1: Vide foot-note at p. 160, *supra*.

'APPENDIX O-B (Order XIX).

ADVANCE NOTICE OF PROPOSED SETTLEMENT.

I.—Form of notification for the Presidency proper.

It is hereby made known to the people of the undermentioned villages of taluka district that the revision of the survey assessment of the lands of the said villages is about to be effected and that it is proposed to divide the said villages into the following groups, the existing and proposed maximum rates of such village being as shown against its name in the following list:—

| Number. | Name of Village. | By former settlement. | | | | By revision settlement. | | |
|---------|------------------|-----------------------|-----------|-------|---------|-------------------------|-------|---------|
| | | Maximum rates. | | | | Maximum rates. | | |
| | | Num-ber of group | Dry crop. | Rice. | Garden. | Dry crop. | Rice. | Garden. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | Group I ... | | | | | | | |
| | Group II ... | | | | | | | |
| | Group III ... | | | | | | | |

Reasons for alterations in the rates—

Reasons for alterations in the grouping—

The result so far as the village of is concerned is that the rates in the village are $\frac{\text{raised}}{\text{lowered}}$ by annas in the rupee.

A copy of the Settlement Officer's report has been deposited at the office of the Mamlatdar of and is open to the inspection of any one interested.

For a period of two months from the date of the publication of this notification the Collector will be prepared to receive objections made by any village community to the proposed grouping of their village and the maximum rate thereof, which objections must be presented in writing by the revenue patel of the village as the representative of such village community.

Collector of

[1] App. O.B: Deleted —Vide G. N. R. D. (Bom.) 1016/39 of 5-3-1940. For a corresponding Form of Notification see Form A-10 devised under new Rule 19-D at p. 116, *supra*.

APPENDIX O-B (Order XIX). II.—Form of notification for Sind.

It is hereby made known to the people of the undermentioned villages of taluka _____, district _____, that the revision of the survey assessment of the lands of the said villages is about to be effected and that it is proposed to divide the said villages into groups as detailed in the subjoined statement, the existing and proposed rates of each village being as shown against its name :—

| Number. | Name of Village. | Number of group. | By former settlement. | | | | By revision settlement. | | | | |
|---------|------------------|------------------|---|--|--|--|---|--|--|--|--|
| | | | Rates according to different modes of irrigation. | | | | Rates according to different modes of irrigation. | | | | |
| 1 | 2 | 3 | | | | | | | | | |
| | Group I ... | | | | | | | | | | |
| | Group II ... | | | | | | | | | | |
| | Group III ... | | | | | | | | | | |
| | Group IV ... | | | | | | | | | | |
| | Group IV ... | | | | | | | | | | |

Reasons for alteration in the rates—

Reasons for alteration in the grouping—

A copy of the Settlement Officer's report has been deposited at the office of the mukhtiarkar of _____ and is open to the inspection of any one interested.

For a period of two months from the date of the publication of this notification, the Collector will be prepared to receive objections in writing from any zamindar to the proposed grouping of his village and the revised rates proposed therefor. _____ Collector of _____

NOTE.—When the Settlement is not revision but original omit such words as 'Revision' and 'existing' rates cols. 3 to 6 and words implying 'alteration.' For the 3rd Clause below the form read: "The result is that the Mamul or old revenue payments made by the village are ^{raised} by _____ annas in the rupee."

APPENDIX O-C (Order XXIII).

FORM OF REGISTER OF ALIENATIONS.

Register of Alienated Villages and Lands in the District
kept under section 53.

| Serial Number. | Name of village. | Name of the present Alienee. | (1) Class of Alienation. | Particulars of the Sanad. | | | | | | | Duration of tenure i.e., whether continuable permanently or hereditarily for more lives than one, or for life only, or for what period. | Entire village. | Particulars of the villages or land alienated | | | Land Revenue payable to Government. | | | |
|----------------|------------------|------------------------------|--------------------------|---------------------------|-----------------------|---|---------------------|---|--|---|---|-----------------|---|--------------------|-----------------------------------|-------------------------------------|--|---------|--------|
| | | | | Number. | Date, Month and Year. | Name & Office of the Officers signing it. | Name of the holder. | Name of the Taluka in which it is originally entered. | (3) Number of Form of the Sanad annexed to the Register. | of part only of the village, the Survey No. | | | Area. | Survey assessment. | (4) Amount of old judi or salami. | Rate. | Additional Quit-rent, if any, payable under the Sanad. | Amount. | Total. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| | | | | | | | | | | | | | | | | | | | |

Notes:—

(1) This column should show the class of alienation, as detailed in the Revenue Accounts Manual under Classes I to VI (b) and VII. If the alienation does not come under any of these classes it should be appropriately described.

(2) In these cases in which no sanad has been granted, the number and date of the decision confirming or continuing the alienation should be written across cols. 5-10

(3) To avoid copying out a sanad in extenso in each entry, a sample form of every kind of sanad should be annexed under the Collector's signature to the register, and numbered, and the number of the form should be entered in col. 10.

(4) Column 9. Many villages were originally in other Talukas or districts.

(5) If the amount of judi actually paid has been less than the maximum amount fixed by the Inam Commission or otherwise, the former amount should be entered in column 16, and the latter, with an explanatory note in column 21.

(6) When columns 16-18 are inapplicable, the amount of land revenue payable should be shown in column 19 only.

APPENDIX O-D [Rules 30-36].

*Form of Statement of Alienations to be submitted monthly
(R. No. P/196 of 6-4-1926).*

| Name of grantee. | Village. | Taluka. | District. | Area. | Value. | Rule or order under which grant is made. | Orders sanctioning the grant. |
|------------------|----------|---------|-----------|-------|--------|--|-------------------------------|
| | | | | | | | |

APPENDIX O-E.

LEASE FOR LANDS GRANTED TO CRIMINAL TRIBES (R. I2176—16
and 8509—19-7-23).

A—(For Agricultural purposes).

The land comprised in survey No _____ area _____ acres
gunthas, assessment Rs. _____ a. p. in the village
of _____ in the _____ taluka is hereby granted on lease to—

(1)

(2)

inhabitant (s) of _____ in the _____ taluka [hereinafter called
“the lessee (s)"] on payment of an occupancy price of _____
rupees in perpetuity* from the _____ day of
19 _____, subject to the provisions of the Bombay Land
Revenue Code, 1879, and to the rules from time to time in force
thereunder and to the following conditions, namely:—

(1) That the lessees, their heirs or assigns shall not at any
time lease, mortgage, sale or otherwise howsoever encumber the
said occupancy or any portion thereof without the previous sanc-
tion in writing of the Collector of _____ or of any Assistant
or Deputy Collector to whom the said Collector may delegate
this power.

* [or if the grant is not in perpetuity but merely for a term, delete the word
“in perpetuity” and insert here “to the _____ day of _____ 19 _____.”]

(2) That the lessees, their heirs and assigns shall pay the land revenue and other dues from time to time lawfully due in respect of the said occupancy.

(3) That if within 20 years of the date of the grant of this lease the lessees or their heirs or any of the male issue of the lessees or their heirs living jointly with them be convicted of any offence punishable under the Indian Penal Code or any other Act for the time being in force and sentenced to imprisonment for a period of not less than six months, the said occupancy may be forfeited at the discretion and under the order of the Collector of _____ or of any Assistant or Deputy Collector to whom the said Collector may delegate this power and such order of forfeiture shall be final.

This grant is made on behalf of the Governor of ^{Bombay}/_{Sind} by
and under the hand and seal of, the Collector of
this _____ day of _____ 19 _____.



Collector of _____

In the presence of—

*

*

This grant is hereby accepted, on the terms and conditions therein mentioned, by—

†

†

†

In the presence of—

*

*

* Signature of witnesses.

† Signature of the lessees.

B—For sites for houses or huts.

The building site described below, in the village of _____ of the _____ taluka of the _____ District is hereby granted on lease in perpetuity to—

(1)

(2)

inhabitant (s) of _____ in the village of _____ in the taluka of _____ in the _____ District (hereinafter called "the lessees") for the purpose of building a house or hut thereon, subject to the provisions of the Bombay Land Revenue Code, 1879, and to the rules from time to time in force thereunder and to the following conditions:—

(1) That the lessees, their heirs and assigns shall pay such land revenue (if any) from time to time as is lawfully due in respect of the said land. Also that the lessees, their heirs and assigns shall pay annually as ground rent for the said site the sum of _____ (being at the rate of _____ per _____) for the period of _____ years commencing on _____ and thereafter pay such ground rent for such further period as may from time to time be fixed by lawful authority.

(2) That one or more permanent buildings shall be constructed on the said site within _____ years from the date of this lease.

(3) That the lessees, their heirs or assigns shall not at any time lease, mortgage, sell or otherwise howsoever encumber the said site or any portion thereof without the previous sanction in writing of the Collector of _____ or of any other officer to whom he may delegate this power.

(4) That if within _____ years of the date of the grant of this lease the lessees or their heirs or any of the male issue of the lessees or their heirs living jointly with them be convicted of an offence punishable under Chapters XII and XVII of the Indian Penal Code and sentenced to imprisonment for a period of not less than six months this site, together with all the buildings erected thereon, and all rights and interests connected therewith, may be forfeited at the discretion and under the orders of the Collector of _____ or of any other officer to whom he may delegate this power and such order of forfeiture shall be final.

The building site referred to herein is bounded as follows:—

On the North by

On the South by

On the East by

On the West by

and is of the following size and measurements :—

This grant is made on behalf of the Governor of ^{Bombay}_{Sind} by,
and under the hand and seal of, the Collector of this the
day of 19 .

Seal of the
Collector.

Collector of

In the presence of—

*

*

This grant is hereby accepted, on the terms and conditions
therein mentioned, by—

†

†

†

In the presence of—

*

APPENDIX O-F (1) (Rule 39).

AGREEMENT TO COVER CASES OF LANDS IN THE KAIRA DISTRICT WITH VALUABLE BABUL AND OTHER TREES WHEN GIVEN ON IMPARTIBLE TENURE.

To

The Mamlatdar of in the Kaira District,
I, A. B., inhabitant of in the , Taluka,
hereby accept the occupancy of the land described in schedule A
hereto appended (hereinafter referred to as the said lands) and
I pray that my name may be entered in the Land Records as
the occupant of the said lands.

2. The occupancy of the said lands has been accepted
by me subject to—

(a) the provisions of the Bombay Land Revenue Code, 1879,
and of the Rules in force thereunder ;

* Signature of witnesses.

† Signature of lessees.

(b) a (present) payment in cash of Rs. (and a deferred payment of Rs. on account of the value of the trees standing on the said lands); and

(c) the conditions hereinafter mentioned.

3. The conditions on which I have accepted the occupancy of the said lands are as follows, and I agree on behalf of myself, my heirs, executors, administrators and assigns to abide by them subject to any modifications therein that may hereafter be ordered by Government consistently with the general tenor of this agreement:—

(1) That I shall regularly pay from time to time the annual land revenue lawfully due in respect of the said lands according to the rate of assessment as may be fixed from time to time under the law and rules in force in this behalf.

(2) That I, my heirs, assigns and legal representatives shall not at any time by partition, inheritance, lease, mortgage or otherwise howsoever transfer the said land except as a whole or a portion thereof of not less than an economic holding.

(3) That I shall bring under cultivation to the satisfaction of the Collector of Kaira—

(a) at least one-fourth of the said lands within a period of three years, i. e., A. D. 19 to 19 ,

(b) at least half of the said lands within a period of five years, i. e., A. D. 19 to 19 ,

(c) the whole of the said lands within a period of eight years, i. e., A. D. 19 to 19 , subject however to the exclusion of such fallows not exceeding one-fifth of the total area of the said lands as are essential for agricultural purposes, and the *Kharaba* areas included in survey numbers and vacant strips of land required to be left uncultivated by the sides of fields.

(Explanation.—Cultivation means raising of crops, not of grass.)

(4) That if I fail to perform any of the aforesaid conditions, I shall be liable at the discretion of the Collector notwithstanding anything hereinbefore contained—

(a) to pay the full assessment of the said lands for the year during which such failure takes place together with all authorised and unauthorised arrears of land revenue due from me,

(b) to have the whole of the said lands including such portions thereof as have been transferred, mortgaged, leased or otherwise howsoever incumbered by me to any other person summarily forfeited; and neither I nor such other person shall be entitled to claim compensation for anything done or executed by me or by him in respect of the said lands, and

(c) in case of forfeiture of the said lands to pay Rs. . . . as the deferred payment of the value of the trees standing on the said lands and granted to me.

(5) That I shall not have the right at any time during the period of eight years commencing from A. D. 19 . . . to relinquish a portion only of the said lands without the previous sanction in writing of the Collector; the whole may, however, be relinquished by me at any time.

(6) That I shall have the right to transfer, mortgage, or lease the whole of the said lands or portion thereof of not less than an economic holding, subject to the conditions mentioned herein, specially subject to the right of forfeiture by Government in case of my failure to keep the land undivided, as mentioned in condition (2) above or to bring the land under cultivation as required by conditions (3) and (4).

(7) That I shall furnish, before I take possession of the said lands, security to the extent demanded by the Mamlatdar in the form of either a cash deposit or a personal bond with sureties as may be required by the Collector to secure the due fulfilment and enforcement of the conditions of this agreement.

(8) *That I shall, on the due and satisfactory fulfilment of the conditions mentioned in sub-clause (3) of clause (3) of this agreement or at such earlier date at which I shall have brought into cultivation the whole of the said lands subject to the exceptions provided for by sub-clause (3) of clause (3) be entitled to a remission of the deferred payment of the value of the said trees referred to in sub-clause (b) of clause (2) and in condition (4) (c) of clause (3) above.*

(9) *That subject to the conditions abovementioned the full ownership over the trees comprised in the said lands shall belong to me and I may dispose of them as I think fit.*

(10) That I shall not take into my possession any part of the said lands which has been set apart for public purposes, viz. for roads, waterways, etc., and I shall respect all rights and easements vested in the public over such parts.

(11) That subject to the due and proper fulfilment of the conditions hereinbefore agreed to I shall be entitled on the expiry of eight years or at such earlier date at which I shall have brought under cultivation the whole of the said lands [subject to the exceptions provided for by sub-clause (3) of clause 3], to retain the occupancy on the unrestricted but impartible tenure of the said lands subject to the payment of the full assessment from time to time fixed thereupon under the law and rules in force in this behalf, on my executing an agree-

ment in the form prescribed for persons who intend to become occupants of land on impartible tenure [Form F (1)].

(12) In case of forfeiture of the whole of the said lands under clause 3 of this agreement or in case I exercise the option given to me above to relinquish the whole of the said lands, I shall be permitted to retain possession of such portion of the said lands as I may have brought under cultivation provided—

(a) I ask for the permission to retain such portion within a fortnight from the date on which I receive the order of forfeiture or on which my relinquishment is duly excepted by the Mamlatdar,

and

(b) I pay to Government as occupancy price ten times the assessment of the said portion without taking into consideration any amount that I may have paid before taking possession of the said lands in accordance with the terms of this agreement.

Dated the day of 19 at

(Signed)

We declare that who has signed this agreement is to our personal knowledge, the person he represents himself to be and that he has affixed his signature hereto in our presence.

(Signed)

(Signed)

We declare to the best of our knowledge and from the best information we have been able, after careful inquiry, to obtain that the person who has passed this agreement is a fit person to be accepted by Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed)

Patel.

(Signed)

Village Accountant.

Schedule A.

| Taluka. | Village. | Survey No. | Area. | Assessment. | Trees valued at Rs. | Remarks. |
|---------|----------|------------|-------|-------------|---------------------|----------|
| | | | | | | |

APPENDIX O-F(2).

AGREEMENT TO COVER CASES OF LANDS IN THE KAIRA DISTRICT
WITHOUT VALUABLE BABUL AND OTHER TREES WHEN
GIVEN ON IMPARTIBLE TENURE.

To

The Mamlatdar of _____ in the Kaira District.
I, A. B., inhabitant of _____ in the _____ Taluka,
hereby accept the occupancy of the land described in schedule A
hereto appended (hereinafter referred to as the said lands) and
I pray that my name may be entered in the Land Records as
the occupant of the said lands.

2. The occupancy of the said lands has been accepted by
me subject to—

(a) the provisions of the Bombay Land Revenue Code, 1879,
and of the Rules in force thereunder;

(b) a payment in cash of Rs. _____; and

(c) the conditions hereinafter mentioned.

3. The conditions on which I have accepted the occupancy
of the said lands are as follows, and I agree on behalf of myself,
my heirs, executors, administrators and assigns to abide by them
subject to any modifications therein that may hereafter be
ordered by Government consistently with the general tenor
of this agreement:—

(1) That I shall regularly pay from time to time the annual
land revenue lawfully due in respect of the said lands according
to the rate of assessment as may be fixed from time to time
under the law and rules in force in this behalf.

(2) That I, my heirs, assigns and legal representatives shall
not at any time by partition, inheritance, lease, mortgage or
otherwise howsoever transfer the said land except as a whole or
a portion thereof of not less than an economic holding.

(3) That I shall bring under cultivation to the satisfaction
of the Collector of Kaira—

(a) at least one-fourth of the said land within a period of
three years, i. e., A. D. 19 _____ to 19 _____

(b) at least half of the said lands within a period of five
years, i. e., A. D. 19 _____ to 19 _____

(c) the whole of the said lands within a period of eight
years, i. e., A. D. 19 _____ to 19 _____

subject however to the exclusion of such fallows not exceeding
one-fifth of the total area of the said lands as are essential for
agricultural purposes, and the kharaba areas included in survey
numbers and vacant strips of land required to be left un-
cultivated by the sides of fields.

(*Explanation.*—Cultivation means raising of crops, not of grass).

(4) That if I fail to perform any of the aforesaid conditions, I shall be liable at the discretion of the Collector notwithstanding anything herebefore contained—

(a) to pay the full assessment of the said lands for the year during which such failure takes place together with all authorized and unauthorized arrears of land revenue due from me.

(b) to have the whole of the said lands including such portions thereof as have been transferred, mortgaged, leased or otherwise howsoever incumbered by me to any other person summarily forfeited; and neither I nor such other person shall be entitled to claim compensation for anything done or executed by me or by him in respect of the said lands, and

(c) in case of forfeiture of the said lands to pay Rs. as the deferred payment of the value of the trees standing on the said lands and granted to me.

(5) That I shall not have the right at any time during the period of eight years commencing from A. D. 19 to relinquish a portion only of the said lands without the previous sanction in writing of the Collector; the whole may, however, be relinquished by me at any time.

(6) That I shall have the right to transfer, mortgage, or lease the whole of the said lands or portion thereof of not less than an economic holding, subject to the conditions mentioned herein, specially subject to the right of forfeiture by Government in case of my failure to keep the land undivided, as mentioned in condition (2) above or to bring the land under cultivation as required by conditions (3) and (4).

(7) That I shall furnish, before I take possession of the said lands, security to the extent demanded by the Mamlatdar in the form of either a cash deposit or a personal bond with sureties as may be required by the Collector to secure the due fulfilment and enforcement of the conditions of this agreement.

(8) That I shall not take into my possession any part of the said lands which has been set apart for public purposes, viz. for roads, waterways, etc., and I shall respect all rights and easements vested in the public over such parts.

(9) That subject to the due and proper fulfilment of the conditions hereinbefore agreed to I shall be entitled on the expiry of eight years or at such earlier date at which I shall have brought under cultivation the whole of the said lands [subject to the exceptions provided for by sub-clause (3) of clause (3)], to retain the occupancy on the unrestricted but

impartible tenure of the said lands subject to the payment of the full assessment from time to time fixed thereupon under the law and rules in force in this behalf, on my executing an agreement in the form prescribed for persons who intend to become occupants of land on impartible tenure [Form F (1)].

(10) In case of forfeiture of the whole of the said lands under clause 3 of this agreement or in case I exercise the option given to me above to relinquish the whole of the said lands, I shall be permitted to retain possession of such portion of the said lands as I may have brought under cultivation provided—

(a) I ask for the permission to retain such portion within a fortnight from the date on which I receive the order of forfeiture or on which my relinquishment is duly excepted by the Mamlatdar, and

(b) I pay to Government as occupancy price ten times the assessment of the said portion without taking into consideration any amount that I may have paid before taking possession of the said lands in accordance with the terms of this agreement.

Dated the day of 19 at
(Signed)

We declare that who has signed this agreement is to our personal knowledge the person he represents himself to be and that he has affixed his signature hereto in our presence.

(Signed)

(Signed)

We declare to the best of our knowledge and from the best information we have been able, after careful enquiry, to obtain that the person who has passed this agreement is a fit person to be accepted by Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed)

Patel.

(Signed)

Village Accountant.

Schedule A.

| Taluka. | Village. | Survey No. | Area. | Assessment. | Trees valued at Rs. | Remarks. |
|---------|----------|------------|-------|-------------|---------------------|----------|
| | | | | | | |

APPENDIX O-H [Rule 51 (1)]].

FORM OF 99 (50) YEARS LEASE.

[ROYAL ARMS].

THE GOVERNOR OF ^{Bombay}_{Sind}.

TO

WHEREAS

has purchased from Government the right of occupation for a term of _____ years, subject to the conditions hereinafter mentioned of a plot of ground situated in† the _____ Division of † the city (or town *as the case may be*) of _____ being registered No. _____ in the MAP marked Sheet No. _____ and containing about _____ square yards, and of the following shape, and about the following dimensions:—(*here insert sketch or tracing*).

AND WHEREAS the said _____ has paid the purchase money for the said land for the said term, viz., Rupees § I, _____ Collector, hereby lease on behalf of Government to the said _____ (hereinafter called "the Lessee") the right of occupancy of the said plot of ground for the term of _____ years, subject to the following conditions that is to say:—

I. The Lessee shall pay to Government an annual rent of Rupees _____ in respect of the said plot of ground.

II. The Lessee shall pay the said rent in advance in one annual payment on the 1st of August in each year. If the said rent be not paid within three months from the said 1st of August in each year, interest at the rate of nine per cent. per annum shall be charged upon the said rent in arrear from the expiration of the said three months until payment, and if the said rent, together with such interest thereon as shall be due, be not paid within a year from the said 1st of August in each year, payment of such rent and interest shall be enforced by proceeding in any of the modes prescribed by any of the Regulations, or Acts of the Legislature, now or hereafter to be in force relating to the realization of Government land revenue; and if the said rent, together with all interest thereon, be not paid within two years from the said 1st of August, this Lease and all rights thereunder shall become forfeited to Government.

† Omit these words if unnecessary.

§ To be entered in words and figures.

fulfilling the same, provided always that the liability of every transferor under this Lease shall continue until a written notice of such transfer signed by the transferor or his duly constituted agent, shall have been served upon the Collector or other officer authorized by the Collector to receive the same.

X. If the said term should not become forfeited under any of the preceding clauses of this Lease, but should expire by effluxion of time, the Lessee shall have a renewal of the said Lease for such further period as Government may then fix on his consenting to pay the annual rate which may be assessed on the said land at a general revision of assessment at the commencement of such period; as also a premium to be fixed by Government for the continuance of the right of occupancy for such period and if the Lessee shall not assent to comply with such terms, Government shall at the expiration of the then expiring period of _____ years, enter upon and take possession of the said demised premises, and the said _____ heirs, successors, legal representatives and assigns, shall at the expiration of the said term, or within six calendar months after Government shall have given notice of the terms on which it is willing to renew the Lease, clear off all buildings and erections that may be upon the said demised premises unless the Collector and the said _____ heirs, successors, legal representatives and assigns, shall in the meantime agree upon a valuation to be put upon the said buildings and erections, and the Collector shall assent to take them at such valuation.

XI. In this Lease the words "the Lessee" shall include the Lessee, his heirs, successors, legal representatives or assigns; and the words "the Collector" shall include the Collector of the _____ District for the time being and any other officer whom the Government may at any time appoint to exercise the powers of Collector under this Lease.

This Lease is executed on behalf of the Governor of Bombay Sind, by and under the hand and seal of the Collector of the

District, this

day of _____ one thousand nine hundred and _____ A. D.

(Signed)



Collector.

In the presence of _____

APPENDIX O-I [Rules 47 and 51 (2)].

FORM OF SHORT-TERM LEASE.

THE GOVERNOR OF ^{Bombay}
Sind

TO

THIS IS TO CERTIFY THAT

inhabitant of
(hereinafter called "the Lessee") has, subject to the provisions of the Bombay Land Revenue Code, Act V of 1879, and the Rules thereunder and subject to the conditions hereinafter specified, been allowed by the Collector of

hereinafter called "the Collector" acting on behalf of the Governor of ^{Bombay}
Sind (hereinafter referred to as "Government"), to occupy for a period of years* commencing from the day of

19 (hereinafter called "the said term"), a plot of ground situated in† the Division of the city (or town as the case may be) of being registered, No. in the Map marked sheet No. and containing about square yards, and of the following shape and of about the following dimensions:—

The conditions of this Lease are as follows:—

I. The Lessee shall pay to Government for the said plot of ground on the first day of August every year in advance in one annual payment an annual rent of Rs. together with Rs., being the amount of Local Fund Cess thereon.

II. The Lessee shall not erect any permanent building upon the land, and shall at the end of the said term without any objection, without claiming any compensation and without retaining any claim over it, clear and deliver over the said plot of ground to the Collector in the same condition in which he took it.

III. The said plot of ground and all buildings thereon shall be subject to Municipal taxation, and to any taxation for local purposes which is now or may hereafter be imposed (in the whole district), and shall also be subject to any tax affecting the said plot of ground or any of the buildings thereon, of the nature contemplated in the second paragraph of section 45 of the said Land Revenue Code, which may hereafter be imposed by the Legislature.

IV. Failure to comply with any of the above conditions of the Lease or with any provisions of the said Land Revenue Code

* This period may not exceed seven years.

† Omit these words if unnecessary.

or of the Rules thereunder shall render this lease liable to cancellation by the Collector, who may thereupon resume the land and summarily evict the Lessee without notice or payment of any compensation whatever :

Provided that the Collector may, in lieu of such resumption and without imposing any further penalty, order the removal within a prescribed period of any building erected contrary to condition II of this lease, and on such removal not being carried out within the prescribed period may cause the same to be carried out at the expense of the Lessee, or may resume the said plot of ground and all buildings thereon in the manner authorised by this condition : and it shall be in the sole, absolute and unfettered discretion of the Collector, subject to the orders of the Government or the Commissioner, to adopt either one or other of the above remedies as may seem desirable to him in the circumstances.

V. In this lease the words "the Lessee" shall include the Lessee, his heirs, successors, legal representatives or assigns ; and the words "the Collector" shall include the Collector of the

District for the time being and any other officer whom the Government may appoint to exercise the powers of the Collector under this lease.

This lease is executed on behalf of the Governor of Bombay
Sind
by and under the hand and seal of the Collector of the
District, this day of one thousand nine
hundred and A. D.



(Signed)

In the presence of

Collector.

APPENDIX O—J (Rule 55).

SANAD FOR PLANTING TREES IN WASTE LAND.

WHEREAS
Mouze

Taluka

resident of
in the District of
has applied to

No restriction on kind
and number.

plant and rear trees in Government land
in the Reserved Forests in charge of the
Revenue Department and lands set apart

for common village use :

AND WHEREAS the aforesaid application has been duly sanctioned under the authority of Government Resolutions No. 4118, dated 14th June 1901, and No. 4 of 2nd January 1913 ;

Now, this sanad is hereby granted to the said authorising him, his heirs and executors to plant and rear trees within in the marginally noted Government lands or reserved forest in the village of Taluka in the District and to enjoy the produce thereof without

Enter extent, situation and boundary.

any question on the part of Government of any assessment or rent otherwise leviable under the Land Revenue Code or any other similar law in force from time to time on account of the land occupied by or under the trees subject to below-mentioned conditions :—

(i) No right over the land shall be granted to the permit holder.

(ii) The permit holder shall be allowed to erect any fence which may be necessary for the purpose of protecting the trees planted by him.

(iii) The usufruct and the timber of trees, i. e., the leaves, twigs, flowers, fruits and branches of the trees, and the trees themselves when falling or felled shall be given entirely free to the permit holder.

(iv) Power to remove the trees when necessary without claim to compensation shall be reserved to Government, trees so removed being given free to the permit holder under clause (iii).

(v) The permit shall be subject to cancellation if the trees are not planted in accordance with the permit within a reasonable time to be fixed in the permit, and thereafter if they are not in the opinion of the Mamlatdar or Mahalkari properly tended and kept. When a permit is cancelled any tree that may be on the land shall be given to the permit holder under clause (iii) or shall be forfeited to Government as the Mamlatdar or Mahalkari shall direct.

2. The concessions granted to the permit holder shall be continued to his legal heirs without any restriction with regard to succession or transfer.

This Sanad is executed on behalf of the Governor of Bombay
Sind

by and under the hand and seal of
Esquire, Assistant Collector of
this day of

(Signed)

APPENDIX O-JJ (Rules 55 and 56).

Form of Sanad for brick kilns and brick making in unoccupied, unalienated land—*vide* rules 55 and 56 (R. 1417/24-II of 30-4-1929).

Form of Sanad.

A sanad granted this the _____ day of _____ one thousand nine hundred and _____ by the Governor of $\frac{\text{Bombay}}{\text{Sind}}$ (hereinafter referred to as "Government") of the one part to _____ inhabitant of _____ (hereinafter referred to as "the applicant" which expression shall include his heirs, executors, administrators and assigns) of the other part.

2. Whereas the applicant has applied to the Collector of _____ for permission to occupy for a period of $\frac{\text{years}}{\text{months}}$ commencing from the _____ day of _____ 194 _____ (hereinafter called "the said term") a plot of ground situated in the village _____ in the taluka of _____ in the _____ District, being registered No. _____ and containing about $\frac{\text{square yards}}{\text{acres gunthas}}$ and marked A B C D in the sketch hereto annexed (hereinafter referred to as "the said plot") for the purpose of _____.

3. And Whereas the Collector has been authorised to grant under section 62 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code") the permission applied for, subject to the provisions of the said Code and the rules and orders thereunder and to the terms and conditions hereinafter contained.

4. Now it is hereby agreed between the Government and the applicant that permission to occupy the said plot for the purpose of _____ shall be and it is hereby granted to the applicant for the said term subject to the provisions of the said Code and the rules and orders thereunder and on the following terms and conditions, namely :

(1) The applicant shall pay to Government during the said term for the said plot on the first day of August every year in advance in one annual payment an annual rent of _____ together with the local fund cess payable thereon at the rate for the time being in force ;

(1) (In the case of short-term leases) the applicant shall pay to Government for the said plot the rent of _____ before entry on the said plot together with the local fund cess payable thereon.

(2) The applicant shall also pay fees at the prescribed rates for earth, kankar, etc., removed from the said plot, the quantity removed being measured from the pits made or bricks manufactured.

(3) Earth shall not be excavated by the applicant to a depth of more than _____ feet below the general level of the said plot and the excavation shall be carried out by him in such a manner as not to make the said plot unfit for cultivation after the expiry of the said term.

(4) The surface of the said plot shall be made level; and all bricks, kilns and other materials used for the purposes of the manufacture of the bricks shall be removed from the said plot before the expiry of the said term; and in default thereof the Collector may cause such levelling or removal to be carried out at the expense of the applicant, which shall be recoverable as an arrear of land revenue, without prejudice to any other penalty to which the applicant may by reason of such default become liable under the provisions of the said Code or the rules or orders thereunder.

(5) The applicant shall not excavate earth within a margin of ten feet along and inside the perimeter of the survey No. _____

(6) Failure to comply with any of the above conditions of the grant or with any provisions of the said Code or the rules thereunder shall render this grant liable to cancellation by the Collector, who may thereupon resume the land and summarily evict the applicant without notice or payment of any compensation whatever.

In this sanad the words "the Collector" shall include the Collector of the District for the time being or any other officer whom the Government may appoint to exercise the powers of the Collector under this sanad.

Sketch.

In witness whereof
 Collector of _____, hath, set his hand and seal
 of his office on behalf of the Governor of ^{Bombay} Sind and the applicant
 has, in token of his acceptance of the conditions hereinbefore
 set-forth, set his hand this the _____ day of _____ one
 thousand nine hundred and _____ A. D.
 Signed, sealed and delivered
 by the abovenamed
 Collector of _____

In the presence of—

1

2

Signed and delivered

by the abovenamed

In the presence of—

1

2

APPENDIX O-K.

Form of agreement under section 67, L. R. C., in cases of use of agricultural lands for the manufacture of bricks.

Cancelled by R. 1890/28 of 1-2-29.

APPENDIX O-L [Rule 87 (b)].

Form of Altered Assessment Sanad when Land was Agriculturally assessed by Error.

Deleted in Bombay.—Vide *G. M. R. D. (Bom.) 1472/B-33 of 30-10-1939.*

APPENDIX O-M [Rules 87 (b)].

ALTERED ASSESSMENT SANAD WHEN LAND WAS LEFT
AGRICULTURALLY UNASSESSED.

Sanad B.

WHEREAS the assessment upon the land hereinafter described by measurement and by the boundaries specified in the schedule and delineated is the map hereto appended and forming non-agricultural survey number _____ in the village of _____ in the taluka of _____ district registered in the name of _____ and at present held by _____ has to be assessed by the Collector in accordance with section 52 of the Bombay Land Revenue Code, 1879.

Now this is to certify that the amount of assessment to be paid annually as land revenue on the said land has been fixed for a term of 50 years from the day of _____ 19 _____ at the sum of Rs. _____ (Rs. _____) payable in each year of the said term on the 1st January annually.

On expiry of the said term and at such further intervals as may from time to time be directed by Government in this

behalf, the assessment aforesaid will be liable to revision in accordance with the said Code, and the rules and orders for the time being in force thereunder :—

Schedule hereinbefore referred to.

| Length and breadth | | Total measurement superficial area. | Forming (part of) Survey No. or Pot No. | Boundaries. | | | | Remarks. |
|--------------------|---------------|-------------------------------------|---|-------------|--------|-------|-------|----------|
| North to South. | East to West. | | | North. | South. | East. | West. | |
| | | | | | | | | |

In witness whereof the Collector has hereto set his hand and the seal of his office this day of 19 .



Collector.

APPENDIX O-N.

[REFERRED TO UNDER SECTION 67, RULE 87 (b)].

§(These forms were sanctioned by R. 1188-04.)

FORM A.

(To be used where applicant applies for permission to use for building land hitherto used for agricultural purposes.)

THIS AGREEMENT made this day of one thousand nine hundred and between the Governor of ^{Bombay} _{Sind} (hereinafter referred to as 'Government') on the one part and inhabitant of (hereinafter referred to as "the applicant") on the other part.

WHEREAS the applicant being the occupant of of Taluka has applied to the Collector of (hereinafter referred to as "the Collector") under section 65 of the Bombay Land Revenue Code, 1879, for permission to use for building purposes the plot of land indicated by the letters on the site plan hereto annexed*, forming part of the said

* Care must be taken that this is duly annexed.

and measuring square yards, be the same a little more or less :

AND WHEREAS the Collector has been authorized by Government to grant, under section 67 of the said Code, the permission applied for subject to the provisions of the said Code, and rules and orders thereunder and to the terms and conditions hereinafter contained.

NOW IT IS HEREBY AGREED between the Government and the applicant that permission to use for non-agricultural purposes the plot of land indicated by the letters on the said site-plan (which plot of land is hereinafter referred to as " the said plot of land ") in the particular manner shown in the said site-plan, namely :—

- (A) an area of square yards indicated by a colour and the letters for the purpose of* or for the purpose of an open compound only :
- (B) an area of square yards indicated by a colour and the letters for the purpose of† or for the purpose of an open compound only :
- (C) an area of square yards indicated by the un-coloured portion of the said plot for the purpose of an open compound only :

shall be and is hereby granted subject to the provisions of the said Code, and rules and orders thereunder, and on the following special terms and conditions, namely :—

(1) The applicant in lieu of the present assessment leviable in respect of the said plot of land shall pay to Government without deduction on the day of in each and every year an annual assessment of Rupees (Rs.) during the fifty (50) years commencing on the day of 19 , and ending on the day of 19 , or in composition therefor a lump sum of Rupees (Rs.) being twenty-five (25) times the said annual assessment and thereafter such revised assessment as may from time to time be fixed by the Collector under the said Code and the rules and orders thereunder :

(2) §The applicant hereby gives up, resigns and relinquishes to Government without claiming any compensation therefor all

* Here insert the particular purpose for which the building is to be erected, such as "a residential bungalow and attached outhouses other than a stable or privy."

† Here insert the particular "purpose" for which the building is to be erected, such as "a shop" or "privy."

§ Omit this clause when no such surrender is made.

interest in, and the Collector on behalf of Government is hereby permitted without further notice to the applicant to enter upon and take possession of the following pieces of land, that is to say:—

(a) for the purpose of widening and forming part of the road on the side of the aforesaid plot a strip of land containing by admeasurement square yards, be the same a little more or less, indicated by a colour and the letters on the site-plan hereto annexed ; and

(b) for the purpose of being used as a sweepers' passage (and not as a public thoroughfare) a strip of land situate along and within the boundary of the aforesaid plot and indicated by a colour and the letters on the said site-plan and containing by admeasurement square yards, be the same a little more or less ;

2 (c) In the case of any municipal water, gas or electric scheme requiring the laying of pipes or wires in or through the said land ; the lessees shall permit the laying thereof without making any claim to compensation or rent (R. 1063/28-27th August 1928) ;

(3) The applicant is hereby prohibited under the last paragraph of section 48 of the said Code from using, without the previous permission in writing of the Collector, and part of the said plot of land for any purpose other than that for which permission to use it is hereinbefore granted to the applicant ;

Provided that :—

(i) nothing in the above shall be deemed to prohibit the applicant—

(a) from erecting or constructing, without such previous permission, in the portion (C) (*i.e.*, used for the purpose of an open compound only), boundary walls not exceeding four feet in height, garden-fountains, uncovered steps and similar structures, not being projections from a building, such as varandahs, balconies, eaves or shopboards ;

(b) from constructing, without such previous permission, wells or tanks in any part of such portion (C) that does not lie within a margin consisting of a strip feet broad along and inside the perimeter of the said plot of land ;*

* Here insert any special exception or reservation that may be necessary, such as 'Save on the sides indicated by the lines C. D., E. F., on the said site-plan, where the existing margin as shown therein is allowed to remain.'

(c) * from using without such previous permission, for any non-agricultural purpose, other than that of a shop, a stable or a privy, to an extent not exceeding in total admeasurement square yards, any part of such portion (C) that does not lie within the aforesaid margin ;

and

(ii) where any such prohibited use is permitted by the Collector the applicant shall,† *except in the case of a use of any part of the land measuring square yards and specified in sub-clause (c) of proviso (i) above,* be liable to pay from the date of the use in respect of the land so used such enhanced assessment not exceeding, § Rupees (Rs.) per hundred (100) square yards as the Collector may deem fit to impose, and in any such case the total amount payable under clause (1) of this Agreement shall be modified accordingly :

(4) If at any future date the Collector gives the applicant notice in writing that any portion of the margin specified in sub-clause (b) of proviso (i) to clause (3) of this Agreement is required by Government for the purposes of a road, the applicant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such portion to the Collector on behalf of Government in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to thirty (30) times the assessment proportionately payable upon the portion so surrendered, namely, an assessment at the rate of Rupees‡ (Rs.) per hundred (100) square yards :

||Provided, that, where the materials of any gate, wall, pavement or other such authorised erection or construction on such portion cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to the applicant as the Collector may deem fit :

(4a) The applicant shall, at his own expense, within one month from the date of this Agreement, place proper and substantial land marks on the boundaries of the said ground to the

* Omit this sub-clause (c) if applicant has not agreed to pay full assessment in respect of the portion (C) so as to be entitled to this concession.

† Omit the words in italics if sub-clause (c) has been omitted.

§ Enter the amount calculated at five times the rate of assessment on the land permitted to be built over under the agreement (paragraph 4 of R. 6411-03).

‡ Enter the amount calculated in accordance with paragraph 1 of R. 1188-04.

|| Proviso added by R. 5088-04.

satisfaction of the Collector (if such land marks do not at the time of this Agreement exist) and shall if so required by the Collector enclose his site by means of such wall or wire or other fencing as may be approved by the Collector, and will carefully preserve such land marks, and such wall or fencing as the case may be and shall renew the same at his own expense as often as the Collector shall deem such renewal to be necessary, and in case of any neglect so to do after due notice in that behalf shall have been given by the Collector, it shall be lawful for the Collector, to cause proper land marks or walls or wire or other fencing as the case may be to be placed on the ground at the sole expense of the said applicant, which expense the said applicant hereby agrees to reimburse by paying to the Collector such amount as the Collector (whose order shall be final) shall fix in that behalf :

* (5) The applicant shall within three (3) years from the date of this Agreement, that is before the _____ day of 19____, erect and complete on the said plot of land† of a substantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in the Schedule hereto annexed :

(5) (a) The applicant shall not, without special permission erect in the said plot of land any structures having more than [] upper floor (s) in addition to the ground floor :

[Omit this clause if not considered necessary.
(Rs. 5124-18).]

§ (6) The applicant shall remove the existing _____ indicated on the site-plan hereto annexed by _____ a colour and the letters _____ within a period of _____ from the date of this Agreement :

(7) Nothing in this Agreement shall affect the applicant's liability to any payment which may be required under any law for the time being in force for the construction and maintenance of roads and drains :

(8) The Collector may without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, or rules or orders thereunder, direct the removal or alteration of any building or structure erected

* As to retention or omission of this clause, vide R-7496-06. Also see note to form M on p. 147, *supra*.

† Here insert description of the buildings, such as "a residential bungalow and outhouses.

‡ Omit this clause when there are no existing buildings to be removed.

contrary to clause (3) or * (5) or *not removed in accordance with clause (6)* of this Agreement within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period may cause the same to be carried out at the expense of the applicant :

(9) AND IT IS HEREBY LASTLY AGREED between the parties hereto that in this Agreement the words "the applicant" shall include the applicant, his heirs, executors, administrators and assigns and the words "the Collector" shall mean the Collector of _____ for the time being or any other officer whom the Government or the Commissioner, Division, or the Collector, directs to exercise the powers or perform the duties of the Collector under this Agreement. And also that the applicant shall bear and discharge all the costs and expenses incurred in the preparation, execution, stamping and registration of these presents.

† IN WITNESS WHEREOF the Collector of _____ has by order of the Governor of ^{Bombay}/_{Sind} hereunto set his hand and the seal of his office, on behalf of the Governor of ^{Bombay}/_{Sind}, and the applicant has also hereunto set his hand the day and year first above written.

| | | |
|--------------------|-----------|--------------------------|
| | Signed by | |
| in the presence of | | |
| Signed by | | (Applicant's signature). |
| Collector of | | |
| In the presence of | | (Collector's Signature). |



* Omit the words in italics when clause [6] is omitted.

† Two copies should be executed, one to be kept by the Collector, and the other to be handed to the applicant.

APPENDIX O-O [Rule 87 (6)].

FORM B.

(To be used where applicant has already used Land for building purposes without permission and applies for permission to continue so to use it).

[1st clause—the same as in Appendix O-N.]

WHEREAS the applicant being the occupant of _____ of Taluka _____ has used for building purposes without the permission of the Collector of _____ (hereinafter referred to as "the Collector") being first obtained as required by section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code") the plot of land indicated by the letters _____ on the site-plan hereto annexed* forming part of the said _____ and measuring _____ square yards, be the same a little more or less, and has thereby become liable to the penalties prescribed by section 66 of the said Code ;

AND WHEREAS the applicant has applied for permission to remain in possession of and to continue to use the aforesaid plot of land for building purposes ;

[The rest as in Appendix O-N.]

APPENDIX O-O (1).

FORM OF SHORT TERM LEASE OF PLOTS OF LAND, IN THE
BOMBAY SUBURBAN DISTRICT.

(vide RULE 43-A).

THE GOVERNOR OF BOMBAY,

To

This is to certify that _____ inhabitant of _____ (hereinafter called 'the lessee' which expression shall unless excluded by or repugnant to the context include the lessee, his heirs, successors, legal representatives and assigns), has, subject to the provisions of the Bombay Land Revenue Code, 1879 (Bom V of 1879) and the rules thereunder and subject to the conditions hereinafter specified, been allowed by the Collector of the Bombay Suburban District (hereinafter called 'the Collector' which expression shall include the said Collector and any other officer whom the Government may appoint to exercise the powers of the Collector under this

* Care must be taken that this is duly annexed.

lease) on behalf of Government, to occupy for a period of years* commencing from the day of 194 (hereinafter called 'the said term'), a plot of ground situated in the and containing about square yards, and of the following shape and of about the following dimensions :—

The conditions of this lease are as follows :—

1. The lessee shall pay to Government for the said plot of ground on the first day of August every year in advance in one annual payment an annual rent of Rs. together with Rs. being the amount of local Fund cess therein.
2. The lessee shall not erect any permanent building upon the said plot of ground, and shall at the end of the said term without any objection, without claiming any compensation and without retaining any claim over it clear and deliver over the same to the Collector in the same condition in which he took it.
3. The said plot of ground shall only be used as a site for a and for no other purpose.
4. The lessee will bear, pay and discharge all local and municipal rates, taxes, assessments, duties and charges and any Land Revenue levied under the second paragraph of section 45 of the said Land Revenue Code which at any time during the said term may be or become due or payable in respect of the said plot of ground or of any building or work built or executed thereon.
5. The right of Government to all mines and mineral products is reserved and Government shall have full liberty of access for the purpose of working and searching for the same with all reasonable conveniences.
6. The lessee shall permit the officers, servants or agents of Government at all reasonable times to enter upon and inspect any part of the said plot of ground or premises.
7. [The lessee shall not sublet, assign, mortgage or otherwise encumber the said plot of ground or any portion thereof or any buildings thereon without the previous permission of the Collector].
8. If at any time before the expiration of this lease the said plot of ground or any portion thereof shall be required by Government, the lessee shall surrender the same or such portion thereof free from all incumbrances on Government giving notice in writing of such requirement: and the lessee shall not be entitled to any compensation on this account.

* This period may not exceed seven years.

[1] This condition [i.e. (7)] has been substituted for the original condition in Bombay by G. R. R. D. (Bom.) 9545 of 21-8-1939.

9. Failure to comply with any of the above conditions of this lease or with any provisions of the said Land Revenue Code or of the rules thereunder shall render this lease liable to cancellation by the Collector, who may thereupon resume the land and summarily evict the lessee without notice or payment of any compensation whatever.

Provided that the Collector may, in lieu of such resumption and without imposing any further penalty, order the removal within a prescribed period of any building erected contrary to condition 2 of this lease, and on such removal not being carried out within the prescribed period may lease the same to be carried out at the expense of the lessee or may resume the said plot of ground and all buildings thereon in the manner authorised by this condition : and it shall be in the sole, absolute and unfettered discretion of the Collector, subject to the orders of the Government or the Commissioner, to adopt either the one or the other of the above remedies as may seem desirable to him in the circumstances.

This lease is executed on behalf of the Governor of Bombay by and under the hand and seal of the Collector of the Bombay Suburban District, this day of _____ one thousand nine hundred and _____

(Sealed)

(Signed)

Collector.

In the presence of _____

APPENDIX O-P [Rule 87 (b)].

FORM C.

(To be used where applicant has used Land for building purposes with permission, but is willing to comply with the terms of this Agreement in order to gain the benefits thereof.)

[1st clause—the same as in Appendix O-N.]

WHEREAS the applicant being the occupant of _____ of _____ Taluka _____ District _____ has used to building purposes with the permission of the Collector of _____ (hereinafter referred to as "the Collector") granted under section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code"), the plot of land indicated by the letters _____ on the site-plan hereto an-

nexed*, forming part of the said and measuring square yards, be the same a little more or less ;

AND WHEREAS the applicant has applied, in lieu of the said permission of the Collector, for permission to use the aforesaid plot of land for building purposes on certain special terms and conditions :

[The rest as in Appendix O-N.]

†*Schedule of Building Regulations.*

Definitions. 1. In these rules—

(i) "dwelling" means any building or part of a building used or intended for use as a dwelling for human beings, horses, or cattle ;

(ii) "window" includes an open space running right through a wall so as to admit of the entry of air.

2. Every building intended to be used as a dwelling for human beings, or as a privy or kitchen, shall have a plinth at least two feet above ground level.

3. (i) Every room that is a dwelling shall be at least eight feet high at every point.

(ii) Every such room shall have a window opening directly into the air outside the house.

(iii) In every such room the total area of such outside windows shall be not less than one-tenth of the floor area.

(iv) In every such room every window shall be so constructed that at least its upper half is open or can be opened.

4. (i) No privy shall be built within five feet of any dwelling or within twenty feet of any kitchen, public road or place of public resort, or within thirty feet of a well or other source of water-supply.

(ii) For every twenty persons a house is intended to accommodate there shall be at least one privy.

(iii) Every privy shall be provided with a moveable receptacle for night-soil with a capacity of not more than two cubic feet.

* Care must be taken that this is duly annexed.

† (1) These regulations are common to the three (A, B, C) forms given above.

[2] For cases in which this schedule is to be replaced by other model regulations, see R.—7496-06.

(iv) Every privy shall be so constructed that the bottom of the receptacle for night-soil, urine or ablu-tion-water shall be at a level at least two feet above ground level.

(v) There shall be ventilation-holes at the bottom both of the door of the privy and the door of the chamber for the night-soil receptacle and also as near the top of the privy as practicable, these latter top-holes aggregating at least two square feet in area.

(vi) The sides and floor of the chamber for the receptacle shall be constructed of hard smooth stone, brickwork plastered with cement, or other non-absorbant material; and the floor shall be so sloped that any liquid discharged on it shall rapidly and easily flow to an outlet.

(vii) The door of the said chamber shall occupy the whole height and width of the chamber and shall open outwards on to a space screened in behind the privy and so arranged that a sweeper may conveniently do his work there without being seen by anyone outside.

(viii) Arrangements shall be made to allow of the receptacle for night-soil being so fixed that it projects on all sides at least one inch beyond the space vertically below the aperture through which night-soil falls.

(ix) Every privy shall be so constructed that urine, and such ablu-tion-water as is not actually used for ablu-tion can be disposed of without entering the receptacle for night-soil,

(5. (i) No cesspool shall be built within twenty feet of a dwelling or kitchen, or within thirty feet of a well or other source of water-supply.

Cesspools.

(ii) Every cesspool shall be constructed of good masonry, at least one foot thick, plastered inside with cement, and shall be perfectly water-tight.

(iii) The bottom of every cesspool shall be at a level not lower than one foot below ground level.

(iv) The sides of every cesspool shall project above ground sufficiently to prevent the inflow of surface drainage.

(v) Every cesspool shall be entirely open to sun and air and shall have a superficial area of at least two square feet.

6. (i) Every outlet for the passage of urine, sullage water or other filthy liquid from any building shall be at a height of at least two feet above ground level.

Urine, sullage water, etc.

(ii) Arrangements shall be made for all such urine, sullage water or other filthy liquid either—

(a) to flow rapidly without touching the walls of the building or the ground through drains of glazed earthenware or other hard, impervious material to points at least twenty feet from the nearest point of every dwelling or kitchen ; or

(b) to fall without touching the walls of the building into a water-tight removable receptacle entirely above ground level and open to light and air.

(iii) Every such drain that is not open to the air shall be trapped at the end nearest the building from which it runs.

7. All land within one hundred yards of any dwelling shall be so cleared and sloped as effectually to prevent the formation of pits or hollows in which water may stagnate, other than cesspools satisfying rule 5.

APPENDIX O-Q [Rule 114].

RULES RELATING TO REVENUE MONEY ORDER FOR THE BOMBAY PRESIDENCY (G. N. 402—16-1-11 AND 6050—26-6-11 AND 9465—28-11-23, R. D. AND SIND (G. N. 582—18-1-15).

Note

Chapters V-A, VI and any word or expression put in brackets [] do not apply to Sind. So also for Sind throughout this Appendix:—

| | |
|------------------------|----------------------|
| read "Mukhtiarkar" for | 'Mamlatdar' |
| "Head Munshi" „ | 'Aval Karkun' |
| "Tapedar" „ | 'Village Accountant' |
| "Deh" „ | 'Village' |

CHAPTER I.

SECTION A.—*The object and the use of R. M. O.*

1. R. M. O. are a special class of Inland Money Orders by means of which holders of land paying land revenue to Government may remit the amount due by them to the Mamlatdar through the village accountant of the village in which the land on account of which the amount is payable is situated. They may also be used for payment of principal and interest due in respect of Tagavi loans. The system is chiefly intended for the benefit of absentee land-holders and others in order to enable them to pay instalments due on lands belonging to them, or in which they are interested, in due time.

2. In these rules, the term "Mamlatdar" includes a "Mahalkari" and an "Aval Karkun" who performs the duties of a sub-treasury officer, that is, who supplies funds to, and receives remittances from the post office at his headquarters. The term "village accountant" includes Talatis, Kulkarnis, and Shanbhogs (in Kanara).

3. R. M. O. must be used for two purposes only : (1) for the remittance of land revenue and cesses and of any other item which is due on account of land or is ordinarily payable with land revenue ; and (2) for payment of principal and interest due in respect of Tagavi loans.

4. If a holder holds or is interested in lands covered by different khatas in the same revenue village, he may remit the land revenue due on all such khatas by a single R. M. O. but the amount paid in respect of each such khata should be *separately* entered. Amounts due for different villages may not be included in one order.

5. (a) The system described in these rules is restricted to the payment of land revenue due to the Government of Bombay on land situated within the territorial limits of the Bombay Presidency and of principal and interest due in respect of Tagavi loans granted by the Government.

(b) The use of the system is optional and no land-holder or grantee of a Tagavi loan is compelled to resort to this system of payment unless he wishes to do so.

(c) These rules do not confer the right to pay the land revenue direct into the taluka treasury (without the intervention of the village accountant) on any class of land-holders who are not already in the enjoyment of such right.

(d) These rules do not permit a land-holder or other person to use this system for remittance of land revenue due to any Indian State or to any [Khot or] proprietor of whole villages situated in the territorial limits of the Bombay Presidency.

6. R. M. O.s are payable only to the Mamlatdar of the taluka, but they will be delivered in the first instance without cash, to the village accountant of the village in which the land is situated through the post office by which the village accountant's village is served. The village accountant will, after crediting the amount of each R. M. O. in the village accounts, forward the R. M. O. to the Mamlatdar with his next remittance to the sub-treasury, treating each R. M. O. as cash for the amount for which it is issued. The Mamlatdar will present these R. M. O.s at the post office (head or sub) at his headquarters for payment by book transfer.

SECTION B.—Description of the R. M. O. form.

7. The R. M. O. form is printed on brick-red paper in black ink and is bigger in size than ordinary inland money order form. It is divided into three parts :—

- (1) The money order.
- (2) The coupon or the memorandum of particulars of remittance.
- (3) The acknowledgment.

8. The money order portion of the form is almost exactly like the corresponding portion of the ordinary inland money order form and will be partly filled up by the remitter as in the case of the latter. The coupon which is considerably larger than the coupon of an ordinary money order, contains headings on one side for the entry of full particulars of the remittance, to be filled up by the remitter, for the information of the village accountant and the Mamlatdar. The acknowledgment, which is returned to the remitter through the post office, duly signed by the village accountant, is also larger than the acknowledgment of an ordinary inland money order and contains headings on both sides for the entry of full particulars of the remittance to be filled up by the remitter.

9. No corrections will be allowed in a R. M. O. If a form is presented with corrections in it, the remitter must be required to fill in a fresh form.

10. No restrictions should be placed in the way of supplying R. M. O. forms to any persons who require them. On the contrary, the forms should be freely distributed among revenue payers and grantees of Tagavi loans.

11. Every postmaster (head, sub and branch) will be personally responsible that a sufficient supply of R. M. O. forms is always available in his office. In case of emergency, supplies may be obtained by telegraph direct from the Stock Depot, Postmaster General's Office, Bombay. Divisional Superintendents and Inspectors when visiting post offices will specially see that a sufficient supply of R. M. O. forms is available.

CHAPTER II.

Issue of Revenue Money Orders.

12. R. M. O. may be issued from any head, sub or branch post office under the rules which govern the issue of ordinary Inland Money Orders.

R. M. O. cannot be remitted by telegraph.

13. R. M. O. must, in every case, be drawn on a post office (head or sub) at the headquarters of the Mamlatdar named in the money order, whether such post office is the office by which the village accountant's village named in the money order is served or not. In other words, the payee of a R. M. O. is the Mamlatdar of the taluka although the money order is actually delivered to the village accountant of the village in which the land on account of which land revenue is remitted is situated. If the post office at the headquarters of the Mamlatdar is a branch office, R. M. O. must be drawn on its account office.

14. R. M. O. will be forwarded from the office of issue in the same way as ordinary money orders to the office of payment.

15. The rule prohibiting the inclusion of pies (fractions of an anna) in the amount of R. M. O. does not apply to R. M. O., which may contain any fraction of an anna not less than one pie. Remittances containing fractions of a pie, such as $3\frac{1}{2}$ pies, $5\frac{1}{4}$ pies, or $6\frac{1}{2}$ pies are not allowed.

16. The office of issue will help the remitter in making the required entries and, if necessary, will make entries for him in the R. M. O. form; but no fee or any other gratification whatsoever is to be demanded or accepted, either directly or indirectly, by an official of the Postal Department for this service. Disregard of this order will be punished with dismissal of the official in fault, who will, moreover, render himself liable to any further penalties provided by law.

17. The office of issue is responsible that no R. M. O. is issued in which the coupon or the acknowledgment is not completely filled up.

Note.—The post office has no means of ascertaining the correctness of the information supplied by a remitter. All that it is required to do is to see that entries are made against every printed item in the coupon and the acknowledgment.

18. The name of the remitter and his full address as given by him on the acknowledgment will be noted by the money order clerk or sub-postmaster in red ink on the back of the copy of the money order receipt retained in the office.

19. The letter "R" will be prefixed to the number in the M. O. receipt and this mode of distinguishing R. M. O. will be adopted wherever the number is entered.

20. The number assigned to a R. M. O. by the head or sub-office of issue will also be entered by the money order clerk or sub-postmaster in the appropriate place at the top of the coupon and the acknowledgment.

21. In addition to the stamps that have to be impressed on money orders under the Manual rules, the office of issue will impress its date stamp in the places provided for the purpose on the reverse of the coupon and acknowledgment.

22. R. M. O. refused by the Mamlatdar will be received in the office of issue for repayment to the remitter. Such R. M. O.s will be entered in the "Register money orders received" in red ink and sent out for payment in the usual course.

CHAPTER III.

Delivery of Revenue Money Orders.

SECTION A.—*Procedure to be followed in the office of payment of R. M. O.*

23. (a) *The office of payment* of a R. M. O. is the office (head or sub) on which the R. M. O. is drawn and which gives the Mamlatdar a R. M. O. voucher in exchange for the R. M. O. This office will always be the office at the headquarters of the Mamlatdar or its account office if the office at the headquarters of the Mamlatdar is a branch office.

(b) *The office of delivery* of a R. M. O. is the office (head, sub or branch) by which the village accountant's village named in the R. M. O. is actually served and which delivers the R. M. O. to the village accountant *without cash*.

Note.—There may be cases in which the office of payment may also be the office of delivery.

24. R. M. O. received in the office of payment will be dealt with like other money orders received for payment but they will be sorted into three groups as under :—

(a) Those which are to be delivered direct from the office of payment ;

(b) Those which are deliverable from branch offices in account with the office of payment ;

(c) Those which are deliverable from post offices other than (a) and (b).

These R. M. O.s will be entered in the "Register of money orders received" in red ink in three groups.

25. As regards R. M. O. included in group (a) the instructions given in section B of this chapter will be followed. Those included in group (b) will be sent to the branch offices concerned invoiced in branch office slips. Those included in group (c) will be forwarded by the office of payment to the head or sub-office by which the village accountant's village mentioned in the R. M. O. is served in a postal service cover, the words "Revenue Money Order Nos." being written in red ink on the top of each cover. If the office of delivery is a branch office, the R. M. O. will be sent to its account office and the account office will send the order to the branch office entered in the branch office slip. Post offices which receive R. M. O. for delivery from the office of payment will follow the procedure laid down in Section B of this chapter.

SECTION B.—*Procedure to be followed in the office of delivery of R. M. O.*

26. If the office of delivery is a head or sub-office, the R. M. O. received will be stamped on the date of receipt with the date stamp in the place provided for the purpose on the reverse of the coupon, and particulars of the orders will be entered, in red ink, in the "Register of money orders received."

27. The R. M. O. received for delivery will then be made over under the usual receipt *without cash* to the postman or village postman, as the case may be, for delivery to the village accountant of the village named in each R. M. O. Postmen or village postmen will enter the particulars of R. M. O. in red ink in the postman's book or village postman's register. The letters "R. M. O." will be prefixed to the number of each R. M. O. and the amount of R. M. O. will not be included in the total of M. O. taken out for delivery.

28. The postman or village postman will deliver the R. M. O. to the village accountant concerned without cash under receipt in the postman's book or village postman's register and bring back to the post office only the acknowledgment relating to cash R. M. O. duly signed by the village accountant. The acknowledgment will be made over to the money order clerk or sub-postmaster under receipt in the postman's book or village postman's register. The money order clerk of the sub-postmaster will affix his initials in the "Register of money orders received" against the entry of each R. M. O. on the date on which the acknowledgment appertaining to it is received.

29. If the office of delivery is a branch office, the R. M. O. received will be forwarded to it through its account office in the manner described in rule 25. If the account office is not the office of payment, it will stamp the money orders on the date of receipt with its date stamp in the blank space intended for the postmarks of the offices of posting and destination, and particulars of the order will be entered, in red ink, in the "Register of money orders received" in a separate group. The branch office will stamp the R. M. O. received on the date of receipt with its date stamp in the place provided for the purpose on the reverse of the coupon and enter the particulars of them on the receipt side of the branch office journal in red ink. The orders will then be delivered in the manner prescribed in rules 27 and 28 above. Branch postmasters who perform the duties of a postman or village postman will obtain the village accountant's receipt for the R. M. O. delivered to him in a village postman's register which will be maintained for the purpose. Acknowledgments for R. M. O. will be forwarded immediately they are received by branch offices to their account offices invoiced on the reverse of the branch office daily accounts. But before they are sent to the account office the date of delivery of each R. M. O. will be noted in the branch office journal by the branch postmaster.

30. Head and sub-offices will, once a week, examine the entries of R. M. O. in the register of M. O. received; and if, in any case, the acknowledgments for the R. M. O. sent to a branch office for delivery have not been received after a reasonable time, they will be called for.

31. The branch office daily accounts received from branch offices will be scrutinized by account offices to see that the particulars of R. M. O. sent to them for delivery are not included among the money orders remaining unpaid shown in the column of branch office liabilities. The numbers of R. M. O. remaining undelivered will be shown by branch offices on the reverse of the branch office daily account below the entries of registered articles, etc., in deposit.

32. R. M. O. acknowledgments will be disposed of in the office of delivery and ultimately in the office of issue as per instructions laid down in Chapter VI of these rules.

33. R. M. O. in which omission of the remitter's signature or any particulars of the remittance is noticed will not be taken delivery of by village accountants and such R. M. O. will be forwarded by the office of delivery to the office of issue in a postal service cover for supply of omission and return.

34. If the period of currency of a R. M. O. expires before delivery to the village accountant the period of its currency should be extended in accordance with the rules in the Post Office Manual relating to the extension of the period of currency of ordinary money orders, and it should then be delivered in the usual course to the village accountant.

SECTION C.—*Procedure to be followed by the village accountant in regard to R. M. O. delivered to him.*

35. R. M. O. will be delivered to the village accountant by the branch postmaster, postman or village postman, as the case may be, *without cash*. The village accountant will see that the amount of each order as entered in the money order portion corresponds with that entered in the coupon and in the acknowledgment. If there is no discrepancy he will sign the acknowledgment portion of each R. M. O. detach it, and make it over to the post office official who delivered the money order. The village accountant will then grant a receipt for each R. M. O. delivered to him in the postman's book or village postman's register which will be presented by the post office official along with the R. M. O.

36. If either the coupon or the acknowledgment of a R. M. O. is not completely filled up by the remitter or if the remitter has omitted to affix his signature on the coupon, the village accountant will return the R. M. O. to the post office official and will not grant a receipt in respect of such R. M. O.

37. The village accountant will then have the amount of each R. M. O. (which is in order and for which he has granted a receipt to the post office official) passed through his accounts, treating the R. M. O., in every respect, as cash or currency notes. But the village accountant will, on no account, detain the post office official who must be sent away immediately the acknowledgment portion of each R. M. O. is detached and given to him.

38. The coupon of each R. M. O. will then be detached and carefully filed in monthly bundles by the village accountant.

39. If the amount of a R. M. O. falls short of the amount payable to Government by the land-holder concerned, the amount must still be credited in the village accounts. If, on the other hand, the amount is in excess of the demand, the excess amount should be credited to his account and a report made to the Mamlatdar.

40. Every one of the R. M. O. taken delivery of will be signed by the village accountant and when the day for making the next remittance to the sub-treasury arrives, all the R. M. O. will be sent to the Mamlatdar along with other collections duly entered in a list (form $\frac{\text{R. M. O.}}{2}$).

41. The list will be received back from the Mamlatdar duly signed by him or the accountant. The list will be filed by the village accountant with the coupons of the R. M. O. entered in it.

42. For the purpose of calculating any penalties prescribed by the Revenue Law the date of issue of a Money Order shall be taken as if it were the date of the actual payment to the village accountant.

43. R. M. O. taken delivery of by the village accountant the amounts of which cannot be credited in the village accounts owing to an irregularity in the remittance or any other cause, will be detailed on the reverse of the list and sent to the Mamlatdar without the coupon being detached. The total amount of such R. M. O. will not be included in the amount of remittance made to the Mamlatdar.

CHAPTER IV.

Payment of Revenue Money Orders and Adjustment of Accounts between the Revenue Department and the Post Office.

SECTION A.—Procedure to be followed in the office of the Mamlatdar in regard to R. M. O. received from village accountants.

44. R. M. O. delivered to village accountants under Chapter III of these rules will be received in the taluka office duly signed by the village accountant and invoiced in a list (form $\frac{\text{R. M. O.}}{2}$).

Any R. M. O. in which the omission of the signature of the village accountant is noticed will be sent back to the village accountant for supply of the omission and immediate return. If the amount of any R. M. O. has not been credited in the revenue accounts, owing to any irregularity in the remittance, the R. M. O. will be treated as "Refused" and sent by the Mamlatdar to the post-master or sub-postmaster at his headquarters under receipt. All R. M. O. which have been duly signed by the village accountant will, if their amounts have been credited in the revenue accounts,

be signed by the Mamlatdar and presented daily, at a convenient hour, at the post office (head or sub) at his head-quarters for payment by book transfer.

45. The postmaster or sub-postmaster at the head-quarters of the Mamlatdar will in exchange for the R. M. O., give the Mamlatdar a treasury voucher representing the value of all the R. M. O. presented to the former by the latter, under the usual procedure prescribed for drawing from the treasury or sub-treasury. The words "Revenue Money Orders" will be written in red ink at the top of the voucher. On the reverse of the voucher the following entry will be made by the postmaster or sub-postmaster under his signature :—"Please debit the amount of this voucher to the post office by book transfer." The amount of the voucher will be entered, like other drawings from the treasury or sub-treasury, in the treasury pass-book, but in the column headed "Amount drawn by transfer for revenue or other official money order payments", this entry will be attested by the treasury or sub-treasury officer. The amount of R. M. O. voucher will not be charged against the letter of credit of the postmaster or sub-postmaster.

46. The amount of the R. M. O. voucher will, on the day it is given by the post office, be shown in the Mamlatdar's accounts on the receipt side as amount received on account of land revenue by book transfer and on the disbursement side as amount paid to the post office by book transfer.

47. The list in which the R. M. O. received from the village accountant are invoiced will be signed by the Mamlatdar or other officer and sent to the village accountant from whom it was received for record.

48. If the post office at the head-quarters of the Mamlatdar is a branch post office, the Mamlatdar will forward the R. M. O. received by him from village accountants to the Mamlatdar of the adjoining taluka where there is a head or sub-post office, with a covering letter in a registered cover, requesting the latter to credit the total amount of such orders in his accounts. The Mamlatdar who thus receives R. M. O. in registered covers will present the M. O. duly countersigned by him at the post office (head or sub) at his head-quarters for payment under the rules in this section and pass the amount of the R. M. O. voucher through his accounts in the manner prescribed in rule 46. He will also send an intimation to the taluka to which the revenue properly belongs where the revenue should be entered in detail in the accounts.

SECTION B.—*Procedure to be followed by the Post Office at the head-quarters of the Mamlatdar.*

49. R. M. O. delivered to the village accountants will be presented by the Mamlatdar daily, at a convenient hour, at the post office at the head-quarter of the Mamlatdar for payment, by book transfer.

50. "Refused" R. M. O. the amounts of which have not been credited in the village accounts, will be forwarded by the Mamlatdar separately and the postmaster or sub-postmaster will acknowledge their receipt. Such R. M. O. will be entered in the "Register of money orders received" in red ink and forwarded to the office of issue in a *postal service* cover for repayment to the remitter.

51. R. M. O. the amounts of which have been credited in the revenue accounts, will bear the signatures of the village accountant and of the Mamlatdar. Any R. M. O. in which the omission of the signature of any of the officers mentioned above is noticed, will be returned to the Mamlatdar uncashed for supply of omission and presentation afterwards.

52. The postmaster or sub-postmaster will then give the Mamlatdar, in exchange for the R. M. O. which are in order, a treasury voucher under the rules for drawing funds from the treasury or or sub-treasury for the total value of the R. M. O. The words "Revenue Money Order" will be written in red ink at the top of the voucher and the letters "R. M. O." will also be prefixed to the entry of the transaction in all other documents in which the entry occurs. In the body of the voucher the amount will be shown as received by book transfer, and on the reverse of the voucher the following entry will be made by the postmaster or sub-postmaster under his signature:—"Please debit the amount of this voucher to the post office by book transfer". In the treasury pass book and in the "register of transactions with the treasury" the amount of the voucher will be entered under the head "Amount drawn by transfer for Revenue or other official money order payments". This amount will not be charged against the letter of credit.

53. R. M. O. in exchange for which a R. M. O. voucher is given will be treated like other paid money orders and entered in the journal of money orders paid intended for the Audit Office concerned in a separate group at the end of that day's transactions. Separate totals will be made for R. M. O. and other money orders; the total of both the items will be the amount of money orders paid for that day.

Note.—See Rule 56.

54.

55. Head offices will scrutinize the entries in the "Memorandum of reasons for excess cash balance" received from sub-offices to see that the particulars of R. M. O. remaining undelivered are not included among the Ordinary Money Orders remaining unpaid.

56. R. M. O. presented by the Mamlatdar at the office of payment after the expiry of the period of currency will be paid like other R. M. O. and then dealt with in accordance with the rules in the Post Office Manual relating to the payment of ordinary money orders the period of whose currency has had to be extended.

CHAPTER V.

Procedure to be followed in regard to Revenue Money Orders payable to the Collector of Land Revenue, Bombay.

57. In Bombay City there are no village accountants and R. M. O. must be made payable to the Collector of Bombay, at whose office they will be delivered by the Bombay General Post Office.

58. The accountant attached to the Collector's office to whom R. M. O. are so delivered will follow the procedure prescribed for village accountants in rules 35 to 39, Section "C" of Chapter III of those rules.

Note.—Revenue Money Orders received for payment to the Collector of Bombay which cannot be delivered to the accountant at or before 3 p. m. of the day of receipt, should be detained till the next day.

59. The Collector of Bombay, or any other officer authorised by him, will follow the procedure prescribed for Mamlatdars in Section A of Chapter IV.

60. The Bombay General Post Office will follow the procedure prescribed for the post office at the headquarters of the Mamlatdar in Section B of Chapter IV. The entry of the transaction in the treasury pass book will be attested by the Collector of Bombay.

61. The Collector of Bombay will credit the amount of the voucher to Land Revenue by "book transfer" and show the amount the same day on the disbursement side as amount paid to the post office by book transfer.

CHAPTER V-A.

Procedure to be followed in Regard to Revenue Money Orders remitted by Talukdars.

61-A. In Talukdari villages there are no Government village accountants and Revenue Money Orders remitted by Talukdars will be delivered direct at the office of the Mamlatdar of the Taluka by the post office at his head-quarters.

61-B. In the case of money orders remitted by Talukdars the word 'Talukdari' must be entered by the remitter after the name of the village entered on the Revenue Money Order form and against the item 'On what account remittance is made', and the word 'Talukdar' should be substituted for the words 'registered occupant' on the coupon and acknowledgment.

61-C. The accountant attached to the Mamlatdar's office, to whom the Talukdari Revenue Money Orders are delivered, will follow the procedure prescribed for village accountants in rules 35 to 39 of Section C, Chapter III of these rules.

61-D. The Mamlatdar and the post office at his head-quarter will follow the procedure prescribed for them in Sections A and B of Chapter IV.

CHAPTER VI.

Disposal of Revenue Money Orders Acknowledgment.

62. The acknowledgment appertaining to R. M. O. received by the office of delivery from the village accountants through the postmen or village postmen will be sorted separately for each office (head or sub) of issue and dispatched in envelopes (form $\frac{\text{R. M. O.}}{3}$) addressed to the postmasters of those offices, the serial numbers of the money orders to which the acknowledgments appertain being detailed on the back of the envelope.

63. On arrival in the office (head or sub) of issue, the envelopes will be opened and the acknowledgments contained in each envelope compared with the entries on the back thereof and with the entry on the back of the money order receipt relating to each (see rule 18). The entry on the money order receipt will be initialled in token that the acknowledgment relating to the R. M. O. has been received. The acknowledgments will then be

sorted for distribution to postmen and village postmen or for dispatch to branch office. Acknowledgments for delivery from branch offices should be sent to them entered in the branch office slips. The numbers of all acknowledgments to be given to each postman and village postman will be entered by the sub-account clerk or sub or branch postmaster in the postman's book or village postman's register. The acknowledgments will then be handed over to the postman or village postman.

64. The postman or village postman will deliver the acknowledgments and obtain the signature of the remitter or his agent in each case in the postman's book or village postman's register.

65. Acknowledgments which cannot be delivered in consequence of the remitters not being found will be returned by the postman or village postman to the money order clerk or sub or branch postmaster (as the case may be) and his signature obtained in the postman's book or village postman's register.

66. Undelivered acknowledgments will be kept in the office of issue (if a head office) for a period of 12 months and if still unclaimed will be destroyed.

67. In sub or branch offices, undelivered acknowledgments will be retained for a period of three months and if still unclaimed be forwarded to the head office entered on the daily account. Such acknowledgments will be kept in the head office for a further period of nine months, and if still in deposit will be destroyed.

68. Postmasters, sub-postmasters and branch postmasters of the offices of issue will be responsible that acknowledgments are delivered to remitters of R. M. O. without any unnecessary delay and free of charge. It will be useful to make enquiries as to the punctual and free delivery of acknowledgments from the persons who may call at the post office to have R. M. O. issued.

| |
|----------|
| I. |
| R. M. O. |



On Postal Service.

INDIAN MONEY ORDER.

Land Revenue.

[*Authorised only for remittance of land revenue payable to the Government of Bombay on lands situated within the territorial limits of the Bombay Presidency and of principal and interest due to the Government of Bombay in respect of loans granted by that Government under Acts XIX of 1883 and XII of 1884.*]

To

The Postmaster,

*

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

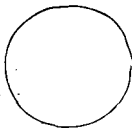
N. B.—*This blank space should be used for the post-marks of the Offices of posting and destination.**

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

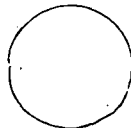
[*This space may be utilized by the Village Accountant for any remarks he may wish to make.*]

Date stamp of office of issue

Date stamp of office of delivery



of m. o.



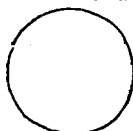
of m. o.

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

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

Particulars of Remittance.

(To be entered by remitter.)

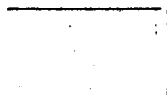
Name in full of occupant to whose credit
the remittance is to be entered. } _____Name of village, taluka and district in
which the lands are situated. } _____Date stamp of office } _____
Revenue year for which the
payment is intended. }

of issue of m. o.

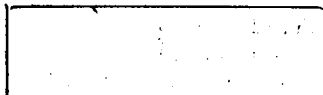
*On what account remittance
is made. _____

Date of remittance _____

Month stamp.



Oblong M. O. stamp on issue.



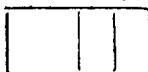
A. O. stamp.



No. R. _____ Date _____

Rs. a. p.

For



(in words) _____

M. O. Clerk.

Issuing Postmaster.

Received the sum specified above.

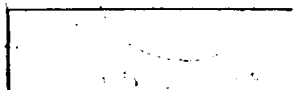


Seal.

Signature (in ink) of
Village Accountant.

Signature (in ink) of Mamlatdar.

Date _____ 19 _____

Round M. O. } Date _____ 19 _____
Stamp autho-
rising payment. }

Signature of paying postmaster.

Oblong M. O. stamp on payment.

* The remitter should state whether the remittance is for land revenue or loan account, he is also advised, if possible, to give the survey number and Khata number.

Remitter to fill up all entries below (except "Money Order No." and the entries on the right side of the Coupon and Acknowledgment) and all entries on the reverse of the Acknowledgment.

Amount (in words). } _____
 Name and address of the payee (in full). } Mamlatdar of _____ Taluka.
 _____ District
 Name of village in which remitter's land situated. } * _____
 Date _____ Signature of remitter. _____

COUPON to be detached and retained by Village Accountant.

Money Order No. _____ Date _____ 19 ____
 Name of remitter in full _____
 Name in full of the occupant to whose credit the remittance is to be entered. } _____
 Name of village, taluka and district in which the lands are situated. } _____
 Revenue year for which the payment is intended _____
 Amount remitted (in figures) Rs. _____ a. _____ p. _____
 (in words) _____
 On what account remittance is made † _____
 Date of remittance _____
 Signature of remitter _____
 Address of Remitter _____

 Signature of Village Accountant with date of receipt of Money Order.

 Date on which the Money Order is sent to Mamlatdar.

ACKNOWLEDGMENT (on Postal Service).

Money Order No. R. _____
 Amount remitted (in figures) Rs. _____ a. _____ p. _____
 (in words) _____
 Date stamp of office of _____
 Name and full address of remitter. } _____

 Name stamp of the office of issue. _____

 despatch of ackgt.

Received a Money Order for the sum _____ 19 ____

 Signature (in ink) Village Accountant.

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

† The remitter should state here whether the remittance is for land revenue or loan account; he is also advised, if possible, to give the survey number and Khata number.

[Note.—This form will be printed and supplied to Village Accountants by the Revenue Department.]

R. M. O.—2

List of Revenue Money Orders sent to the Mamlatdar at _____
by _____ Village Accountant of Village _____
on the _____ as part of the land revenue.

| Number of each Money Order. | Amount of each Money Order. | | | Remarks. |
|-----------------------------|-----------------------------|----|----|----------|
| | Rs. | a. | p. | |
| Total amount ... | | | | |

Signature of Village Accountant.

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

Dated the _____ 19 _____ Mamlatdar.

List of Revenue Money Orders the amounts of which have not been credited in the village accounts owing to the irregularities in the remittance and not included in the _____

| Number of each Money Order. | Amount of each Money Order. | | | Nature of the irregularity. |
|-----------------------------|-----------------------------|----|----|-----------------------------|
| | Rs. | a. | p. | |
| Total ... | | | | |

Signature of Village Accountant.

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

Dated the _____ 19 _____ Mamlatdar.

[NOTE—Forms R. M. O. 3, 4 and 5 not re-printed as they are Postal Departmental Forms.]

APPENDIX O-R [Rule 120].

FORM FOR PROCLAMATION AND WRITTEN NOTICE UNDER SECTION 153. WHEREAS _____ residing at _____ has

| Year. | Survey Nos. | Consolidated Land Revenue. |
|----------|-------------|----------------------------|
| Total... | | |

not paid a sum of Rs. _____ due by him for Land Revenue and Local Fund Cess on the land specified in the margin, in the village of _____ in the Taluka of _____

Notice is hereby given that on and after the day of 19 , unless the arrears are sooner paid, the Collector proposes to declare the holding to be forfeited.

Dated

Collector.

APPENDIX O-S [Rule 120].

With reference to the attached Notice under section 153 of the Land Revenue Code, residing at is informed that the Collector proposes, after declaring his holding forfeited, to regrant it to him subject to the condition that the occupant shall not transfer it in any way to another person without the sanction in writing of the Collector.

Dated

Collector.

APPENDIX O-T (R. 4204 of 20-3-22).

For Commutation of Service Rights of the Inferior Village Servants in Belgaum at 5 annas Judi, the Land remaining Watan.

Form of Sanad.

Whereas in the District of the following lands are entered in the Government accounts of the year as held on service tenure described below :—

| Name of Watan | Name of | | Watan Land. | | | Judi levied in lieu of service. | Total Judi payable to Government. | Balance value of watan holding. |
|---------------|---------|----------|-----------------------|------|-------------|---------------------------------|-----------------------------------|---------------------------------|
| | Taluka. | Village. | Survey No. or Pot No. | Area | Assessment. | | | |
| | | | | | | | | |

And whereas Government have decided to accept a fixed annual payment in lieu of service ;

It is hereby declared that the said land shall be continued hereditarily by the British Government on the following conditions :

(1) That the said holders and their heirs shall continue faithful servants of the British Government and shall render to the same the following fixed yearly dues :—

| | | | |
|-------------------------------------|-----|-----|-------|
| Mamul Judi, if any | ... | ... | ... |
| Commutation Judi in lieu of service | ... | ... | ... |
| Total | ... | ... | _____ |

tained and on the part of the licensee to be performed the Government hereby grants to the licensee permission to project the said balcony over the said land subject to the following conditions:—

(1) that the licensee shall pay to the Government at the office of the _____ the annual rent of rupees _____ on the first day of _____ in each and every year; the first of such payments to be made on the _____ day of _____ ;

(2) that the licensee shall not, without the previous permission in writing of the Collector of _____, extend or add to the said balcony;

(3) that the permission hereby granted shall not in any way be deemed to convey to the licensee any right to or over, or any interest in, the said land or any easement thereof, or any right to put up posts or supports on the said land for the said balcony;

(4) that in case the licensee's house to which the said balcony is attached falls down, or is destroyed by fire, earthquake, storm, or as a result of civil commotion or by any cause whatsoever or is reconstructed this license shall immediately determine and the licensee shall not be entitled to claim any right to put up a balcony or any similar easement in respect of any building which may be constructed in lieu of the house destroyed as aforesaid;

(5) the Government may cancel this license at any time by giving to the licensee one month's notice in writing of such its intention and at the expiration of such period this license shall cease and be void;

(6) during the subsistence of this license the said balcony shall be deemed to have been constructed and continued by the consent and permission in writing of the Government so that the right of the licensee to project the same over the said land shall not become absolute or indefeasible by lapse of time.

In witness whereof _____ the Collector of _____ hath set his hand and the seal of his office on behalf of the Governor of Bombay Sind the day and year first above written.



Signature of the Collector of
I accept the above conditions.

Signature of Licensee.

ANNOTATED EDITIONS OF LAW BOOKS

BY

K. S. GUPTE, B.A., LL.B., PLEADER.

691, Budhwar, Poona City.

Rs. a. p.

- | | |
|--|------------|
| 1. Bombay Land Revenue Code 3rd Edn. brought upto 1946 | ... 15 0 0 |
| 2. Bom. Land Revenue Rules, 1921 for Bombay & Sind as amended upto 1946 | ... 3 8 0 |
| 3. Bombay District Police Act | ... 5 8 0 |
| 4. Bombay Shops and Establishments Act with Rules | ... 3 2 0 |
| 5. Mamlatdars' Courts Act (4th Edn.) | 5 8 0 |
| 6. Bombay Co-operative Societies Act with Rules, 3rd Edn. (<i>in press</i>) | ... 7 2 0 |
| 7. Bom. Village Police Act (1946 Edn.) | ... 3 0 0 |
| 8. Dekkhan Agriculturists' Relief Act with Rules, 4th (1946 Edn.) | ... 5 8 0 |
| 9. Bombay Agricultural Debtors Relief Act, 1939 with Rules (1946Edn.) | 7 0 0 |
| 10. Bombay Tenancy Act (1946 Edn.) | ... 5 0 0 |
| 11. Bombay Revenue Tribunal Act with Rules and Regulations, etc. etc. | ... 2 0 0 |

STUDENTS' EDITIONS.

- | | |
|---|-----------|
| 1. Bombay Land Revenue Code [Stds. (1946) 4th Edn.] | ... 3 0 0 |
| 2. Dekkhan Agriculturists' Relief Act [Stds. 3rd Edn,] | ... 1 8 0 |