

**Uttar Pradesh
Revenue Code
Rules, 2016**

UTTAR PRADESH REVENUE CODE RULES, 2016

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**Uttar Pradesh Shasan
Rajaswa Anubhag-I**

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India the Governor is pleased to order the publication of the following English translation of notification no. 170/I-1-2016-15(1)/1998-19 dated 10 FEBRUARY, 2016

NOTIFICATION

NO. 170/I-1-2016-15(1)/1998-19

Lucknow, Dated 10 FEBRUARY, 2016

In the exercise of the powers under section 233 of the Uttar Pradesh Revenue Code, 2006 (U.P. Act no.8 of 2012) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904) the Governor in rescission of all the rules made under the repealed Acts, is pleased to make the following rules:-

THE UTTAR PRADESH REVENUE CODE RULES, 2016

CHAPTER -I

PRELIMINARY

Short title and commencement

1. (1) These rules may be called the Uttar Pradesh Revenue Code Rules, 2016.

(2) They shall come into force from the date of their publication in the Gazette.

Definitions

2. In these rules, unless there is anything repugnant in the subject or context-

(a) 'Appendix' means an appendix appended to these rules.

(b) 'Board' means the Board of Revenue constituted under the Code.

(c) 'Chairman' means the Chairman of the Board.

(d) 'Code' means the Uttar Pradesh Revenue Code, 2006.

(e) 'Panel Lawyers' are legal practitioners appointed under the Code or these rules for the conduct of suits, applications and the other proceedings, by or against the Gram Panchayat.

(f) 'R.C. Form' means an R.C. form appended to these rules.

(g) 'Revenue Court Manual' means the Revenue Court Manual framed under section 234 of the Code or under the enactments repealed by the Code.

(h) 'Revenue Manual' means the Manual of orders of the Government in the Revenue Department.

(i) 'Section' means a section of the Code.

(j) 'Village Revenue Committee' means a committee constituted under section 225-C of the Code.



CHAPTER –II
REVENUE DIVISION

Alteration in the limits of
Revenue Area.
[Section 6(2)]

Format of public notice
[Section 6(2)]

Publication of notice
[Section 6(2)]

Consideration of objection
by Committee
[Section 6(2)]

Arrangement of Circles
[Section 6(3)]

3. Every proposal for altering the limits of any revenue area under section 6(2), including the abolition or creation of any new area should be based on administrative efficiency and public interest.
4. Every proposal to alter the limits of any such revenue area shall be published in **R.C. Form-1**.
5. The above notice shall be published-
 - (a) in the official gazette;
 - (b) in two daily newspapers of wide circulation in locality of such area of which one shall be in the Hindi language; and
 - (c) shall be uploaded on the website of the Board.
6. (1) The objections received under this Chapter shall be considered by a Committee consisting of the following members:
 - (a) Chairman, Board of Revenue (Chairman)
 - (b) Principal Secretary, Law (Member)
 - (c) Principal Secretary, Revenue (Member)
 - (d) Principal Secretary, Home (Member)
 - (e) Principal Secretary, Finance (Member)
 - (f) Secretary, Board of Revenue (Member-Secretary)
 (2) The Committee shall submit the report after considering the objections, if any, to the State Government which shall take the appropriate decision after considering the report submitted by the Committee and also the objections, if any, from the public:
7. Every order of the Collector made under section 6(3) shall be published in at least two local newspapers having wide circulation and shall also be pasted on the notice board of the Collectorate as well as of the Tahsils.

CHAPTER –III**EXECUTIVE AND ADMINISTRATIVE BUSINESS OF THE BOARD**

General Supervision and
Control of the Revenue
Courts and Revenue
Officers
[Section 8(1)]

8. (1) The general supervision and control of revenue Courts and revenue officers in all matters relating to disposal of cases, appeals and revisions shall vest in the Board.
- (2) The Board shall, subject to the superintendence, direction and control of the State Government, exercise the general supervision and control in all other matters provided in this Code.
- (3) The Chairman may constitute Committees of the members to examine any specified matter.
- (4) The Chairman may call a meeting of Administrative Members or a Full Board meeting of members of the Board whenever there is business to be disposed of;
- Provided that:-
- (a) For performing its functions and discharging its duties, the Board shall ordinarily meet at least once in every quarter; and
- (b) if a request is made to the Chairman by not less than two members to call such a meeting, it shall be called within a week of the request.
- (5) In the administrative meetings, ordinarily the administrative members shall be invited but the Chairman may, if he deems it necessary, invite all or any of the judicial members.
- (6) The Chairman may assign one or more divisions to a member of the Board for a period of one year for the purposes of administrative inspection and monitoring the judicial and other works of the Revenue Officers and Revenue Courts.
- (7) The member referred to in sub-rule (6) of this rule

shall proceed for inspection in consultation with the Chairman for annual inspections. The report of the annual inspection shall be submitted by the member to the Chairman within a period of fifteen days from the date of inspection.

Board's power to call for statements
[Section 8(1)]

9. The Board may, from time to time, call for statements from various Revenue Courts and Revenue Officers regarding the disposal and pendency of the cases and in all other matters and may also issue appropriate directions for the judicial function, early disposal of cases and all other matters.

Constitution of Benches
(Section 9)

10. (1) Members shall sit alone or in such Division Benches as may be constituted from time to time and do such work as may be allotted to them by order of the Chairman or in accordance with his directions.

(2) The Chairman may constitute a Bench of two or more members to decide a case or any question of law formulated and referred by a Bench hearing a case. In the later event the decision of such Bench on the question so formulated shall be returned to the Bench hearing the case and that Bench shall follow that decision on such question and dispose of the case after deciding the remaining questions, if any, arising therein.

(3) Except as hereinafter provided, all appeals and applications for revision or review shall be decided by a Member sitting alone according to the work distribution allocated to him.

Judicial facilities to members and revenue officers
(Section 9)

11. The State shall, by Government Order issued from time to time, provide the judicial allowance not exceeding ten percent of the salary and other facilities on different heads like vehicle facilities/reimbursement of vehicle expenses, library expenses, telephone/mobile expenses and the like to the members and revenue officers who have been allotted only judicial work.

Reference for constituting
a Bench
(Section 9)

Disposal of review
petition
(Section 211)

Boards Manual
(Section 234)

Imposition of penalty
[Section 18(2)]

12. If any proceeding involves a complicated question of law or of practice or procedure, the Member sitting alone may refer the matter to the Chairman with a recommendation that it may be placed before a Larger Bench.
13. An application for review of an order shall be decided by the Member who or the Bench which passed the order under review. Where such Member or the Bench is not available, the application shall be decided by the Member or the Bench nominated or constituted by the Chairman.
14. The Board may, from time to time, issue directions for regulating the internal working of its offices, the offices of other revenue court and revenue officers. These directions may be compiled as Board's Manual.
15. The Collector shall before imposition of the penalty under sub-section (2) of section 18 of the Code, cause to be served a show cause notice in **R.C. Form- 2** on the person or revenue officer concerned and afford a reasonable opportunity of hearing to him.

CHAPTER-IV**BOUNDARIES AND BOUNDARY MARKS**

Duty of State and Gram
Panchayat regarding
boundaries
(Section 20)

16. (1) State Government shall make an endeavour to get the map of every village digitalized, the boundary fixed and the pillars or other devices installed as per the Global Positioning System (GPS) or any other available advanced modern technology.

(2) The State Government shall endeavour to adopt the principle of fixed boundary in place of deep stream of rivers determining inter district boundaries and intra district boundaries.

(3) The provisions of fixed boundary in place of deep stream of rivers determining inter-state boundary between the States of Bihar and Uttar Pradesh are contained in the Bihar and Uttar Pradesh (Alteration of Boundaries) Act 1968. Similarly the provisions of fixed boundary between States of Haryana and Uttar Pradesh are contained in the Haryana and Uttar Pradesh (Alteration of Boundaries) Act 1979.

(4) The provisions regarding the principles of fixed boundary and the deep stream of the rivers are contained in Chapter-25 of the U.P. Revenue Manual and the law regarding the rules to be observed in claims to lands gained by alluvion or by dereliction of a river is contained in Regulation-XI of 1825.

(5) Every Gram Panchayat shall be responsible to affix, specify, maintain and repair the boundary marks in respect of villages falling within its Panchayat area.

(6) The nature and specification of the boundary marks referred to in section 20 shall be such as may be specified by the Board under section 234 of the Code.

Duty of tenure holders
regarding boundaries
(Section 21)

17. (1) Every tenure holder shall also fix, specify, maintain and repair the boundary marks in respect of every survey number or plot held by him.

- (2) If the holding of a tenure holder consists of several survey numbers or plots and the tenure holder demarcates the outer boundary of his holding in accordance with sub-rule (1), then it shall be deemed to be sufficient compliance of the provisions of this Chapter.
- Boundaries of adjacent holdings
(Section 21)
18. In the case of two or more adjacent holdings, the tenure holders of such holdings shall be jointly and severally liable to affix, specify, maintain and repair the boundary marks in respect thereof.
- Recommendation of Naib Tahsildar
(Section 22)
19. (1) Every recommendation of the Naib Tahsildar under section 22(2) shall specify precise number of the boundary marks which are required to be erected, restored, repaired or replaced along with other details. The recommendation shall indicate estimate of expenses likely to be incurred in the erection, restoration, repair or replacement of such boundary marks.
- (2) If the facts regarding the destruction, removal or damage of any boundary mark, otherwise comes to the knowledge of the Sub-Divisional Officer, he may require the Naib Tahsildar to submit the estimate of expenses in accordance with sub-rule (1).
- Notice to Gram Panchayat or tenure-holder
[Section 23(1)]
20. On receipt of recommendations of the Naib Tahsildar under rule 19, the Sub-Divisional-Officer shall issue a notice to the Gram Panchayat or the tenure holder concerned to erect, restore, repair or replace the boundary marks specified in the notice within the period mentioned therein. Such notice shall also specify the amount which shall be realised from the Gram Panchayat or the tenure holder under section 23(2), if the notice remains uncomplished with.
- Consequences of non-compliance of notice
[Section 23(2)]
21. If the Gram Panchayat or the tenure holder fails to comply with the notice referred to in rule 20, within the period mentioned therein, the Sub-Divisional Officer may cause such boundary marks erected, restored, repaired or

replaced and may recover the actual cost thereof from the Gram Panchayat or the tenure holder concerned as arrears of land revenue.

Settlement of boundary
dispute
(Section 24)

22. (1) Every application for settlement of boundary dispute under section 24(1) of the Code shall be made to the Sub-Divisional-Officer and it shall contain the following particulars:
- (a) The names, parentage and addresses of the parties;
 - (b) Plot number, area and boundaries of the land, along with its location;
 - (c) Precise nature of the dispute.
- (2) No application for demarcation of boundaries under section 24(1) of the Code shall be entertained unless it is accompanied by certified extracts from the maps, Khasras and Record of Rights (Khatauni) on the basis of which demarcation is sought, and the required amount calculated at the rate of Rs. 1000/- per survey number of the applicant as fee for demarcation has been paid by the applicant.
- (3) If the application is for demarcation of two or more than two adjoining plots, only one set of demarcation fee shall be payable but where the survey numbers sought to be demarcated are not adjoining, separate sets of demarcation fee shall be paid.
- (4) On the receipt of the application the concerned official shall check the application as to whether the requirements have been fulfilled or not. If there is any defect of formal nature, the applicant or his counsel shall be permitted to remove the defect at once but where the requirements of the application have not been fulfilled, the applicant shall be afforded opportunity as sought for to fulfil the requirements.
- (5) As soon as the requirements are fulfilled the official concerned shall register the application in the

register concerned and put up the same before the Sub-Divisional-Officer for appropriate order.

(6) The Sub-Divisional-Officer shall pass order on the same day or on the next working day, directing the Revenue Inspector or other revenue officer to demarcate the plot or plots as the case may be after fixing a date and serving the notice in respect thereof to all the tenure holders concerned. This exercise shall be completed within a period of one month from the date of order passed by Sub-Divisional-Officer.

(7) The notice under sub-rule (6) of this rule shall be served on the concerned tenure holder or in his absence on his adult family member. The notice shall also be served on the Chairman of the Land Management Committee.

(8) At the time of demarcation of the plot the spot memo shall be prepared by the Revenue Inspector or other revenue officer and the same shall be signed by all the parties concerned and by the Chairman of the Land Management Committee or any two independent witnesses present at the time of the demarcation. If any party refuses to sign the spot memo, the endorsement to the effect shall be made by the Revenue Inspector.

(9) The Revenue Inspector or other revenue officer shall submit his report of demarcation with spot memo within a period of fifteen days from the date of demarcation. The name and address of the every affected party shall be disclosed in the report.

(10) On receipt of the report under sub-rule (9), the notices shall be issued within one week to all the affected parties inviting the objections on the report and the date shall be fixed which shall not be later than 15 days from the date of issuing the notice.

(11) On the date fixed or on any other date to which the hearing is adjourned, the Sub Divisional Officer shall

decide the dispute regarding the boundaries in accordance with the provisions of the sub-section (2) of the section 24 of the Code and pass the appropriate order after considering the report and the objections, if any, filed against the report and affording opportunity of hearing to the parties concerned.

(12) If the report is confirmed by the Sub Divisional Officer, the boundary pillars shall be fixed accordingly within a period of one week and report in respect thereof shall be submitted which shall be part of the record.

(13) Where boundaries of plots/survey numbers are not identifiable or damaged, due to alluvion or diluvion or heavy rain or for any other reasons, the Sub-Divisional Officer may, on the application of the Chairman of the Village Revenue Committee of the village or on the report of Revenue Inspector or Lekhpal of the Circle or on the joint application signed by all the tenure holders concerned, direct, by general or special order in writing, the Revenue Inspector or Lekhpal concerned to demarcate the boundaries on the spot on the basis of the existing survey map or where it is not possible, on the basis of the possession and to redress the grievance, if any, on the basis of the conciliation in consultation with the Village Revenue Committee. The Revenue Inspector or the Lekhpal shall comply with the such order within two weeks from the date of the order and submit the report thereof to the Sub-Divisional Officer.

(14) If any party is aggrieved by the demarcation under sub-rule (13) of this rule, he may move application for demarcation of the boundaries under sub-section (1) of section 24 of the Code and the demarcation under sub-rule (13) will be subject to demarcation under sub-section (1) of section 24 of the Code.

(15) The Sub Divisional Officer, at the time of passing

the order for the demarcation under section 24 of the Code or under sub-rule (13) of this rule, may direct the station officer of the police station concerned to make the police force available for maintaining the law and order on the spot at the time of demarcation.

(16) The Sub-Divisional Officer shall make an endeavour to conclude the proceeding within the period specified in section 24(3) and if the proceeding is not concluded within such period the reason for the same shall be recorded.

Recovery of the cost for
removal of obstacle
(Sections 25 and 26)

23. The cost for removal of obstacles under section 25 or section 26 of the Code may be recovered as arrears of land revenue.

CHAPTER-V**MAINTENANCE OF VILLAGE RECORDS**

- List of villages
[Section 29(1) and section 29(2)]
24. (1) The Register containing the list of villages in a district shall be maintained by the Collector in **R.C. Form-3**. Such Register shall show therein:-
- (a) the area specified in clauses (a) and (b) of section 29(1);
 - (b) the areas in respect whereof land revenue has been suspended or remitted under Chapter XI of Code;
 - (c) any other particular which the Board may from time to time direct.
- (2) The said Register shall be revised every five years, unless otherwise directed by the Board and shall be made available on the website of the department concerned.
- Map and Field Book
[Section 30(1)]
25. For every village, the Collector shall cause to be prepared and maintained a Field Book (Khasra) in **R.C. Form-4** and also a map (showing the boundaries of survey number) wherein the changes referred to in section 30 shall be recorded.
- Partition scheme of minzumla numbers
[Section 30(2)]
26. (1) The Board shall, by general or special order direct the Collector that the minzumla numbers shall be divided physically and revenue records shall be corrected accordingly.
- (2) On the order under sub-rule (1) of this rule, the Collector shall get a partition scheme of minzumla numbers prepared for each village.
- (3) For the purpose of preparation of partition scheme of minzumla numbers, a provisional partition scheme of minzumla numbers shall be prepared by the Lekhpal in **R.C. Form-5**.
- (4) The provisional partition scheme of minzumla numbers shall be prepared by the Lekhpal in consultation with concerned tenure holders and Land Management

Committee.

(5) In the preparation of provisional partition scheme of minzumla numbers, the following principles shall be observed:-

- (a) The portion allotted to each tenure holder shall be as compact as possible.
 - (b) As far as possible no tenure holder shall be given all the inferior or all the superior classes of land.
 - (c) If the tenure holders of minzumla number are in separate possession on the spot on the basis of mutual division, the same shall, as far as possible, be allotted as per the separate possession.
 - (d) Every tenure holder shall, as far as possible, be allotted the area at the place on which his private source of irrigation or any other improvement is in existence.
 - (e) If the plot or any part thereof, is of commercial value or is adjacent to road, abadi or other land of commercial value, the same shall, as far as possible, be allotted to each tenure holder proportionately adjacent to such road, abadi or other land of commercial value.
- (6) The Lekhpal shall prepare and place on record a map showing in different colours, the area given to each tenure holder.
- (7) After preparation of provisional partition scheme of minzumla numbers a notice in **R.C. Form-6** shall be issued to each tenure holder of the minzumla number inviting objection, if any, within the period of 15 days from the date of service of the notice on the tenure holder.
- (8) After receiving the objection in pursuance of the notice issued under sub-rule (7) or otherwise, the Revenue Inspector shall dispose of the objections on the basis of conciliation between the parties in consultation with the

Village Revenue Committee.

(9) All the objections which have not been decided by the Revenue Inspector on the basis of conciliation shall be forwarded alongwith the provisional partition scheme to the Collector through the Sub-Divisional Officer.

(10) The Collector after affording opportunity of hearing to the parties concerned shall decide the objection, if any, and thereafter either confirm the provisional partition scheme of minzumla numbers or pass such order as he deems fit.

(11) The map, khasra and khatauni shall be corrected as per the confirmed partition scheme of minzumla numbers.

(12) Any order passed under this rule shall, subject to the revision under section 210 of the Code, be final.

Record of Rights
(Khatauni)
[Section 31(1)]

27. (1) For every village, the Collector shall cause to be prepared and maintained a Record of Rights (Khatauni) in **R.C. Form-7** which shall contain:-

- (a) the particulars specified in clauses (a) to (d) of the said section;
- (b) details of the declaration and cancelation referred to in section 83;
- (c) such other particulars as may from time to time be directed by the Board.

(2) Subject to the provisions of the Code and the rules framed thereunder, the provisions of Uttar Pradesh Record of Rights (Computerisation) Rules, 2005 as amended from time to time shall, *mutatis mutandis*, apply to the Record of Rights to be maintained under the Code and the rules framed thereunder.

Determination of
share[Section 31 (2)]

28. (1) The Board shall, by general or special order direct the Collector that the share of each co-tenure holder in the Khata of the Khatauni shall be determined and revenue records shall be corrected accordingly.

(2) On the order under sub-rule (1) of this rule, the

Collector shall get the share of the co-tenure holders determined in the manner detailed hereinafter in this rule.

(3) The Lekhpal shall provisionally determine the share of each co-tenure holder in consultation with the co-tenure holders concerned and the Village Revenue Committee.

(4) In the determination of share, the following principles shall be observed:-

(a) If the holding is ancestral, the share of each co-tenure holder shall be determined as per the pedigree in accordance with law of succession prescribed in the Code or on the basis of family settlement, if any;

(b) If the names of the co-tenure holders are recorded on the basis of acquisition or will, the share shall be determined as per the contents contained in the deed concerned;

(c) If the share has been decided by any competent court the same shall be recorded accordingly.

(5) After provisional determination of share, the notice in the **R.C. Form-8** shall be issued to each co-tenure holder indicating the separate share of each co-tenure holder inviting the objection within a period of 15 days from the date of service of the notice.

(6) After expiry of the period of 15 days aforesaid, objections, if any, shall be decided by the Revenue Inspector on the basis of conciliation between the parties, with the help of Village Revenue Committee.

(7) All the objections which have not been decided on the basis of conciliation shall be forwarded to the Sub Divisional Officer who shall decide the same after affording opportunity of hearing to the parties concerned.

(8) The order passed by Sub-Divisional Officer or Revenue Inspector shall be implemented and the share of

each co-tenure holder shall be recorded in Khatauni accordingly.

(9) Any party aggrieved by the order passed under this rule may file suit for declaration of his share in the competent court.

Report regarding
succession
[Section 33(1)]

29. (1) Every report by or on behalf of a person obtaining possession of any land by succession referred to in section 33(1) shall be made, as soon as possible, in **R.C. Form-9**.

(2) In the application/report for mutation on the basis of will or intestate succession, the deceased shall not be impleaded as opposite party. In the case of report on the basis of will, the heir of clause (a) of section 108 or section 110 as the case may be and if there is no heir of the aforesaid clause and in the case of intestate succession, the heir of the succeeding clause of section 108 or section 110 as the case may be, shall be impleaded as opposite party.

(3) Separate reports shall be made for each village and if the land lies in more than one Tahsil, the Collector shall decide in which Tahsil, the proceedings shall be held.

(4) The aforesaid report may be submitted to the Revenue Inspector through the Lekhpal. The Lekhpal shall immediately issue a receipt therefor. No stamp duty is required to be paid for such report.

(5) If the person obtaining possession by succession is a minor, then such report may be submitted by his guardian or through next friend.

(6) If more than one person jointly obtain possession over the land by succession, a report by any one of them shall be deemed to be sufficient compliance for the purposes of section 33(1).

Report by bhumidhar or
asami of Gram Panchayat
[Section 33(3)]

30. (1) Every person on being admitted as a bhumidhar with non-transferable rights or as an asami by the Bhumi Prabandhak Samiti referred to in section 33(4) shall

submit a report in **R.C. Form-10**.

(2) The above report may be submitted to the Revenue Inspector personally through the Lekhpal or may be sent to him by registered post. If the report is submitted personally, the applicant shall be entitled to a receipt therefor. No stamp duty is required to be paid on such report.

Procedure to be followed
by Revenue Inspector
(Section 33)

31. (1) On receipt of a report under rule 29 or rule 30, or on facts otherwise coming to his knowledge, the Revenue Inspector shall, as soon as possible, visit the village concerned and conduct necessary local inquiry from the members of the Village Revenue Committee, the Lekhpal, the residents of the village in general and other person interested or assembled for the purpose.

(2) The date and time of visit of the Revenue Inspector shall be announced in advance by beat of drum or in such other manner as is considered proper.

(3) If after the spot inquiry and verification of the contents of the report, the Revenue Inspector is satisfied that there is no dispute about the succession or admission and that the succession or admission is in accordance with the provisions of the Code, he shall pass necessary order for mutation under his dated signature in full:

Provided that before passing final order under this sub-rule, the Revenue Inspector shall ensure that the provisions of section 36(2) have been complied with.

(4) The Revenue Inspector shall also ensure that a certified extract of the record of rights, so revised, is made available to the person in whose favour the order of mutation was passed.

(5) The provisions of this rule shall not apply to a case where succession is claimed on the basis of any will.

Disputed Succession
(Section 35)

32. Where during the course of inquiry under rule 30, the Revenue Inspector finds that the claim regarding

succession is disputed or where such claim is based on any will, then after ascertaining the nature of such dispute or the facts relating to the execution of such will, the Revenue Inspector shall submit his report to the Tahsildar.

Report regarding transfer
(Section 34)

33. (1) Every report by or on behalf of a person obtaining possession of any land by transfer referred to in section 34 shall, as soon as possible, be made in **R.C. Form-11**.
- (2) The provisions of sub-rules (3) to (6) of rule 29 shall *mutatis mutandis* apply to every report submitted under this rule.
- (3) While submitting a report under this rule, the applicant shall also file an affidavit to the effect that the transfer under reference does not contravene the provisions of section 89 of the Code, but where such declaration has been made in the deed, the affidavit under this sub-rule would not be required.
- (4) The transferee submitting report for mutation on the basis of transfer shall pay the mutation fee fixed by Government Order issued from time to time.

Issue of Proclamation
[Section 35(1)]

34. (1) In the following cases relating to transfer of any land, the Tahsildar shall issue a Proclamation in **R.C. Form-12** before making an order of mutation:-
- (a) On receipt of a report from the Revenue Inspector under section 33(2)(b).
 - (b) On receipt of an application under section 33(3), including the case where the succession is claimed on the basis of a will.
 - (c) On receipt of a report regarding transfer of land under section 34;
 - (d) On receipt of an intimation from the registering authority under section 36(1).
 - (e) On facts of succession or transfer otherwise coming to his knowledge.

Note: "The date fixed for hearing in the proclamation

shall not be less than 30 days from the date of its issuance.”

(2) Every such proclamation shall be announced by beat of drum in the village concerned, and its copies shall be pasted on the notice board of the Tahsil as well as of the Bhumi Prabandhak Samiti. The Tahsildar shall give written notice thereof to all persons who appear to him to be interested in the mutation, including co-tenure holders, if any.

(3) If the proclamation is based on transfer referred to in section 34, a copy of the same shall also be served on the transferor.

(4) Soon after issuing the proclamation, the Tahsildar shall also call a report from the Registrar Kanungo dealing with the mutation work. The Registrar Kanungo shall submit his report on the basis of the existing entries in the Khatauni and the mutation register and other particulars involved in the mutation including the nature and extent of the interest transferred and the details of the holdings.

(5) If after the expiry of the period specified in the proclamation, no objection is filed and after perusing the report of the Registrar Kanungo and other materials available on the record, the Tahsildar is satisfied that the claim regarding succession or transfer is in accordance with the provisions of the Code, he shall, subject to the provisions of sections 36(2) and 89(2), pass the order for mutation and direct that the record of rights to be amended accordingly.

(6) If the case of mutation is disputed, the Tahsildar shall decide the dispute on merits, after summary inquiry on the basis of material available on the record, after affording opportunity of hearing to the parties concerned, in accordance with the provisions of the law.

(7) The Tahsildar shall make an endeavour to decide

the undisputed case of mutation within the period of 45 days from the date of the registration of the case and the disputed case of mutation within the period of 90 days and if the proceeding is not concluded within such period the reason for the same shall be recorded.

(8) In all cases of mutation, the revenue officer passing the mutation order shall specify the precise entry which is to be made in the record of rights.

Intimation by registering authority
(Section 36)

35. (1) Where any document referred to in section 36(1) is registered in accordance with the Registration Act, 1908 in respect of a land for which a record of rights (Khatauni) is prepared under the provisions of the Code, the registering authority shall send intimation thereof to the Tahsildar concerned within a period of seven days from the date of its registration.

(2) Such intimation shall be sent in **R.C. Form-13**.

Correction of error or omission
(Section 38)

36. (1) Every application for correction of any error or omission in the map, field-book (Khasra) or record-of-rights (Khatauni) referred to in section 38(1) shall contain the following particulars:-

(a) Name, parentage and address of the applicant.

(b) The document for the correction whereof the application is being made.

(c) Particulars of the land to which the error or omission relates.

(d) The precise nature of the error or omission.

(e) The application shall be accompanied by a certified copy of the map, Khasra or Khatauni to which the alleged error or omission relates.

(2) Proceedings for correction of the map, field book or record-of-rights may be initiated even without any application under sub-rule (1), if the error or omission otherwise comes to the knowledge of the Tahsildar.

(3) If during the preparation of new Khatauni, partial,

spot verification and local visit or inquiry, the Lekhpal, Naib Tahsildar, Revenue Inspector or any other revenue officer has reasons to believe that any error or omission (including any fake or fraudulent entry but excluding the errors or omissions referred to in the explanation to section 38) has crept in the map, field book or the record of rights, he shall refer the matter to the Tahsildar who shall initiate necessary proceedings under this rule.

(4) In proceedings for correction of errors and omission under this rule, the Tahsildar shall call for a report from the Revenue Inspector or the Lekhpal and after affording reasonable opportunity of hearing to the parties concerned and making summary inquiry, refer the case to the Collector in the case of map correction and to the Sub-Divisional Officer in the case of other correction along with his report within a period of thirty days from the date of registration of the application.

(5) The Collector or the Sub-Divisional Officer, as the case may be, shall allow the parties to file objection, if any, against the report of the Tahsildar submitted under sub-rule (4), and then decide the dispute. If the Collector or the Sub-Divisional Officer, as the case may be, is of the opinion that the map, field book or record of rights contains any error or omission, he shall direct for the correction thereof.

(6) An endeavour shall be made to conclude the proceeding for correction under section 38 within the period of 45 days from the date of receiving the application with the report and if the proceeding is not concluded within such period the reasons for the same shall be recorded.

(7) The Revenue Inspector may correct any undisputed error or omission in the Record of Rights (Khatauni) or Khasra after making such inquiry in the

manner contained in the Land Record Manual.

CONTENTS OF KISAN BAHİ

Contents of Kisan Bahi
(Section 41)

37. Every Kisan Bahi referred to in section 41 shall contain the following particulars:-

- (a) Name of the tenure-holder
(with parentage and address).....
- (b) If minor, his age and guardian's name.....
- (c) Details of all holdings held by the tenure-holder
(with area and land revenue payable).....
- (d) Whether the tenure-holder belongs to SC/ST/OBC.....
- (e) Whether exempt from payment of land revenue.....

Note:- A photograph of the tenure holder shall be pasted and attested by the issuing officer on the Kisan Bahi which shall be signed and dated by such officer. The Kisan Bahi shall also bear the thumb impression or signature of the tenure holder concerned.

Supply of Kisan Bahi
(Section 41)

38. (1) For the purposes of issuing Kisan Bahi, the Collector shall nominate one or more revenue officers (not below the rank of a Naib Tahsildar) for each Tahsil or Block.

(2) The revenue officers nominated under sub-rule (1) shall be responsible:-

- (a) to prepare and supply the Kisan Bahi to the persons entitled thereto.
 - (b) to perform the duties mentioned in section 41(5).
- (3) A fee of Rs.10/- shall be charged from every tenure-holder to whom the Kisan Bahi is supplied and a receipt therefor shall be issued to him.
- (4) If, there are more than one co-sharers, supply of Kisan Bahi to any one of them shall be sufficient.
- (5) If a Kisan Bahi is lost, damaged or mutilated, the

revenue officer referred to in sub-rule (1) may issue a duplicate Kisan Bahi to the tenure-holder on his paying Rs.20/- as fee.

(6) Subject to the provisions of the Code and the rules framed thereunder, the provisions of Uttar Pradesh Kisan Bahi (Passbook) Rules, 1998, as amended from time to time shall, *mutatis mutandis*, apply to the Kisan Bahi to be issued under the Code and the rules framed thereunder.

Administrative
instructions
(Section 41)

39. The State Government may from time to time issue administrative instructions for the effective implementation of the provisions of section 41.

CHAPTER-VI**REVISION OF VILLAGE RECORDS**

- | | |
|--|--|
| Object of Record or
Survey Operations
(Section 43) | 40. The record operation or survey operation or both in any district or other local area under Chapter VI of the Code may be directed by the State Government either as an administrative measure or as a measure of land reforms. |
| Issue of Proclamation
(Section 48) | 41. (1) Where any local area is under a survey operation, or record operation or both, the proclamation referred to in section 48 shall be pasted on the notice-board of the office of the Record Officer, and shall also be announced by beat of drum in the local area concerned.

(2) The requirement to erect boundary marks may be made applicable even to contiguous villages also, although such villages are not under such operation. |
| Recovery of Costs
(Section 48) | 42. The actual cost of erection of boundary marks, if certified by the Record Officer may be recovered from the defaulting Gram Panchayats or the bhumidhars concerned under section 48 as arrears of land revenue. |
| Appeal to Record Officer
[Section 49(8)] | 43. Every appeal to the Record Officer under sub-section (8) of section 49 of the Code, shall be accompanied by a certified copy of the impugned order. |
| Procedure where no
records are available
(Section 52) | 44. Where any village or part thereof is brought under record operation or survey operation, but the records referred to in sections 46 and 47 in respect thereof are not available, the Record Officer shall report the matter to the Board, and shall follow the directions issued by it. |
| Separate regulations for
record or survey operation
[Section 234 read with
section 49(1)] | 45. Regulations containing detailed administrative instructions and guidelines regarding survey and record operations including survey and record operation of abadi sites may be separately made by the Board under section 234. |

CHAPTER-VII
OWNERSHIP OF LAND AND OTHER
PROPERTIES

Application for tree
plantation
[Section 57(2)]

46. Any person desiring to plant one or more fruit bearing trees (as defined in rule 47) on either side of any public road, path or canal, may apply to the Collector or to the competent authority defined in rule 48 for permission to plant such trees in **R.C. Form-14**.

Meaning of fruit bearing
tree
(Section 57)

47. The term ‘fruit-bearing trees’ shall, for the purposes of this chapter, mean any of the following trees:-

Serial No.	Common Name	Botanical Name
1	2	3
1.	Mango	Mangifera indica
2.	Aonla	Emblica officinale
3.	Jackfruit	Artocarpus integrifolia
4.	Lichi	Nephelium litchi
5.	Imli	Tamarindus indica
6.	Blackberry	Sigzazium cumini
7.	Mahua	Madhucalatifolia
8.	Bail	
9.	Kaitha	
10.	Guava	

Competent authority
defined
(Section 57)

48. For the purposes of this Chapter, the term ‘Competent Authority’ means the Divisional Forest Officer (Forest), the Executive Engineer (Public Works Department), the Executive Engineer (Irrigation) or the Tahsildar (Revenue) within whose jurisdiction the site of the proposed plantation is situate.

Disposal of application
(Section 57)

49. The Collector or the Competent Authority shall hold an inquiry about the suitability of the proposed plantation and the genuineness of the applicants’ desire, and thereafter he may grant or reject the request with speaking

order.

Grant of permission
(Section 57)

50. If the application is allowed, the officer concerned shall issue a written permission specifying the following particulars:-

- (a) The name, parentage and address of the applicant;
- (b) The number and nature of the trees sought to be planted;
- (c) Precise area and location for which permission was granted;
- (d) The period during which the plantation shall be made.

Revocation of permission
(Section 57)

51. Within one month from the date specified in rule 50(d), the person planting the trees shall inform the officer granting the permission in writing that the trees have been duly planted. If no such written information is sent, within the time stipulated in the order, the competent authority may pass the appropriate order granting further time or revoking the permission after affording opportunity of hearing to the applicant within 15 days.

Settlement of disputes
(Section 58)

52. (1) If there is any dispute about any of the properties referred to in section 58(1), the person concerned may apply to the Collector for settlement of such dispute specifying in the application the following particulars:-

- (a) The name, parentage and address of the applicant.
- (b) The details of the property.
- (c) The nature of the dispute.
- (d) The name and address of the person who disputes the claim.

(2) The Collector shall call upon the opposite party to submit his objection, if any, and settle the dispute after summary inquiry.

(3) The Collector may transfer the application to any other officer subordinate to him to settle any such dispute.

(4) Nothing in this rule shall deprive any person

aggrieved by the order of the Collector or the officer specified in sub-rule (3) or of the revisional court passed under section 58(2) to establish his claim by means of a suit before the competent court.

(5) If there are a number of applicants for the permission under this chapter, the preference for allotment of land for agricultural purpose will apply. However, if the applicant has abutting house or fields first preference shall be given to such applicant.

CHAPTER-VIII
MANAGEMENT OF PROPERTIES OF GRAM PANCHAYAT
OR OTHER LOCAL AUTHORITIES

- | | |
|---|--|
| <p>Explanation
(Section 233)</p> | <p>53. For the purposes of this Chapter:-</p> <p style="padding-left: 40px;">(a) 'Chairman' means the Chairman of the Samiti;</p> <p style="padding-left: 40px;">(b) 'Samiti' means the Bhumi Prabandhak Samiti
(Land Management Committee).</p> |
| <p>Mode of publication of the
order
[Section 59(1) and section
59(4)]</p> | <p>54. The general or special order referred to in section 59(1) and section 59(4) shall be published in the Gazette and in two daily newspapers circulating in the locality of such area of which one shall be in Hindi language.</p> |
| <p>Resumption of property
by State Government
(Section 59)</p> | <p>55. (1) Where any land or other thing is entrusted or deemed to be entrusted to any Gram Panchayat or any local authority, and such land or other thing is sought to be resumed by the State Government under section 59(4)(c), then it shall issue a notification specifying the particulars of such property, and the publication of the notification in the Gazette shall be conclusive evidence that such property stands vested in the State Government.</p> <p>(2) A copy of every such notification shall be sent to the Collector as well as the Gram Panchayat or the local authority concerned.</p> <p>(3) Where the property referred to in sub-rule (1) has already been allotted to any person under section 64 or section 125 of this Code or under the provisions of the Acts repealed by this Code, and such allottee has made any improvement on such land before the date of notification, then the allottee shall be entitled to such compensation for improvement as the Collector may determine.</p> |
| <p>Duties of Chairman etc.
(Section 60)</p> | <p>56. (1) In addition to the duties and functions specified in clauses (a) to (h) of section 60(2), the Chairman and every member of the Samiti shall be under an obligation to report to the Assistant Collector all cases of damage,</p> |

misappropriation or wrongful occupation of the property entrusted or deemed to be entrusted to the Gram Panchayat.

(2) It shall be the duty of the Lekhpal to report to the Collector through the Tahsildar all cases of wrongful occupation of, damage to and misappropriation of property vested in the Gram Panchayat or any other land vested in the State, as soon as they come to his notice and in any case after the conclusion of Kharif and Rabi partial every year.

(3) The Tahsildar shall satisfy himself after expiry of the period of partial of Kharif and Rabi that, each Lekhpal has submitted such reports.

(4) The provisions of this rule shall *mutatis mutandis* apply to a local authority in respect of the properties vested in it, with the modification that the duty in respect of sub-rule (3) shall be discharged by such official as may be decided by such local authority.

Lease of Tanks

Lease of smaller Tanks
(Section 61)

57. (1) Where the area of a tank referred to in section 61(b) exceeds 0.5 acre but does not exceeds 5 acres, the Samiti shall let out the same for fishing purposes or for growing Singhara with the prior approval of the Sub-Divisional Officer in accordance with the following procedure.

(2) For the purposes of letting such tanks, a camp shall be organized at the Tahsil level, about which wide publicity shall be given by publishing the date, time and place of the camp in at least one Hindi newspaper having wide circulation in the area.

(3) The Chairman, the Secretary and an officer not below the rank of Naib Tahsildar shall be present at such camp meetings. If, more than one Gram Panchayats are involved, the Chairmen and Secretaries of all the Samitees

concerned shall attend such meetings.

(4) With the help of the representative of the fishermen community, to be appointed by the Collector for each Tahsil, the Secretary shall prepare a list of eligible persons who may be allotted the tank under reference, in accordance with the order of preference specified in sub-rule (5).

(5) The eligibility list of prospective lessees shall be prepared in accordance with the following order of preference:-

- (a) Fishermen residing in the concerned Gram Panchayat;
- (b) Members of the S.C.,S.T., Other Backward Classes or persons of General category living below poverty line residing in the Gram Panchayat.
- (c) Fishermen residing in the concerned Nyaya Panchayat Circle;
- (d) Fishermen residing in the concerned Development Block :

Explanation: For the purposes of this rule and rule 58, the expression 'Fishermen' means any person belonging to the community of Kewat, Mallah, Nishad, Bind, Dheemar, Kashyap, Vatham, Raikwar, Manjhee, Godia, Kahar, Tureha or Turaha or any other person traditionally engaged in the fishing profession.

(6) The persons referred to in any of the preceding clause of sub-rule (5) shall be entitled to the lease of such tank to the exclusion of those specified in the succeeding clauses.

(7) If the list of eligible persons prepared under sub-rule (4) consists of more than one person, then an auction shall be held on the spot in which only those shall be allowed to participate whose names are included in such

list. If there is only one person eligible for the lease aforesaid, the lease shall be granted on the annual rent of the amount fix by the State Government from time to time which shall not be less than Rs. 1000/- and shall not exceed Rs.2000/- per acre.

(8) The provisions of sections 189 and 190 of the Code shall apply to every auction under this rule.

(9) When the amount of the highest bid has been deposited, the eligibility List, the Bid Sheet and a report about the deposit of the bid amount duly signed by the Chairman, Secretary and the revenue officer referred to in sub-rule (3) shall be forwarded to the Sub-Divisional Officer for his approval.

(10) If the Sub-Divisional Officer is satisfied that the decision to let the tank is in accordance with the provisions of these rules, he shall accord his approval and shall return the papers to the Samiti.

(11) If the Sub-Divisional Officer approves the proposal, the papers shall be returned to the Samiti and a Deed of Lease shall be executed in **R.C. Form-15** which shall be registered under the Registration Act, 1908.

(12) Every such lease shall be executed for a period of five years and the same shall not be renewed or extended.

(13) The lessee may use the tank allotted to him for the purpose of fishing or producing other aquatic produce or vegetables.

(14) If during the period of lease, the lessee commits any breach of the terms and conditions of such lease, the Sub-Divisional Officer may cancel the lease after issuing a show cause notice to the lessee.

(15) During the period of lease the rights of the local residents to use the tank for purposes of washing clothes, watering the cattle, digging out earth for purposes of pottery or the likes shall remain undisturbed.

Lease of bigger Tanks
(Section 61)

58. (1) Where the area of a tank referred to in section 61(b) exceeds 5 acres, the Samiti shall let it out with the prior approval of the Sub-Divisional Officer in the following order of preference:-

- (a) Co-operative Societies of fishermen residing in the concerned village registered under the U.P. Co-operative Societies Act, 1965 and recognized by the Fisheries Department.
- (b) Co-operative Societies of fishermen residing in the concerned Nyaya Panchayat Circle registered and recognized as above.
- (c) Co-operative Societies of fishermen residing in the concerned Development Block registered and recognized as above.
- (d) Co-operative Societies of fishermen residing in the district concerned registered and recognized as above.
- (e) Co-operative Societies of fishermen residing in the State of Uttar Pradesh and registered and recognized as above.
- (f) Co-operative Societies of members of Scheduled Castes or Scheduled Tribes registered and recognized as above.
- (g) Other Co-operative Societies registered and recognized as above.

(2) In all other respects, the provisions of rule 57 shall *mutatis mutandis* apply to the leases of tanks covered by this rule. Subject to the condition that, if, there is only one Co-operative Society eligible for the lease aforesaid, the lease shall be granted on the annual rent of the amount fixed by the State Government from time to time which shall not be less than Rs. 4000/- per acre.

Appeal to Collector
[Section 233(2)(xiv)]

59. Every lease referred to in rule 57 or rule 58 shall be deemed to be a lease for agricultural purpose, and any

person aggrieved thereby may prefer an appeal to the Collector within 30 days from the date of approval by the Sub-Divisional Officer and subject to the provisions of section 210, the order of the Collector shall be final.

Arrangement on daily basis
(Section 61)

60. If there is any delay in the finalisation, execution or registration of any lease under rule 57 or rule 58 due to any cause, the Collector may arrange or permit fish hunting on daily basis on such terms and conditions as he thinks fit.

Allotment of Abadi sites

Abadi sites for preferential categories
(Sections 63 and 64)

61. (1) Sub-divisional Officer of the Sub-division may, wherever land earmarked for the extension of abadi for scheduled castes and scheduled tribes or other categories under the provisions of the Uttar Pradesh Consolidation of Holdings Act, 1953 and any other land of abadi site vested in Gram Panchayat is insufficient to meet the housing requirements of persons referred to in section 64(1) of the Code, proceed to earmark land for abadi sites in accordance with sub-section (1) of section 63 of the Code.

(2) In case the land enumerated in sub-section (2) of section 63 available in the village is insufficient, the Collector may prepare a proposal for acquisition of land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2012 (Act no.30 of 2013) and forward the same to the Government for its order.

(3) Before allotting housing sites to the persons referred to in sub-section (1) of section 64 of the Code, the Sub-divisional Officer concerned shall, in respect of the village, cause to be prepared the following lists and extracts:-

(a) a list in **R.C. Form-16** showing separately particulars of persons of the three categories mentioned in

sub-section (1) of section 64 of the Code;

(b) a list in **R.C. Form-17** of lands enumerated in sub-section (2) of section 63; and

(c) an extract of village map showing the plots given in the above list.

(4) In making allotment of housing sites under sub-section (2) of section 63 of the Code, the order of preference mentioned in sub-section (1) of section 64 of the Code shall be observed.

(5) No premium shall be charged for allotment of housing sites under this rule.

Other abadi sites
(Sections 63 and 64)

62. (1) Abadi sites other than those referred to in rule 61 and vested in a Gram Panchayat may be allotted for construction of buildings for residential or charitable purpose or for purposes for cottage industry in the following order of preference:

(a) a landless agricultural labourer or a village artisan residing in the village;

(b) a bhumidhar or asami residing in the village and holding land less than 1.26 hectares (3.125 acres);

(c) any other person residing in the village.

(2) Every allottee under this rule shall be required to deposit an amount equal to five percent of the amount calculated at the circle rate fixed by the Collector from time to time and shall be credited to the Gaon Fund:

Provided that no premium shall be charged in respect of site allotted for charitable purpose.

(3) The allottee to whom the site has been allotted under the provisions of Zamindari Abolition and Land Reforms Act, 1950 or the rules framed thereunder or under this Code or the rules framed thereunder for the purpose of cottage industry may, if the allottee is not successful in the cottage industry for which the site had been allotted, use the site for any other industrial or

- commercial purpose.
- Procedure for allotment by
Bhumi Prabandhak Samiti
(Sections 63 and 64)
63. (1) Whenever the Land Management Committee proceeds to allot housing sites under rule 61 or 62, it shall announce by beat of drum in the village the exact location of the sites to be allotted, the time, date and venue of the allotment.
- (2) All allotments shall be made by the Land Management Committee in a meeting held for the purpose on the date announced under the preceding sub-rule. Where more than one person belonging to the same order of preference express their desire to be allotted the particular site, the said Committee shall draw lots to determine the person to whom the site should be allotted: Provided that no allotment under rule 61 or rule 62 shall be made without the prior approval of the Sub-Divisional Officer of the Sub-Division.
- (3) The allottee of the site shall be given a receipt for the premium, if any, paid by him to the Land Management Committee and a certificate of allotment. The certificate shall be in **R.C. Form-18** which shall be prepared in two parts, the main certificate being given to the allottee and its counterpart remaining with the Land Management Committee for record.
- Maximum area and other
conditions of allotment
(Sections 63 and 64)
64. (1) The maximum area of allotment under rule 61 or 62 shall not exceed 200 square meters.
- (2) The allottee of an abadi site shall not be liable to pay any premium or ground rent, but he shall hold such abadi site on the following terms and conditions:-
- (a) The allottee shall build a house and shall begin to reside in it or use it for the purpose for which the site was allotted within a period of three years from the date of delivery of possession of the site allotted.
- (b) If the allottee fails to comply with the terms and

conditions incorporated in clause (a) of sub-rule (2) of this rule, the Collector may cancel the allotment in accordance with section 66:

Provided that in the case of the persons belonging to Scheduled Caste or Scheduled Tribe the aforesaid time limit for building of the house shall not apply.

- (c) The allottee or his heirs shall not be entitled to transfer the site or the house built thereon by sale within a period of five years from the date of allotment. If the site or house is transferred after the expiry of five years from the date of allotment, the allottee shall not be eligible for re-allotment.
- (d) The allottee shall have heritable interest in the land so allotted.
- (e) The succession to the land shall be governed by the personal law of the allottee.
- (f) Subject to the provisions of section 66, the allottee or his heirs shall not be liable to be ejected from the land allotted or from the house built thereon.
- (g) If the land or the house built thereon is abandoned or if the allottee or his heirs die without any heir, the property shall re-vest in the Gram Panchayat.

Procedure for Inquiry into
irregular allotment of
abadi sites
(Section 66)

65. (1) The Collector may, of his own motion and shall, on the application of any person aggrieved by any order of allotment under rule 61 or 62 proceed to make an inquiry in the manner given hereunder.
- (2) The application under this rule shall be supported by affidavit. The applicant or his counsel shall make the endorsement with date of filing the application. It shall be registered in the register of the case within a period of two working days from the date of filing the application.
- (3) The allottee and Land Management Committee shall be necessary parties to all such cases.

(4) The applicant may move an application supported with affidavit for interim relief and the Collector may on such application of any party or otherwise may pass suitable interim orders at any time before the final disposal of the case.

(5) If the Collector is prima facie satisfied that the applicant is an aggrieved person, he shall call upon all persons interested in the order of allotment to appear and present their case before him by filing counter affidavit within three weeks from the date of service of notice. The further time for filing the counter affidavit may be granted by the Collector on the sufficient grounds shown for the purpose.

(6) If the counter affidavit is filed, the two weeks' time for filing the rejoinder affidavit shall be granted which may be extended on the sufficient ground shown for the purpose.

(7) Where the proceeding is initiated *suo motu*, the Collector shall call upon all persons interested in the order of allotment to appear and present their case before him.

(8) It shall not be necessary to record evidence but the memo of the day to day inquiry shall be kept on record by the Collector.

(9) If the Collector, on making inquiries, is satisfied that the allotment is irregular, he shall cancel the allotment and thereupon the right, title and interest of the allottee and of every other person claiming through him in the land shall cease and the same shall re-vest in the Gram Panchayat.

(10) The Collector shall make an endeavour to conclude the inquiry within the period not exceeding six months from the date of registration of the case and if the inquiry is not concluded within the period aforesaid the reason for the same shall be recorded.

Information to Assistant
Collector
(Section 67)

66. The information to Assistant Collector required by section 67(1) shall be submitted by the Chairman or any member or the Secretary of the Land Management Committee, or any officer of the Local Authority concerned in **R.C. Form-19**.

Further inquiry by
Assistant Collector
(Section 67)

67. (1) On receipt of the information under rule 66, or on facts otherwise coming to his knowledge, the Assistant Collector may make such inquiry as he deems proper and may obtain further information regarding the following points:-

(a) full description of damage or misappropriation caused or the wrongful occupation made with details of village, plot number, area, boundary, property damaged or misappropriated and market value thereof;

(b) full address along with parentage of the person responsible for such damage, misappropriation or wrongful occupation;

(c) period of wrongful occupation, damage or misappropriation and class of soil of the plots involved;

(d) value of the property damaged or misappropriated calculated at the circle rate fixed by the Collector and the amount sought to be recovered as damages.

(2) The Assistant Collector shall thereafter proceed to take action under section 67(2) and for that purpose issue a notice to the person concerned in **R.C. Form-20** to show cause as to why compensation for damage, misappropriation or wrongful occupation not exceeding the amount specified in the notice be not recovered from him and why he should not be evicted from such land.

(3) If the notice referred to in section 67(2) remains uncomplished with or if the cause shown by the person

concerned is found to be insufficient, the Assistant Collector may direct by order that-

- (a) such person be evicted by using such force as may be necessary; or
 - (b) the amount of compensation for damage or wrongful occupation ordered by the Assistant Collector, if not paid in specified time, may be recovered as arrears of land revenue, including the amount of expenses referred to in sub-rule (3).
- (4) The amount of damages sought to be recovered and the expenses of execution of the order shall be specified in such notice, which shall be determined in the following manner:-
- (a) In the case of damage or misappropriation, the amount of damages shall be assessed at the prevailing market rate.
 - (b) In the case of unauthorized occupation of any land, the amount of damages shall be the amount equal to the five percent of the market value of the land calculated at the circle rate fixed by the Collector for each year of unauthorized occupation.
 - (c) The expenses of execution of the order shall be assessed on the basis of one day's pay and allowances payable to the staff deputed.
- (5) If the person wrongfully occupying the land has done cultivation therein, he may be allowed to retain possession thereof until he has harvested the crops subject to the payment by him of the amount equal to the five percent of the market value of the land calculated as per the circle rate which shall be credited to the Consolidated Gaon Fund or the Fund of the local authority other than the Gram Panchayat as the case may be. If the person concerned does not make the payment of the aforesaid amount within the period specified in the notice in **R.C.**

Form-20, the possession of the land shall be delivered to the Land Management Committee or the local authority, as the case may be, together with the crop:

Provided that where such person again wrongfully occupies the same land or any other land within the jurisdiction of the Gram Panchayat or the local authority as the case may be, he shall be evicted therefrom forthwith and possession of the land vacant or together with the crop thereon shall be delivered to the Land Management Committee or the local authority as the case may be.

(6) The Assistant Collector shall make an endeavour to conclude the proceeding under section 67 of the Code within the period of ninety days from the date of issuance of the show cause notice and if the proceeding is not concluded within such period the reasons for the same shall be recorded.

(7) Nothing in sub-rule (5) shall debar the Land Management Committee or the local authority as the case may be from prosecuting the person who encroaches upon the same land second time in spite of having been evicted under the Code or the rules, under section 447 of the Indian Penal Code, 1860.

(8) There shall be maintained in the office of each Collector a register in **R.C. Form-21** showing details of the amount ordered to be realized on account of damages and compensation awarded in proceedings under section 67.

(9) A similar register shall also be maintained by each tahsildar showing realization of damages and compensation awarded in such proceeding. The entries made in the register maintained at tahsil shall be compared with the register maintained by the Collector to ensure accuracy of the entries made therein.

(10) A progress report showing realization of damages and compensation awarded in proceedings under section 67 shall be sent to Board of Revenue, U.P., Lucknow by the fifteenth day of April and October every year. The Board after consolidating the report so received from the districts shall send it to the Government.

(11) Nothing in rules 66 and 67 shall debar any person from establishment of his right, title or interest in a court of competent jurisdiction in accordance with the law for the time being in force in respect of any matter for which any order has been made under section 67 of the Code.

Settlement of house sites
with existing owners
thereof
(Section 67-A)

68. (1) Where any person referred to in sub-section (1) of section 64 has built a house on any land referred to in section 63 of the Code, not being land reserved for any public purpose and such house exists on twenty-ninth day of November 2012, the site of such house shall be held by the owner of the house on terms and conditions prescribed in rule 64.

Note:- For the removal of doubt it is hereby declared that the maximum area of the site settled under section 67-A (1) of the Code or the rules framed there under shall not exceed two hundred square meters.

(2) Where any person referred to in sub-section (1) of section 64 has built a house on any land held by a tenure holder (not being a government lessee) and such house exists on twenty-ninth day of November 2000, the site of such house shall be deemed to be held by the owner of the house on the following terms and conditions –

(a) the maximum area of the site settled under section 67-A (2) of the Code or the rules framed thereunder shall not exceed two hundred square meters.

(b) the owner of the house as well as his heirs shall have a heritable interest in the site and

shall also have unrestricted right to use the trees and wells existing on the site subject to existing rights of easements.

- (c) he shall have a right to use the site for construction of a residential house, subject to existing rights of easement.
- (d) the owner of the house shall not be liable to pay to the tenure holder or the State Government any future rent in respect of the site.
- (e) the succession over the site shall be governed by personal law which the house owner was subject to.
- (f) the owner of the house and his heirs shall not be liable to ejection on any ground whatsoever.
- (g) if the building is abandoned or if the owner thereof dies without any heir entitled to succeed, the land or site shall escheat to the State.
- (h) the tenure holder shall be allowed remission of the proportionate land revenue for the portion of his holding settled under this rule with house owners. The land shall also be classified as abadi in the Khatauni maintained under the Code.

GAON FUND AND CONSOLIDATED GAON FUND

Gaon Fund
[Section 68(3)]

69. (1) All money received or realised by or on behalf of the Gram Sabha, Gram Panchayat or the Samiti including donations shall be credited to the Gaon Fund.
- (2) Money due to the above bodies may be collected either by payment at the office or by out-door collections. For every such payment, a proper receipt shall be issued.
- (3) The Chairman shall be responsible for the

maintenance of proper accounts of the Gaon Fund and for cash held by the Samiti.

(4) Subject to the provisions of section 69(2), the Gaon Fund may be utilised for the purposes specified in section 60(2).

(5) Every expenditure from the Gaon Fund shall be incurred only under the authority of a resolution of the Samiti.

Consolidated Gaon Fund
[Section 69(1)(c) and
section 69(5)]

70. (1) Besides the amounts specified in clauses (a) and (b) of section 69(1), the following amounts shall also be credited to the Consolidated Gaon Fund:-

(a) The amount of damages realised under section 136(1);

(b) The amount of damages realised under section 151(1);

(c) The amount of value of the tree and the penalty recovered under section 228;

(d) Any grant or contribution made by the State Government to meet out the expenses enumerated in section 69(3) of the Code.

(2) If the Consolidated Gaon Fund is established at the tehsil level, the amount shall be credited in the Consolidated Gaon Fund at the tehsil level in the percentage fixed by the State Government.

(3) The account of Consolidated Gaon Fund at the tehsil level shall be conducted jointly by the Sub-Divisional Officer and tahsildar concerned.

Collector's direction
[Section 69(2)]

71. (1) Where the State Government has notified the percentage of the total amount credited to the Gaon Fund, the Collector shall direct the Chairman in the month of June every year to deposit the requisite amount into the Consolidated Gaon Fund at the district level and at the tehsil level separately.

(2) The Chairman shall promptly comply with the

above direction and shall inform the Samiti at its next meeting.

Appointment of Counsels
(Section 72)

72. (1) For the conduct of suits, applications and other proceedings, including objections, appeals, revisions, writs and special appeals, by or against the Gram Sabha, Gram Panchayat or Bhumi Prabandhak Samiti, the following shall be appointed in the manner provided in sub-rule (2) as Panel Lawyers for the court specified against each:

- (a) One or more Tahsil Gram Panchayat Panel Lawyers (Revenue) for each tahsil in respect of revenue cases before the court of Tahsildar or before a Consolidation Officer whether they hold their court at tahsil headquarters or at any other place within the tahsil. If, there is only one Tahsil Gram Panchayat Panel Lawyer (Revenue), he will represent all the Gram Panchayats within the tahsil, but where there are more than one Tahsil Gram Panchayat Panel Lawyers (Revenue), each Tahsil Gram Panchayat Panel Lawyer (Revenue) will represent such Gram Panchayats within the tahsil as may be assigned to him by the Collector.
- (b) One Tahsil Gram Panchayat Panel Lawyer (Civil) for each tahsil in respect of civil cases before civil courts, if any, within the tahsil. He will represent all the Gram Panchayats within the tahsil.
- (c) One District Gram Panchayat Panel Lawyer (Revenue) and one or more Additional District Gram Panchayat Panel Lawyers (Revenue) for each district in respect of revenue cases before the courts of Collector, Additional Collector, Assistant Collector First Class (excluding Tahsildar), Settlement Officer Consolidation, Deputy Director of Consolidation, District Deputy Director of

Consolidation and Director of Consolidation, whether they hold their court at district headquarters or at any other place within the district. If, there is only District Gram Panchayat Panel Lawyer (Revenue), he will represent all the Gram Panchayats within the district, but where there are one or more Additional District Gram Panchayat Panel Lawyers (Revenue), District Gram Panchayat Panel Lawyer (Revenue) and Additional District Gram Panchayat Panel Lawyer (Revenue) will represent such Gram Panchayats within the district as may be assigned to him by the Government.

- (d) One District Gram Panchayat Panel Lawyer (Civil) for each district in respect of civil cases before all the civil courts at district headquarters excluding the High Court, he will represent all the Gram Panchayats within the district.
- (e) One or more Divisional Gram Panchayat Panel Lawyers (Revenue) at each divisional headquarter for the courts of the Commissioner and the Additional Commissioner. If, there is only one Divisional Gram Panchayat Panel Lawyer (Revenue), he will represent all the Gram Panchayats within the division, but where, there are more than one Divisional Gram Panchayat Panel Lawyers (Revenue), each Divisional Gram Panchayat Panel Lawyer (Revenue) will represent all the Gram Panchayats within such district or districts as may be assigned to him by the Government.
- (f) One or more Standing Counsel (Board of Revenue) for the cases of all the Gram Panchayats within the State before Board of Revenue each at

Allahabad and at Lucknow. If, there is only one Standing Counsel (Board of Revenue), he will represent all the Gram Panchayats within the State, but where, there are more than one Standing Counsel (Board of Revenue), each Standing Counsel (Board of Revenue) will represent all the Gram Panchayats within the District/s or Division/s as may be assigned to him by the Government.

- (g) One or more Standing Counsel (Revenue) for the High Court each at Allahabad and at its Bench at Lucknow. If, there is only one Standing Counsel (Revenue) for the High Court at Allahabad and one Standing Counsel (Revenue) for the Lucknow Bench, he will represent all the Gram Panchayats within the High Court at Allahabad and the Lucknow Bench respectively, but where there are more than one Standing Counsel (Revenue), each Standing Counsel (Revenue) will represent all the Gram Panchayats within such District/s or Division/s as may be assigned to him by the Government.

(2) Manner of Appointment.-

- (a) The Tahsil Panel Lawyers shall be appointed by the Collector of the District after considering the recommendations of the Sub-Divisional Officer concerned.
- (b) Unless otherwise directed by the Government in any particular case or cases, a Government Counsel appointed by the Government to conduct suits for or against the Government in the revenue courts at district headquarters shall be deemed to have been appointed by the Government as District Gram Panchayat Panel Lawyers (Revenue)

for the district under clause (c) of sub-rule (1). Similarly, a Government Counsel appointed by the Government to conduct cases for or against the Government before the Civil Courts at the District Headquarters or before the court of Commissioner/Additional Commissioner or the Board of Revenue or before the High Court shall be deemed to have been appointed respectively by the Government as District Gram Panchayat Panel Lawyer (Civil), Divisional Gram Panchayat Panel Lawyer (Revenue), Standing Counsel (Board of Revenue) and the Standing Counsel (Revenue).

- (c) The appointments of the Panel Lawyers referred to in clause (c) of sub-rule (1) of this rule shall be made by the Government after consideration of the recommendations of the Collector.
- (d) The appointments of the Panel Lawyers referred to in clauses (b) and (d) of sub-rule (1) of this rule shall be made by the Government after consideration of the recommendations of the Collector and the District Judge.
- (e) The appointments of the Panel Lawyers referred to in clause (e) of sub-rule (1) of this rule shall be made by the Government after consideration of the recommendations of the Commissioner.
- (f) The appointments of the Panel Lawyers referred to in clause (f) of sub-rule (1) of this rule shall be made by the Government after consideration of the recommendations of the Chairman of the Board.
- (g) The appointments of the Panel Lawyers referred to in clause (g) of sub-rule (1) of this rule shall be made by the Government after consideration of the recommendations of the Chairman of the Board.
- (h) In making such appointments as referred to in

clause (g) of this sub-rule, the Government may, if considered necessary, take in to consideration the views of the Advocate General.

(3) Notwithstanding anything contained in clause (b) of this sub-rule, the Government may appoint Panel Lawyers under clauses (c) to (g) of sub-rule (1) for the Gram Panchayat cases.

Terms and conditions of
counsels
(Section 72)

73. (1) Unless otherwise specially provided by or under the Code, the terms and conditions of the Standing Counsel referred to in clauses (a) and (b) of section 72 shall be at par with other Standing Counsel appointed by the State Government in the High Court.

(2) Unless otherwise specially provided by or under the Code, the terms and conditions of Counsel referred to in clauses (c) and (d) of section 72 shall be at par with the District Government Counsel (Civil) appointed by the State Government in various districts.

(3) The Panel Lawyers shall be entitled to a flat rate of fee per case, irrespective of the numbers of date fixed therein as given below:-

(a) For the court of Tahsildar and the Consolidation Officer situate at Tahsil headquarters or within the Tahsil Rs.500/-

(b) For the Court of Collector, Additional Collector, Assistant Collector First Class (excluding Tahsildar), Settlement Officer Consolidation and all the Civil Courts excluding High Court Rs.600/-.

(c) For the Court of the Commissioner, the Additional Commissioner. Deputy Directors, Joint Directors and Director of Consolidation Rs.750/-

(d) For the Board of Revenue, U.P. Rs.1000/-

(e) For the High Court Rs. 1500/-;

Provided that the Collector or the Government may in

exceptional or intricate cases requiring an abnormal time and labour allow a higher fee subject to the following maximum;

- (a) For the court of Tahsildar and the Consolidation Officer situate at Tahsil headquarters or within the Tahsil Rs.1000/-
- (b) For the Court of Collector, Additional Collector, Assistant Collector First Class (excluding Tahsildar), Settlement Officer Consolidation and all the Civil Courts excluding High Court Rs.1200/-
- (c) For the Court of the Commissioner, the Additional Commissioner. Deputy Directors, Joint Directors and Director of Consolidation Rs.1500/-
- (d) For the Board of Revenue, U.P. Rs.2000/-
- (e) For the High Court Rs. 3000/-

Explanation-If two or more cases involving substantially identical questions are heard together with common arguments, Panel Lawyers shall be entitled to only one fee as for a single case.

(4) Office accommodation and reimbursement for the Telephone/Mobile calls for official purposes shall be provided to the Panel Lawyer as per the directions issued by the Government from time to time.

(5) If a Panel Lawyer is called upon to perform any duty other than those referred to in the Code or these rules, he shall be paid such fee as may be determined by the Government.

(6) The clerks of the Panel Lawyers (Revenue) referred to in sub-rule (3) shall be paid a fee equal to 15% of the fee payable to such Panel Lawyer.

(7) In addition to the fee enumerated in sub-rule (4) of this rule, the Panel Lawyers appointed under section 72 of

the Code shall be paid drafting fee as under:

Sl. No.	Particulars of drafting	Fees
1	2	3
1.	Application/objection	Rs. 100/-
2.	Plaint/written statement	Rs. 500/-
3.	Affidavit/Counter Affidavit/Rejoinder Affidavit	Rs. 300/-
4.	Memo of appeal/Memo of revision/ Memo of Review	Rs. 700/-
5.	Written argument, if any (a) before Tahsildar, S.D.O. or C.O.;	Rs. 400/-
	(b) before district level officer;	Rs. 500/-
	(c) before Commissioner/Additional Commissioner;	Rs. 750/-
	(d) before Board;	Rs. 1000/-
	(e) before High Court. provided that fee for written argument would be paid only when the written argument is filed with the permission of the court or on the resolution of the Bhumi Prabandhak Samiti.	Rs. 1500/-

Provided that no fee shall be paid on the application moved for adjournment.

(8) The Collector, the Commissioner and the Secretary, Board of Revenue, shall maintain confidential files in respect of the Panel Lawyers in the district, at the Divisional headquarters and at the headquarters of the Board of Revenue respectively

and shall annually enter therein remarks on the Lawyers' capacity, efficiency, integrity and general performance.

Other terms and conditions of Counsel (Sections 62 and 72)

74. Other terms and conditions of appointment of Counsels referred to in section 72 shall be as under:-

- (a) The Panel Lawyer, when required, give legal opinion and advice free of charge to Bhumi Prabandhak Samiti of the Gram Panchayat in regard to the institution, conduct and the defence of the cases.
- (b) If the State Government has been impleaded in any suit or proceeding along with the Gram Sabha, Gram Panchayat or the Samiti, the Counsel appearing for such bodies shall also defend the interest of the State unless directed otherwise.
- (c) Every such Counsel shall be bound to inform the Collector about all those cases where he is satisfied that the Chairman, the Secretary or any other Member of the Samiti has colluded with the opposite party or has failed to take due interest in the pairvi or conduct of the case.
- (d) The original appointment of every such Counsel shall be for three years which could be renewed for a term of further 3 years in a time provided the work, conduct and integrity of such Lawyer is found to be satisfactory. But the appointing authority shall have exclusive discretion to terminate the engagement at any time without assigning any reason.
- (e) No Panel Lawyer shall institute, contest or conduct any case unless he is authorised to do so by the Sub-Divisional Officer, or the Collector, or the Board of Revenue, or the Government, as the case may be. He will also be under a disability to

appear in any case against a Gram Sabha, Gram Panchayat or the Bhumi Prabandhak Samiti for which he has been appointed except with the permission of the Government or the Collector of the District in which the Gram Panchayat is situate. This permission may be granted if there is no conflict of interest between the party for which he appears and the Gram Panchayat.

- (f) Other duties of the Panel Lawyers and the control of the Collector, Commissioner, the Secretary Board of Revenue or the Government, as the case may be, over them and conduct of suits and legal proceedings shall be governed by the instructions regarding conduct of Gram Panchayat litigation contained in **Appendix-II** to these rules or the instructions issued by the State Government from time to time.

Special Counsel
(Section 73)

75. Every special Counsel referred to in section 73(2) may be appointed on such terms and conditions as the State government or the Collector may deem fit considering the nature of the suit or proceeding under reference.

Duties of Counsels
(Sections 72 and 73)

76. No Counsel specified in sections 72 and 73 shall enter into any agreement or compromise with reference to or withdraw from any suit or proceeding on behalf of the Gram Sabha, Gram Panchayat or Samiti, unless the provisions of section 62 are complied with.

Meetings of the Samiti
[Section 59(5) and
Clauses (ix) to (xv) of
section 233(2)]

77. (1) For the purposes of performing its functions and discharging its duties under the Code, the Samiti shall hold its meetings at such intervals as may be considered necessary but such meetings shall not be less than three in a calendar year, and one of such meetings shall be held between May 15 and July 15, so that allotments of land may be finalised before the commencement of the next agricultural year.

(2) Every such meeting shall be called by the Chairman, and the notice containing the date, time, place and agenda thereof shall be served on each member of the Samiti at least three days in advance.

(3) Such notices shall be served personally on the members of the Samiti, failing which it may be served on any adult member of his family. If such service is not possible, the notice may be affixed at any conspicuous place at the residence of such member.

(4) Signature and thumb impression of each member shall be obtained on the copy of the notice and the same shall be pasted in the Proceedings Book.

(5) If a written request signed by at least one-third members of the Samiti is received by the Chairman, he shall be bound to call the meeting of the Samiti within ten days from the date of receipt of such request.

(6) The Chairman may, with the concurrence of the Members, co-opt any other person for a particular meeting in advisory capacity without any right to vote.

Transaction of business of meetings of Samiti [Section 59(5) and Clauses (ix) to (xv) of section 233(2)]

78. (1) The Chairman shall preside over all the meetings of the Samiti. In his absence, the members present shall elect a president for the meetings from amongst themselves.

(2) The quorum of a meeting of the Samiti shall be fifty percent of its total membership, but no quorum shall be necessary for an adjourned meeting, for which fresh notices to the members shall be necessary.

(3) The Secretary shall keep a brief record of all the decisions of every meeting in Hindi language and Devanagri script in **B.P.S. Form-6 (old B.P.S. Form 2)**. The proceedings of every meeting shall be read out, confirmed and signed by the Chairman at the next meeting.

(4) The accounts, registers and upto date records of all

the properties placed in the charge of the Samiti shall be kept and maintained by the Secretary and shall be put up at least twice in a calendar year before the Samiti for its information and necessary action. Any discrepancy or damage to them shall be promptly reported to the Tahsildar through the Revenue Inspector of the area.

(5) No decision regarding lease or other transfer of any property shall be taken up in any meeting, unless it is included in the agenda of such meeting.

Duties of the Secretary
[Sec.233(2)(xvii)]

79. It shall be the duty of the Secretary of the Samiti to attend all its meetings, and to maintain the various registers, records and other documents provided for in these rules and required by the State Government or the Collector. In addition, the Secretary shall be bound:-

- (a) to ensure compliance of the provisions of the Code and all directions issued by the above authorities;
- (b) to bring to the notice of the Samiti any irregularity or omission on its part;
- (c) to provide every information asked for by the Samiti in respect of entries in land records, and to issue copies free of charge (such copies shall bear an endorsement that the same is meant for use of the Samiti alone);
- (d) to report to the Sub-Divisional Officer/Collector (through Tahsildar) all cases of damage, encroachment or misappropriation of properties entrusted to the Gram Panchayat and also send a copy of such report to the Chairman for information.
- (e) to get the leases executed by the Samiti duly registered or attested within the prescribed period; and
- (f) to attend to all matters pertaining to litigations to which the Gram Sabha, Gram Panchayat or the

Samiti is a party.

Records to be maintained
by the Samiti
[Section 233(2) clauses
(xiv) to (xvii)]

80. The Samiti shall maintain the following records:
- (a) Record of all its properties in (Bhumi Prabandhak Samiti) **B.P.S. Form-1**.
 - (b) Tahsil Register of land to be leased in possession of Bhumi Prabandhak Samiti in **B.P.S. Form-2 (old B.P.S. Form 1-A)**.
 - (c) Statement of land leased by Bhumi Prabandhak Samiti in Fasli Year 14.... in **B.P.S. Form-3 (old B.P.S. Form 1-B)**.
 - (d) Detail of land to be leased in the year expired on 30th September, 20.... to Bhumidhar with non-transferable rights/tenure holders in **B.P.S. Form-4 (old B.P.S. Form 1-C)**.
 - (e) Statement of land leased by the Bhumi Prabandhak Samiti in **B.P.S. Form-5 (old B.P.S. Form 1-D)**.
 - (f) Proceedings Book in **B.P.S. Form-6 (old B.P.S. Form 2)**.
 - (g) Permit of cutting of trees in **B.P.S. Form-7 (old B.P.S. Form 2-A)**.
 - (h) Counterpart of leases of admission to land in **R.C. Form-22 and R.C. Form-23**.
 - (i) Zamabandis of asamis of Gram Panchayat in **R.C. Form-24**.
 - (j) Demand and Collection Register in **B.P.S. Form-8 (old B.P.S. Form 3)**.
 - (k) Certificates of Recovery of Gram Panchayat dues in **B.P.S. Form-9 (old B.P.S. Form 3-A)**.
 - (l) Receipt Books in **B.P.S. Form-10 (old B.P.S. Form 4)**.
 - (m) Cash Book in **B.P.S. Form-11 (old B.P.S. Form 5)**.
 - (n) Register of expenditures in **B.P.S. Form-12 (old B.P.S. Form 6)**.
 - (o) Any other Register which may be required by the

State Government or the Board.

Zamabandi for asamis of
Gram Panchayat
[Section 233(2)(ix) and
(xvi)]

81. (1) As soon as possible after the commencement of each agricultural year, the Lekhpal shall prepare the Zamabandi of asamis of Gram Panchayat in **R.C. Form-24** for each village of his Halqa, showing therein separately the rent payable for the Kharif and Rabi crops.
- (2) Such Zamabandi shall also show the arrears of rent and excess collections, if any, made during the preceding year.
- (3) All the entries in the current Zamabandi shall be checked by the Revenue Inspector who shall sign it and shall initial the corrections, if any.
- (4) At least 25 percent of the entries in such Zamabandi shall be checked and initialled by the Naib Tahsildar, 5 percent of the entries thereof shall be checked and initialled by the Tahsildar and the same shall be certified by the Sub-Divisional Officer who shall also check at least 2 percent of such entries.
- (5) The Zamabandi shall then be submitted to the Chairman of the Samiti before November 15, each year.
- (6) Annual account of collections and the balance outstanding shall also be prepared by the Lekhpal on the pattern of the Land Revenue collections.

Orders and directions of
the State Government
(Section 70)

82. (1) All the orders and directions of the State Government to the Samiti under section 70 shall be issued through the Collector.
- (2) The orders and directions of the Collector under the said provision shall not be inconsistent with those issued by the State Government.
- (3) All the orders and directions issued by the State Government may be printed and compiled separately.

CHAPTER-IX**TENURES**

- Determination of area
[Proviso to section
76(1)(dd)]
83. The area to which the rights of a Bhumidhar with non-transferable rights shall accrue under section 76(1)(dd) of the Code, shall be determined in accordance with the principles laid down in the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.
- Change of class of public utility land
(Section 77)
84. (1) When the class of any public utility land is sought to be changed under the proviso to section 77, then necessary request shall be made to the State Government through the Collector, giving details of the land, nature of its use and justification for the change.
- (2) The class of any public utility land may be changed only in exceptional cases when the State Government comes to the conclusion that the change of class of land is necessary in the public interest.
- (3) The State Government may accept the request with or without modification and may impose such conditions or restrictions as it considers necessary. The Collector shall thereafter give due publicity to the change in class of land and shall direct the records to be corrected accordingly.
- Application for declaration
(Section 80)
85. (1) A bhumidhar with transferable rights using his holding or any part thereof for a purpose not connected with agriculture may apply to the Sub-Divisional Officer for a declaration under section 80(1) in **R.C. Form-25**.
- (2) The applicant shall pay the required amount of declaration fee which shall be one percent of the amount calculated as per the circle rate for agricultural purpose fixed by Collector of the district concerned or as per the rate fixed by State Government from time to time.
- (3) On receipt of the application under sub-rule (1), the Sub-Divisional Officer may cause an inquiry to be made through a revenue officer not below the rank of a

Revenue Inspector for the purpose of satisfying himself that the holding or part thereof is really being used for a non-agricultural purpose. The concerned officer shall, after spot verification submit his report to the Sub-Divisional Officer indicating the purpose for which the holding or part thereof is being actually used.

Notice to the bhumidhar
(Section 80)

86. Where the proceedings under section 80(1) has been initiated by the Sub-Divisional Officer on his own motion, he shall issue notice to the bhumidhar concerned, and the inquiry referred to in rule 85(3) shall be held after the reply, if any, of the bhumidhar is submitted.

Grant of declaration
(Section 80)

87. If after scrutinizing the report of the revenue officer, the Sub-Divisional Officer is satisfied:

(a) that the entire holding is being used for a purpose not connected with agriculture; and

(b) that the conditions specified in section 80(4) are complied with, he may make a declaration under section 80(1), in respect of such holding.

Apportionment of Land
Revenue
(Section 80)

88. (1) If only a part of the holding is being used by a bhumidhar with transferable rights for a non-agricultural purpose, and the Sub-Divisional Officer is satisfied that the provisions of the second proviso to section 80(1) have not been contravened, he may make a declaration only with respect of such part, provided that the cost of demarcation as per sub-rule (2) of the rule 22 is deposited by the bhumidhar before such declaration.

(2) Where the proceeding for declaration in respect of a part of the holding is initiated by the Sub-Divisional Officer *suo motu*, the cost of such demarcation shall be recovered by the Sub-Divisional Officer as arrears of land revenue.

(3) In every case of declaration under sub-rule (1) or sub-rule (2), the demarcation shall be made on the basis of the existing survey map, and the Sub-Divisional

Officer shall apportion the land revenue payable by such bhumidhar.

(4) The Sub-Divisional Officer shall make an endeavour to conclude the proceeding for declaration under sub-section (1) of section 80 within the period of 45 days from the date of registration of the application and if the proceeding is not concluded within such period the reasons for the same shall be recorded.

Cancellation of
declaration
(Section 82)

89. Where any holding or any part thereof has been the subject matter of declaration under section 80 of the Code or section 143 of the U.P. Zamindari Abolition and Land Reforms Act, 1950, and such holding or part is again used for a purpose connected with agriculture, necessary application for cancellation of such declaration under section 82 may be submitted to the Sub-Divisional Officer in **R.C. Form-26**.

Inquiry before
cancellation
(Section 82)

90. On receipt of the application under rule 89, the Sub-Divisional Officer shall make an inquiry and follow the procedure laid down in rules 85 to 88 before the declaration is cancelled in accordance with section 82.

Mode of declaration and
cancellation
(Section 83)

91. (1) Every declaration made under section 80 and cancellation thereof under section 82 shall be duly signed by the Sub-Divisional Officer and shall bear the seal of his Court and shall contain the following particulars:

- (a) Section under which it was made.
- (b) Number and area of the plot in respect of which it was made.
- (c) The land revenue, if any, of the plots in question.
- (d) Name of the village and Tahsil and district where the plot was situate.
- (e) Name, parentage and address of the bhumidhar in whose favour the declaration was made.
- (f) The date of the declaration.

(2) Such a declaration need not be registered under the

Registration Act, 1908, but the same shall be recorded in the record of rights.

Rate of interest
(Section 82)

92. When a mortgage with possession is substituted by a simple mortgage under the proviso to clause (c) of section 82(2), then such simple mortgage shall carry interest at the rate of 4 percent per annum.

Recording of declaration
or cancellation
(Section 83)

93. Every declaration under section 80 or cancellation under section 82 shall be recorded in Record of Rights and even after declaration under section 80, the mutation order on the basis of transfer or succession shall be passed in the manner prescribed in Chapter V of these rules.

Application for acquisition
of land exceeding
5.0586hectares
[Section 89(3)]

94. (1) The State Government may by a general or special order, authorise any person to acquire land in excess of the limits specified in section 89(2), if such acquisition is-

- (a) for a charitable or industrial purpose; and
- (b) in favour of a registered society or a company or other corporation or an educational institution or a charitable institution; and
- (c) in its opinion in public interest.

(2) If in any special case, any person wants to acquire land in excess of the limit specified in section 89(2), then he shall submit an application to the Secretary to the State Government, in the Revenue Department, specifying therein the following particulars:-

- (a) Name and address of the applicant, (if the applicant is a juristic person, the detailed particulars of such person).
- (b) The details of the property sought to be acquired.
- (c) The name and address of the person from whom the land is sought to be acquired.
- (d) The mode of acquisition (sale, gift etc.).
- (e) Sale consideration, if any.
- (f) Purpose of acquisition.
- (g) Any other information which may be considered

relevant.

(3) On receipt of the application under sub-rule (2), the State Government may make an inquiry, and if it is of opinion that the conditions specified in section 89(3) are fulfilled, it may grant the requisite permission with or without any conditions or restrictions.

(4) If the State Government grants the permission under section 89(3), a copy thereof shall be sent to the Collector of the district concerned.

Application for permission
for acquiring land
(Section 90)

95. Every application for permission to acquire land under section 90, by a person other than an Indian Citizen, shall be made to the Secretary to the State Government in Revenue Department, and it shall contain the following particulars:-

- (a) Name, parentage and address of the applicant.
- (b) Copy of the front, page of the Passport (disclosing its number and the name of issuing authority).
- (c) If residing in India? If so, since when?
- (d) If residing outside India, then the name of the countries where he lived during last 5 years.
- (e) Particulars of the land for which the permission is sought for.
- (f) Name, parentage and address of the person whose land is sought to be acquired.
- (g) The mode of acquisition (sale, gift, etc.). If it is sale, then the amount of sale price.
- (h) The purpose of acquisition of land.
- (i) If the land is sought to be acquired by any Company or association or other body, then the details of its members with names and addresses.

Inquiry by State
Government
(Section 90)

96. (1) On receipt of the application under rule 95, the State Government may make such inquiry as may be considered necessary, before granting or rejecting the application.

(2) If the application under section 90 is granted, the State Government shall also inform the Collector of the district where the land under reference is situate.

(3) Before making an inquiry under this rule, the State Government may require the applicant to deposit such fee as is required by Government Order issued from time to time for defraying the expenses of inquiry as it thinks proper.

Transactions amounting to
deemed sales.
(Section 93)

97. (1) As soon as the Lekhpal learns about a transaction which is deemed to be a sale under section 93, he shall submit a report to the Assistant Collector specifying therein the following particulars:

(a) Names, parentage and addresses of the transferor and the transferee.

(b) The number, area and other details of the land transferred;

(c) The date of transfer of possession.

(d) The nature of such transfer.

(2) On receipt of the report of the Lekhpal or on information received otherwise, the Assistant Collector shall call upon the parties to the transaction to show cause why action under section 93 (read with sections 103 or 104) should not be taken in respect of the land in question.

(3) After hearing the parties and making such further inquiry as he considers necessary, the Assistant Collector shall pass suitable orders, and if necessary, direct the correction of records accordingly.

Lease of land
(Sections 95 and 97)

98. (1) Any person mentioned in clauses (a) to (h) and clause (j) of section 95 of the Code or any person who is, because of being in any public or private service, business, trade or profession or being elected or nominated member of Parliament or State Legislature, unable to cultivate his holding, may let out the whole or part of his holding for a period not exceeding three years

at a time.

(2) Every lease of land under section 94 or section 95 carrying annual rent exceeding Rs.100/- shall be executed by registered instrument only.

(3) Every other lease carrying annual rent upto Rs.100/- or less may be attested by any revenue officer not below the rank of a Revenue Inspector of the area concerned.

(4) Every attestation by a revenue officer under this rule shall be, as far as possible, in the following form:-

“This deed of lease was presented before me on by the persons specified below. I have satisfied myself as to their identity and they have assented to the terms of the lease.

1. Name and address of the Lessor:.....

2. Name and address of the lessee.:.....

3. Name and address of the witnesses:

(a)

(b)

Signature of the Attesting Officer”

(5) The Attesting Officer shall keep a record of all the leases attested by him.

Collector’s permission for
transfer of Scheduled
Caste bhumidhar’s land.
(Section 98)

99. (1) An application under section 98 (1) or under section 98 (1) read with section 107, for permission to transfer land by way of sale or gift or for permission to bequeath land by will, as the case may be, shall be made by a Bhumidhar with transferable rights belonging to Scheduled Caste to the Collector in **R.C. Form-27**.

(2) An application under section 98 (1), for permission to mortgage his interest in the land shall be made by a bhumidhar, belonging to a Scheduled Caste to the Collector in **R.C. Form-28**.

(3) An application under section 98 (1), for permission to let out land shall be made by a bhumidhar

belonging to a Scheduled Caste to the Collector in **R.C. Form-29**.

(4) On receipt of an application under section 98 (1) the Collector shall make such inquiry as he may, in the circumstances of the case, deem necessary. He may also depute an officer not below the rank of Naib Tahsildar for:

(a) verification of the facts stated in the application; and

(b) reporting the circumstances in which permission for transfer is sought.

(5) The inquiry officer referred to in sub-rule (4) of this rule shall submit the report in duplicate within the period of fifteen days, from the date of receiving the order of such inquiry.

(6) A copy of the report shall be supplied to the applicant free of charge, from the office of the Collector where such report has been submitted.

(7) The applicant may file objection against the report submitted by the inquiry officer within the period of seven days from the date of receipt of the copy of the report.

(8) After receiving the report submitted under sub-rule (3) and the objection, if any, if the Collector is satisfied that-

(a) the conditions of clause (a) or clause (b) of sub-section (1) of section 98 are fulfilled; or

(b) the tenure holder or any member of his family is suffering from any fatal disease regarding which the certificate has been issued by any physician or surgeon specialist in the disease concerned and the permission for transfer is necessary to meet out the expenses for the treatment of such disease; or

(c) the applicant is seeking permission under section 98(1) of the Code for the proposed transfer to

purchase any other land from the consideration of such proposed transfer and the facts in this regard in the application are supported with certified copy of a registered agreement to sell in favour of the applicant; or

(d) the area of land held by the applicant on the date of application does not, after such transfer, reduce to less than 1.26 hectares, and

(e) if the permission is being sought for transfer by sale the consideration for the transfer of the land is not below the amount calculated as per the circle rate fixed by the Collector;

he may grant the permission by recording the reasons.

Explanation:- For the removal of doubt it is hereby clarified that if the condition enumerated in clause (d) of this sub-rule is not fulfilled but any condition enumerated in clauses (a) to (c) of this rule is fulfilled the permission under section 98(1) of the Code may be granted by Collector.

(9) An application referred to in sub-rule (2) or sub-rule (3) of rule 99 for permission to mortgage or to let out land, as the case may be, may be granted by the Collector on his being satisfied that the mortgage or letting out, as the case may be, is not possible in favour of a person belonging to a Scheduled Caste or Scheduled Tribe.

(10) An application referred to in sub-rule (1) of rule 99 for permission to bequeath land by will, may be granted by the Collector on his being satisfied that the bequeath of the land was not possible in favour of the person belonging to a Scheduled Caste or a Scheduled Tribe.

(11) The Collector shall make an endeavour to dispose of the application under section 98(1) within the period of fifteen days from the date of receiving the report submitted by the inquiry officer and if the application is

not disposed of within such period the reason for the same shall be recorded.

Application for exchange
between bhumidhars
(Section 101)

100. (1) Every application for exchange of land between two bhumidhars shall contain the following particulars:-
- (a) Names, parentage and addresses of both the parties to the exchange.
 - (b) Details of the land sought to be given and received in exchange (with plot numbers, area, location and land revenue).
 - (c) Whether the proposed exchange is necessary for the consolidation of holdings or for the convenience of cultivation.
 - (d) Whether the proposed exchange involves transfer of undivided interest in the land.
 - (e) Whether the land or any part thereof has been let out or encumbered.
 - (f) Valuation of the lands to be given and received in exchange and the extent of difference in such valuation.
 - (g) The areas of the land to be given and received in exchange and the extent of difference in such areas.
 - (h) Whether the land to be given and received in exchange are located in the same or adjacent villages of the same Tahsil.
- (2) Every such application shall be accompanied by the certified copies of the Khatauni relating to the plots to be given and received in exchange.

Application for exchange
of land of Gram Panchayat
(Section 101)

101. (1) Every application for exchange of land by a bhumidhar under clause (b) of section 101(1) shall contain the following particulars:-
- (a) The particulars specified in rule 100(i).
 - (b) Whether the land to be received in exchange from the Gram Panchayat is reserved for planned use or is

land in which bhumidhari right does not accrue.

(c) Whether the land to be received in exchange from the Gram Panchayat consists of any tree or other improvements, if so, their details.

(2) Every such application shall be accompanied by certified copies of the Khatuani relating to the plots given as well as received in exchange, together with a copy of the resolution of the Bhumi Prabandhak Samiti in favour of such exchange.

Grant of permission by
Sub-Divisional Officer
(Sections 101 and 102)

102. (1) On receipt of an application under rule 100 or rule 101, the Sub-Divisional Officer shall issue notice to the bhumidhar or the Gram Panchayat concerned to show cause why the permission for exchange should not be granted.

(2) The Sub-Divisional Officer shall also cause to be calculated the rental values of the land given or received in exchange and may also hear the lessees, mortgagees or other holders of the encumbrances, if any.

(3) If after making necessary inquiries, the Sub-Divisional Officer is satisfied that the parties are agreeable to such exchange and the required terms and conditions are fulfilled, he shall grant the requisite permission and shall direct the record of rights to be corrected accordingly.

(4) If the application is in respect of the land referred to in clause (b) of sub-section (1) and if it is reserved for planned use or is land in which bhumidhari rights do not accrue and the Sub-Divisional Officer is satisfied that the permission for exchange is in the interest of the applicant and is also in the public interest, he may refer the matter to the State Government for appropriate order and if the permission is granted by the State Government, the Sub-Divisional Officer shall direct the Record of Rights (Khatauni) to be corrected accordingly.

Transfer in contravention
of the provisions of the
Code
(Section 105)

103. (1) If a bhumidhar or an asami has transferred his interest in any holding or part thereof which is void under section 104, the Lekhpal shall promptly submit a report to the Sub-Divisional Officer containing particulars specified in rule 97(1).
- (2) On receipt of the report of the Lekhpal under sub-rule (1), or on information received otherwise, the Sub-Divisional Officer shall call upon the parties to the transfer to show cause, why action under section 104 read with section 105 should not be taken in respect of the land in question.
- (3) After hearing the parties and making such inquiries as may be considered necessary, if the Sub-Divisional Officer is satisfied that the transfer in question is void under section 104, he shall declare that-
- (a) the subject matter of such transfer shall vest in the State Government;
 - (b) the trees, crops, well and other improvements existing on the holding or part shall vest in the State Government free from all encumbrances; and
 - (c) the interests of the transferor as well as of the transferee stood extinguished, from the date of such transfer.
- (4) The Sub-Divisional Officer shall direct that the revenue records should be corrected accordingly and where the transfer in contravention of the provisions of the Code relates to a part of the holding, he shall also fix land revenue in respect of the part left with the transferor in accordance with Chapter XI of these rules.
- (5) Every order of the Sub-Divisional Officer under this rule shall be endorsed to the Samiti for necessary action.
- (6) Where any property referred to in section 105 has vested in the State Government, the Collector may evict

any person in unauthorised occupation of such property and deliver possession thereof to the Gram Panchayat concerned.

Bequest by bhumidhars
belonging to scheduled
castes
[Section 107(2)]

104. (1) If a bhumidhar with transferable rights belonging to a Scheduled caste wants to make a bequest of land held by him in favour of a person not belonging to such caste, he may apply to the Collector for grant of permission under section 107(2).

(2) Before granting such permission, the Collector shall take into consideration the circumstances as to why the applicant desires to make a bequest in favour of a person not belonging to the said caste, and may allow or reject the application by speaking order.

Lease of land
(Section 115)

105. (1) Where a bhumidhar or an asami of Gram Panchayat has died without leaving known heirs, and the Sub-Divisional Officer has taken possession of the land held by such bhumidhar or asami, the Sub-Divisional Officer may let it out for a period not exceeding one year at a time by holding public auction at the Tahsil.

(2) The notice containing the date, place and particulars of the land sought to be let shall be affixed on the notice board of the Tahsil and shall also be announced by beat of drum in the village where such land is situate.

(3) The highest bidder at the auction sale shall be required to deposit 25 per cent of the bid money on the spot and the balance thereof shall be deposited within a week.

(4) If the balance amount is not deposited within the period specified in sub-rule (3) a fresh auction shall be held and the deposit of 25 per cent shall stand forfeited to the State Government.

(5) If the balance amount is deposited within the specified period, the highest bidder shall be permitted to cultivate the land for the period ending 30th June

following. A fresh auction may likewise be held for the succeeding agricultural year.

(6) During the currency of the lease, the lessee shall also be bound to pay the amount of land revenue in respect of the land let out to him in addition to auction consideration.

(7) At the end of the period of such lease, the lessee shall vacate the land failing which the Sub-Divisional Officer shall evict him by using necessary force.

Restoration of land to
claimant
(Section 115)

106. (1) If during the period specified in section 115(3), any claimant applies for the restoration of the land referred to therein, the Sub-Divisional Officer shall call for a detailed report from the Tahsildar, and after affording an opportunity of hearing to the applicant or any other person interested (including the Bhumi Prabandhak Samiti), decide the claim of the applicant.

(2) If such claim is rejected, the Sub-Divisional Officer shall continue to let out the land in accordance with rule 105(1). But if the claim is allowed, or if the suit filed by the claimant under section 115(4) is decreed, the Sub-Divisional Officer shall pass necessary orders in accordance with section 115(7).

DIVISION OF HOLDINGS

Suit for division of
holding
(Section 116)

107. Every plaint in a suit for division of a holding (including trees, wells and other improvements) shall contain the following particulars:-

- (1) Name, parentage and address of the plaintiff.
- (2) Name parentage and address of other co-sharers of the holding.
- (3) Share claimed by the plaintiff.
- (4) Share of other co-tenure holders.
- (5) Detailed particulars of the holding including plot numbers, area and land revenue.
- (6) Whether the plaintiff is a recorded or unrecorded

tenure holder.

Note: The plaint shall be accompanied by a certified copy of the Khatauni and other documents relied upon by the plaintiff.

Suit for division for
several holdings
(Section 116)

Preliminary and Final
decrees
(Section 117)

108. Where the suit relates to the division of more than one holding, the particulars specified in rule 107 shall be mentioned in the plaint in respect of all such holdings.

109. (1) If the plaint referred to in rule 107 or rule 108 is in order, it shall be registered as a suit and the defendants shall be called upon to file their written statements. The suit shall then be decided according to the provisions of the Code of Civil Procedure, 1908.

(2) Before making a division the court shall-

(a) determine separately the share of the plaintiff and each of the other co-tenure holders ;

(b) record which, if any, of the co-tenure holders wish to remain joint ; and

(c) make valuation of the holding (or holdings) in accordance with the circle rate fixed by the Collector applicable to each plot in the holding.

(3) If the suit is decreed, the Court shall pass a preliminary decree declaring the share of the plaintiff.

(4) After the preparation of preliminary decree the Sub Divisional Officer shall get the Kurra prepared through the Lekhpal.

(5) The Lekhpal shall submit the Kurra report within a period of one month from the date of receiving the order in this regard and at the time of preparation of Kurra he shall observe the following principles-

(a) the plot or plots shall be allotted to each party in proportionate to his share in the holding;

(b) the portion allotted to each party shall be as compact as possible;

- (c) as far as possible no party shall be given all the inferior or all the superior classes of land;
 - (d) as far as possible existing fields shall not be split up;
 - (e) Plots which are in the separate possession of a tenure holder shall, as far as possible, be allotted to such tenure holder if they are not in access of his share;
 - (f) If the plot or any part thereof is of commercial value or is adjacent to road, abadi or any other land of commercial value, the same shall be allotted to each tenure holder proportionately and in the case of second condition the same shall be allotted proportionately adjacent to road, abadi or other land of commercial value; and
 - (g) If the co-tenure holders are in separate possession on the basis of mutual consent or family settlement, the Kurra shall, as far as possible, be fixed accordingly.
- (6) When the report regarding Kurra is submitted by the Lekhpal, the objection shall be invited thereon and thereafter the appropriate order shall be passed by the Sub Divisional Officer after affording opportunity of hearing to the parties and considering the objection, if any, filed against the report submitted by the Lekhpal.
- (7) If the report and Kurra is confirmed by the Sub Divisional Officer, the final decree shall follow it.
- (8) At the stage of the final decree, the Court shall-
- (a) Separate the share of the plaintiff from that of the defendant by metes and bounds.
 - (b) Place on record a map showing in different colours the properties given to plaintiff as distinct from those given to the defendant.
 - (c) Apportion the land revenue payable by the parties.
 - (d) Direct the record of rights and map to be corrected accordingly.
- (9) If, for adjusting the equities between the parties, payment of compensation regarding trees, wells or other

improvements becomes necessary, the revenue Court concerned may also pass necessary orders at the stage of final decree.

(10) The Sub-Divisional Officer shall make an endeavour to decide the suit within the period of six months and if the suit is not decided within such period, the reason shall be recorded.

SURRENDER

Surrender by bhumidhar
(Section 118)

110 Every application for surrender of his holding or any part thereof under section 118 by a bhumidhar shall be submitted to the Tahsildar containing the following particulars:-

- (1) Name, parentage and address of the applicant;
- (2) Whether the applicant belongs to the category of clause (a) or clause (b) of section 74;
- (3) The details of the holding sought to be surrendered (Plot No., area, village, Tahsil etc.);
- (4) Land Revenue payable;
- (5) Where the entire holding is sought to be surrendered or only part thereof. If part, then the details of such part;
- (6) Whether the applicant is the sole bhumidhar or only a co-sharer. If a co-sharer, then the names and addresses of other co-sharers;
- (7) Whether the holding is subject to any encumbrances? If so, the details thereof;
- (8) Whether the holding or the part thereof has been let out? If so, the details of the lessee thereof;
- (9) The reason for such surrender.

All co-sharers must join
(Section 118)

111. (1) If the land sought to be surrendered is held by two or more co-tenure-holders, the application under rule 110 shall be signed by all of them.

(2) An application of surrender by some of the co-sharers shall not be entertained.

Procedure of surrender
(Section 118)

112. (1) Every application for surrender shall be submitted personally to the Tahsildar or it may be sent by registered post.
- (2) The Tahsildar shall immediately send a copy of the notice to the Chairman of the Bhumi Prabandhak Samiti who shall summon the applicant and get his signature attested by two witnesses.
- (3) The Chairman shall obtain delivery of possession of the land from the applicant and send his report to the Tahsildar along with the notice referred to in sub-rule (2).
- (4) Before passing final orders, the Tahsildar may hear the lessee and the encumbrance-holder, if necessary.
- (5) If only part of the holding has been surrendered, the Tahsildar shall apportion the land revenue and direct the correction of the record of rights accordingly.

Surrender by asami
(Section 119)

113. (1) An asami desirous of surrendering his holding shall send a notice to his land holder (Gram Panchayat or the tenure-holder) intimating his intention to do so, and by giving to the land holder, the possession of such holding.
- (2) The asami shall have no right to surrender a part of the holding.
- (3) The notice of surrender by an asami may be sent personally or by registered post and it shall contain the particulars of the holding sought to be surrendered.

Abandonment of holding
(Section 122)

114. (1) Where a bhumidhar is found to have committed the acts of omission or commission specified in section 122(1), the Lekhpal shall promptly report the matter to the Collector through the Tahsildar specifying therein the following particulars:-
- (a) The name, address and parentage of the bhumidhar concerned;
 - (b) The agricultural years for which the bhumidhar has failed to pay the land revenue;
 - (c) The agricultural years during which he has not

used his holding;

(d) The details of the plot number to which clauses (b) and (c) relate;

(e) The last known address of the bhumidhar concerned.

(2) While forwarding the report of the Lekhpal to the Collector under sub-rule (1), the Tahsildar shall make necessary endorsement on such report.

(3) On receipt of the report of the Lekhpal under sub-rule (1) or on facts otherwise coming to his knowledge, the Collector shall call for a report from the Tahsildar regarding the acts of omission and commission specified in section 122(1).

(4) Before submitting his report under sub-rule (3), the Tahsildar shall:-

(a) Issue a notice to the bhumidhar concerned at his last known address to show cause why possession of land specified in such notice should not be taken;

(b) Cause an announcement to be made by beat of drum in the village where the land is situate calling upon the creditor, if any, to submit their claim in respect of any charge or other encumbrances against the land;

(c) Also ascertain whether any Taquavi and other Government dues are outstanding against the bhumidhar on the security of the land in question; and

(d) If any objection or claim is submitted to the Tahsildar, he may examine the objector or the claimant and peruse the documents relied upon by the parties, before submitting his report to the Collector.

(Section 122)

shall indicate, whether the bhumidhar is guilty of the acts of omission and commission specified in section 122(1) and whether his land has been subject of any charge, mortgage or other encumbrances in accordance with the provisions of this Code?

Order of Collector
(Section 122)

116. On a perusal of the Report of the Tahsildar, the Collector shall decide whether he should take possession of the land held by the bhumidhar under section 122(1) and whether the charge, mortgage or other encumbrances, if any is required to be liquidated and if so, the manner and procedure of such liquidation.

Lease of land by Collector
(Section 122)

117. (1) If the Collector takes possession of the bhumidhari land under section 122(1), he shall let it out in accordance with the procedure laid down in rule 105.

(2) If the bhumidhar or any person claiming through him who is entitled to take possession appears and makes a claim within the period specified in section 122(3), and the Collector upholds his claim for such entitlement, he shall restore the land to such claimant, and drop further proceedings.

(3) While making the order of restoration, the Collector shall further direct that the amount realised from the lease (after deducting the expenses of such lease and the arrears of land revenue) shall be refunded to the claimant.

(4) If no claimant appears within the said period, the Collector shall declare the land to have been abandoned, and deliver possession to the Bhumi Prabandhak Samiti and shall also direct for the correction of the record-of-rights accordingly.

(5) Every order of the Collector under section 122(4) shall be pasted on the notice Board of the concerned Tahsil and also of the Bhumi Prabandhak Samiti.

Delivery of possession to

118. (1) Where the interest of a bhumidhar in any land is

Gram Panchayat
(Sections 124 and 136)

extinguished under the provisions of the Code or under any other law for the time being in force, and any person is in unauthorized occupation of such land, the Bhumi Prabandhak Samiti may apply to the Sub-Divisional Officer for the ejection of such occupant.

(2) The Sub-Divisional Officer may after issuing a show cause notice to the person concerned, evict such unauthorised occupant and deliver possession over the land to the Gram Panchayat.

(3) The provisions of this rule shall mutatis mutandis apply to the eviction of an asami holding land from the Gram Panchayat or a lessee from a Bank referred to in section 95(2).

Allotment of Gram Panchayat Land

Allotment of Gram
Panchayat Land
(Sections 125 and 126)

119. (1) Where the Bhumi Prabandhak Samiti intends to admit any person to any land referred to in section 125, it shall announce by beat of drum in the concerned Gram Panchayat area, at least 7 days before the date of meeting of the Samiti:-

- (a) the date, time and place of such meeting.
- (b) the number of plots to be allotted; and
- (c) the areas of such pots.

(2) On the date of the meeting, the Samiti shall select the persons for allotment as bhumidhar with non-transferable rights or as asamis as the case may be. A list of all persons who are present and who express their desire to be admitted to the land shall be prepared in **R.C. Form-30**. The list shall be drawn up separately for lands to be settled as bhumidhar with non-transferable rights and land to be settled as an asami. The names of the persons shall be arranged in the order of preference laid down in section 126(1).

(3) If the number of persons included in the lists does not exceed the number intended to be settled on the land

regarding which the announcement was made, the Samiti shall examine the eligibility of the persons included in the lists and take a decision regarding the plots to be settled with each person.

(4) If the number of persons included in the Lists exceeds the number with whom the settlement of land is intended, the said lists shall be placed before an open meeting of the Gram Sabha called by the Bhumi Prabandhak Samiti and such of the persons shall be selected for allotment as are considered to be most suitable on merits on the basis of consensus arrived at such meeting. If such consensus cannot be arrived at, the Samiti shall select the persons by drawing lots.

(5) In the meeting referred to in sub-rule (2) or sub-rule (4), the Samiti shall announce the names of persons selected for allotment and also the land revenue or rent payable by the allottees.

Procedure before the approval of the Sub-Divisional Officer (Sections 125 and 126)

120. (1) After completing the formalities mentioned in rule 119, the Samiti shall prepare the following documents:-

(a) A list of persons selected for allotment in **R.C. Form-31**.

(b) A certificate of admission of land referred to in section 77 in **R.C. Form-32**.

(c) A certificate of admission to land (other than the land referred to in section 77) in **R.C. Form-33**.

(d) Counterparts in **R.C. Form-22 and 23**.

(2) The documents referred to in clauses (a), (b) and (d) in sub-rule (1) shall be signed by the Chairman and the remaining documents shall be signed by the persons selected for allotment.

(3) All the documents referred to in sub-rule (1) or sub-rule (2) shall then be submitted to the Sub-Divisional Officer along with-

(a) a copy of the proceedings of the meeting of the

Samiti in which the decision regarding allotment was taken;

(b) a certificate from the Lekhpal that the particulars of the land (including land revenue or rent) mentioned in the Lists are correct, the land to be allotted is vacant on the spot and that the allotment is in accordance with the provisions of the Code and these rules;

(c) if the land to be allotted is part of the survey number, the specific area, boundary and length and width of sites of the land to be allotted shall be mentioned and it shall not be as minzumla number.

Approval of Sub-Divisional Officer
(Section 125)

121. (1) On receipt of the documents under rule 120, the Sub-Divisional Officer shall scrutinize the proposal of the Samiti, and if he is satisfied that such proposal is in accordance with the provisions of the Code and these rules, he shall accord his approval on the Certificate of Admission in **R.C. Form-32 or R.C. Form-33**, as the case may be, and return the papers to the Bhumi Prabandhak Samiti in 2 weeks, with a direction that:-

(a) the possession may be delivered to the allottees;
and

(b) the report regarding mutation should be submitted by the Lekhpal to the Revenue Inspector after delivery of possession. The map shall also be directed to be corrected accordingly.

(2) If the Sub-Divisional Officer finds that the whole or part of the proposal of the Samiti is not in accordance with the provisions of this Code or of these rules, he shall record his disapproval on such Certificate and return the papers to the Bhumi Prabandhak Samiti within the time specified above.

Delivery of possession to allottee

122. On receipt of papers from the Sub-Divisional Officer the Chairman shall call the allottee in whose favour the

(Section 125)

allotment was approved by the Sub-Divisional Officer and shall furnish to him the Certificate in **R.C. Form-33** and shall get a Counterpart executed in **R.C. Form-22**. If the land allotted belongs to any one of the categories specified in section 77, the allottee shall be furnished with a certificate in **R.C. Form-32** and get a counterpart executed by him in **R.C. Form-23**.

Procedure on the disapproval by Sub-Divisional Officer (Section 125)

123. Where the proposal of the Samiti has been disapproved by the Sub-Divisional Officer, the Samiti shall take steps for fresh allotment in accordance with the provisions of the Code and these rules.

Attestation by the Revenue Officer (Sections 97 and 125)

124. (1) A certificate of admission under section 125 may be attested by a revenue officer not below the rank of a Revenue Inspector.

(2) Before such attestation, the revenue officer concerned shall satisfy himself that:-

(a) the provisions of rule 119 to rule 123 have been fully complied with; and

(b) the land let out has not been reserved for any planned use.

(3) If the revenue officer finds that the conditions specified in sub-rule (2) have not been complied with, he will refer the matter to the Sub-Divisional Officer for necessary orders.

(4) The attestation by the revenue officer of the instrument of lease shall be as nearly as possible, in the following form:-

“This document was presented before me onby Shri.....son ofR/o

.....

The execution of this instrument was admitted by Sri.....who was identified by the following witnesses:-

Name, parentage and address of witness No.1.....

Signature

Name, parentage and address of witness No.2.....

Signature

Name and address of the allottee.....

Signature

I have satisfied myself about the identity of the above persons and I hereby attest the terms of this documents.

Date:.....

Seal Signature of the Attesting Officer

Terms and conditions of allotment or lease [Section 126(2) and section 127(2)]

125. Where any land is allotted to any person under section 125, the allottee shall hold the land on the terms and conditions specified below:-

- (a) That the allottee shall use the land for the purpose mentioned in section 79(2) or section 84, as the case may be;
- (b) That the allottee shall not transfer the land in contravention of the Code;
- (c) That the allottee shall regularly pay the land revenue or the rent, as the case may be;
- (d) That the allottee shall not damage or appropriate any tree or other improvement existing on the land allotted.
- (e) That in case of death of the allottee, the inheritance shall be governed by the provisions of the Code.
- (f) That after the expiry of the period of lease, the asami shall deliver possession of the land to the Samiti and the name of the asami shall be expunged from the Khatauni.

Cancellation of allotment (Section 128)

126. (1) The Collector may on his own motion and shall on the application of any person aggrieved by the allotment made under section 125, inquire into the irregularity of such allotment.

(2) Where an application is made under sub-rule (1),

the Collector may inquire whether the applicant is an aggrieved person, whether the application is within the limitation prescribed under section 128(1), and whether he would like to initiate proceedings on his own motion.

(3) If the Collector decides to proceed with the inquiry, the Samiti and the allottee shall be impleaded as parties and an opportunity of hearing shall be afforded to them, before final orders are passed in such proceedings.

(4) During the pendency of the proceedings under this rule, the Collector shall have the power to pass such interim orders as the circumstances of the case may justify.

(5) The allottee and the Samiti shall be allowed three weeks' time for filing the counter affidavit/objection from the date of the issuance of the notice which may be extended on the sufficient reasons shown. Two weeks' time for filing replica/rejoinder affidavit shall be afforded to the applicant, which may be extended on the sufficient reasons shown.

(6) The Collector shall endeavour to conclude the enquiry within the period of three months from the date of issuance of notice and if the enquiry is not concluded within the period of three months, the reasons for the delay shall be recorded.

Rate of damages
(Sections 134 and 136)

127. In a suit for damages filed under section 134(1) and in proceedings referred to in section 136(1), the rate of damages shall be in the discretion of the court or the revenue officer concerned, but the amount of damages shall not be less than the amount equal to five percent of the amount calculated as per the circle rate fixed by the Collector and applicable to the land in dispute for each year of the unauthorized occupation, unless for reasons to be recorded, the Court or the revenue officer directs otherwise.

RENT

- Fixation of rent
(Sections 138 and 139)
- Remission by State
Government
[Section 140(2)]
- Commutation of rent
(Section 141)
- Writing off the arrears of
rent.
(Section 143)
128. In proceedings for fixation of rent under section 139, the Tahsildar shall issue notice to the asami or the landholder, as the case may be, and after giving an opportunity of hearing, fix the rent payable by the asami on the basis of the prevailing rate of rent for similar category of land. But such rate shall not be less than one percent of the amount calculated as per the circle rate fixed by the Collector.
129. Where a Court allows remission of rent under section 140(1), consequential remission in land revenue may be granted by the State Government in the same proportion.
130. (1) Where the rent in respect of a holding is payable by an asami otherwise than in cash, the Tahsildar may on the application of the asami or of the landholder, commute such rent after affording an opportunity of hearing to both the parties.
- (2) The rent commuted under this rule shall not be less than 33 percent, of the rent calculated at hereditary rates.
131. (1) If the arrears of rent referred to in section 143 remains outstanding for more than two years, and there are no chances of its recovery, then the Samiti or the local authority may, by resolution, recommend to the Sub-Divisional Officer for writing it off.
- (2) Before confirming the resolution referred to in sub-rule (1), the Sub-Divisional Officer shall satisfy himself:-
- (a) that there has been no negligence or misconduct on the part of the Samiti or the Local Authority due to which the dues could not be recovered; and
- (b) that the defaulter has no property from which such dues could be recovered, or the recovery could cause undue hardship to the defaulter in the special circumstances of the case.

CHAPTER-X**GOVERNMENT LESSEES**

Rate of damages
[Section 151(1)]

132. Where a suit for damages is filed by a Government lessee with or without ejectment under section 151(1), the rate of damages shall be in the discretion of the Court concerned but amount of damages shall not be less than the amount equal to five percent of the amount calculated as per the circle rate fixed by the Collector and applicable to the land in dispute for each year of the unauthorised occupation, unless for the reasons to be recorded, the Court otherwise directs.

CHAPTER-XI**ASSESSMENT OF LAND REVENUE**

- Assessing authority
[Section 153(1)]
133. The State Government may, for the purposes of Chapter XI of the Code, by notification designate the Board or any member thereof to be the Assessing Authority, and may also lay down the procedure to be followed by such authority for such assessment.
- Determination of Land Revenue
[Section 154(3)]
134. The amount of land revenue payable by a bhumidhar referred to in section 154(3) shall be equal to the amount calculated at double the hereditary rates applicable to the land:
Provided that the amount so computed shall not be less than Rs.5/- per acre or more than Rs.10/- per acre in respect of an un-irrigated land and shall not be less than Rs.10/- per acre and more than Rs.20/- per acre in respect of irrigated land.
- Variation, Remission or suspension of Land Revenue
(Sections 155 and 157)
135. (1) If the area of holding is increased or decreased or the productivity of the land comprised therein by fluvial action or other natural cause, the land revenue payable by a Bhumidhar may be varied in the manner prescribed in this chapter.
(2) Relief in land revenue of a holding may be given under section 157 on the occurrence of an agricultural calamity falling under any of the following classes:
Class-I- Where the fertility of the soil is affected.
Class-II-Where the crops of a particular harvest alone have been adversely affected.
(3) The provisions of rule 136 shall apply to an agricultural calamity of Class I whereas those of rule 137 shall apply to an agricultural calamity of Class II.
- Remission in land revenue affecting fertility
(Section 157)
136. (1) In case where fertility of the soil of a holding has become so seriously affected by the over-saturation, deposit of sand, the growth of kans or noxious weeds, or other similar causes that the land revenue cannot be paid

without undue hardship, relief in revenue of that holding shall be given in the shape of remission for the period such a calamity lasts on any part of the holding in the proportion in which the area affected by the calamity bears to the entire area of holding.

(2) Provisions of sub-rule (1) shall also apply to asamis of Gram Panchayat as if the rent paid by the asami was land revenue.

(3) When the whole or part of a holding mentioned in sub-rule (1) is leased, relief shall be given to the asami in accordance with the principle mentioned in the said sub-rule.

(4) Immediately after the Kharif partial the Lekhpal shall submit to the Revenue Inspector a statement in triplicate showing all the holdings in his halqa affected by the calamity mentioned in sub-rule (1). The Revenue Inspector shall, by personal inspection, check all the entries in the statement and after making such corrections, as may be necessary, submit the statement to the Tahsildar. The Tahsildar shall, after verifying the accuracy of the statement by spot inspection and percentage checking, transmit two copies of the statement, as corrected by him, to the Collector through the Sub-Divisional Officer, who shall indicate the amount of remission to be given. The Collector shall forward to the Government through the Land Reforms Commissioner, a consolidated statement of such holdings in his district for sanction of remissions.

(5) When remission of land revenue or rent has been sanctioned by the Government on account of an agricultural calamity of Class-I, the holding, for which remission has been sanctioned, will be inspected every year after rains by an officer, not below the rank of Tahsildar and where he certifies continuance of the

calamity over the whole or part of the holding, the Collector shall continue the remission for the area still affected. Revenue shall be re-imposed on such holding or part thereof, which is no longer subject to the calamity. After the inspection of the holding by the Tahsildar, the Collector shall furnish to the Land Reforms Commissioner for record a statement showing the total land revenue remitted, not later than the 30th November.

(6) A register in **R.C. Form-34** showing the holdings, in respect of which relief is sanctioned on account of the agricultural calamities of Class-I, shall be maintained at the Tahsil.

(7) The Collector is empowered to suspend realisation of revenue or rent for a period of three months only from the date the amount falls due but suspension for longer period will require the sanction of the Board of Revenue or the State Government.

Remission in land revenue
affecting crops
(Section 157)

137. (1) Relief in land revenue of a holding on the occurrence of agricultural calamities of Class II shall ordinarily be given in accordance with the following scales:

Loss measured in paise per rupee normal produce.	Relief of land revenue per Rupee	
1	2	
	Rs.	P.
(a) Amounting to 50 paise but not amounting to 60 paise	0	40
(b) Amounting to 60 paise but not amounting to 75 paise	0	60
(c) Amounting to and exceeding 75 paise	1	00

Provided that in Bundelkhand and the Trans-Yamuna part

of Allahabad, Etawah, Agra and Mathura districts and in other areas, if justified by the circumstances of the cultivators, suspension or remission of land revenue to the extent of 25 paise in the rupee may be given when the loss measured amounts to 40 percent but does not exceed 50 percent.

(2) When the whole or part of a holding is leased, relief in rent shall be given to the asami in accordance with the scale applied to such holding and shall be separate from and independent of the relief given to landholder which shall be calculated as if no part of the holding were sublet.

(3) The scale of relief given in sub-rule (1) shall also apply in case of asami under the Gram Panchayat as if the rent paid by the asami was land revenue.

(4) The Collector is empowered to suspend realisation of revenue and rent for a period of three months only from the date it becomes due but suspension for longer period will require the sanction of the Board of Revenue or the State Government.

CHAPTER-XII**COLLECTION OF LAND REVENUE**

- Instalment for payment of land revenue
(Section 165)
138. The land revenue payable for each holding shall in respect of an agricultural year become due on the first day of such year, but it may be paid in the following instalments:-
- (a) Fifty percent by November 15, and
 - (b) Fifty percent by May 1.
- Mode of payment of land revenue
(Section 165)
139. (1) Payment of land revenue shall ordinarily be made at the office of the Tahsil within the limits whereof the holding is situate. The amount of the land revenue can also be paid directly to the Collection Amin appointed for the purpose.
- (2) Payment by cheques or by money order shall not be acceptable.
- (3) The tenure-holder shall be entitled to a receipt in **R.C. form-35** for every such payment.
- Prohibition of payment to certain staff members
(Section 165)
140. No payment shall be made to the staff deputed for the service of the writ of demand or for the execution of any of the processes referred to in section 170.
- Writ of demand**
- Issue of writ of demand when necessary
(Section 169)
141. (1) No process for the recovery of arrears of land revenue under section 170 shall be issued against a defaulter unless a writ of demand has been served on him and the arrears remain unpaid.
- (2) If the defaulter is a resident of any other Tahsil, the Tahsildar may serve the writ of demand either directly or through the Tahsildar of the concerned Tahsil.
- (3) Every writ of demand shall be issued in **R.C. Form-36**.
- Service of writ of demand
(Section 169)
142. (1) Service of the writ of demand shall be made on the defaulter personally. But if it is not possible, it may be served on his agent or any adult member of his family. If this is not possible, the writ of demand may be affixed at a

prominent place adjacent to the defaulters' residence.

(2) With the prior sanction of the Collector, the writ of demand may also be served on the defaulter by registered post.

(3) It shall be the duty of the process-server to report the mode, manner and date of service of the writ of demand on the defaulter.

Single writ of demand
may be issued
(Section 169)

143. A single writ of demand may be issued-

(a) against one or more of the defaulters who are jointly responsible for the payment of arrears of land revenue;

(b) regarding the arrears of land revenue, even if it is due in respect of one or more Khata Khataunis.

Arrest and detention

Arrest of the defaulter
(Section 171)

144. (1) The warrant of arrest of a defaulter may be issued by any Revenue Officer not below the rank of an Assistant Collector in **R.C. Form-37** and it may be executed by the officer or official authorised by the Revenue Officer issuing the warrant of arrest and the name of the officer or official authorised to execute the arrest of warrant should be mentioned in such warrant.

(2) Soon after the arrest, the defaulter shall be produced before the officer issuing the warrant. If the defaulter pays or undertakes to pay the whole or a substantial portion of the arrears and furnishes adequate security therefor, the warrant of arrest may be cancelled. No order for the detention of the defaulter shall be passed unless the officer issuing the warrant has reasons to believe that such detention shall compel the payment of whole or substantial portion of the arrears. The period of detention (not exceeding 15 days) shall also be specified in the detention order.

Detention of the defaulter
(Section 171)

145. The defaulter may be detained in the Tahsil lock-up, but if there is no such lock-up, he may be sent in custody to the

Civil Prison of the district with a warrant to the Jailor specifying therein the date of commitment, the period of detention and the amount (including the cost of detention) on payment of which he shall be released.

Subsistence allowance
(Section 171)

146. (1) If the defaulter is detained in Civil Prison, the allowance for his subsistence shall be according to the rate fixed under section 57 of the Code of Civil Procedure 1908. The amount of such allowance if certified by the Jailor to have remained unpaid, may also be recovered as arrears of land revenue.
- (2) If the defaulter is detained in the Tahsil lock-up, he shall be permitted to cook his own food. If he is not willing or is unable to do so, he shall be provided with necessary food, and the cost thereof shall also be recovered as arrears of land revenue.

Attachment of Movable Properties

Attachment of movables
(Section 172)

147. (1) The movable properties of the defaulter may be attached under section 172, except those specified in sub-section (2) thereof or sections 60 and 61 of the Code of Civil Procedure, 1908.
- (2) Every process of attachment under the said section shall be issued by the Sub-Divisional Officer in **R.C. Form-38** and unless otherwise directed shall be executed by a Collection Amin authorised for the purpose.

Preparation of list
(Section 172)

148. (1) A list of movable properties so attached shall be prepared on the spot which shall be signed by the attaching officer and two witnesses.
- (2) The movables so attached may be left in the custody of the defaulter or of a responsible person as provided in sections 172(3) and 172(4).

Attachment of live-stock
(Section 172)

149. (1) If the live-stock of the defaulter is attached and is sent to the nearest pound, then the pound-keeper shall enter in his Register-
- (a) the number and description of the stock;

(b) the day, date and hour when the stock was committed to his custody;

(c) the name of the attaching officer who committed the stock and shall give the said officer a copy of the entry.

(2) The pound-keeper shall properly feed and water the cattle, and shall be paid therefor by the proper authority according to the rates prescribed under the Cattle Trespass Act, 1871.

(3) The animals committed to the custody of the pound-keeper shall not be released otherwise than a written order of the attaching officer or of the Tahsildar.

(4) If the live-stock is subsequently sold for the recovery of arrears of land revenue, the charges liable under sub-rule (2) shall be paid from the sale-proceeds thereof. If the live-stock is not so sold, then the said charges shall also be recoverable as arrears of land revenue.

Objection against attachment
(Section 172)

150. If any objection is filed against the attachment of the movables on the ground that the same was exempt from attachment or that they do not belong to the defaulter, such objection shall be decided by the Sub-Divisional Officer or by an Assistant Collector within a month from the date of such objection or before the actual sale thereof.

Sale of Movable

Movables to be sold by public auction
(Section 172)

151. (1) Every sale of movable property shall be held by public auction and the proclamation of such sale shall be issued in **R.C. Form-39** specifying therein-

(a) the amount for the recovery whereof the sale was ordered; and

(b) the time, date and place of such sale.

(2) A copy of the sale proclamation shall be pasted on the notice board of the Tahsil concerned, and another copy shall be served on the defaulter at least seven days

before the date of the intended sale.

(3) If the revenue officer (other than the Sub-Divisional Officer) is deputed to hold and conduct the sale, the name and designation of such officer shall be endorsed on the sale proclamation.

(4) No such sale shall take place, if the amount specified in the sale proclamation is paid before the sale is held.

(5) If the sale is adjourned for a period beyond seven days, a fresh sale proclamation shall be necessary.

Deposit of sale price
[Sections 172 and 189(2)]

152. (1) The highest bidder at such sale shall be asked to deposit the entire sale price in one lump sum in accordance with section 189(2).

(2) If the sale price is not deposited, the movable shall be re-sold forthwith.

(3) After the deposit of the sale-price by the highest bidder, the sale shall become absolute, and the purchaser shall be entitled to the custody of the goods sold.

Attachment of Bank Account

Attachment of Bank A/c
and Locker
(Section 173)

153. The arrears of land revenue may be recovered by attaching the bank account and the locker hired by the defaulter by serving a garnishee order on the Branch Manager of the Bank concerned in **R.C. Form-40**.

Opening of the Locker
(Section 173)

154. As soon as possible after the service of the Garnishee Order under rule 153, the Sub-Divisional Officer shall, with the convenience of the Branch Manager, fix a date when the locker hired by the defaulter shall if considered necessary, be opened and inventory of the contents shall be prepared in the presence of the Sub-Divisional Officer, the Branch Manager and the defaulter who shall be duly informed about such date.

Deposit of money by
Branch Manager
(Section 173)

155. If the amount standing to the credit of the defaulters' account (after excluding the amount necessary to maintain the account) is sufficient to clear the arrears or a

substantial part thereof, the Branch Manager shall, at the written direction of the Sub-Divisional Officer, deposit the same in the treasury and debit the amount from the defaulters' account.

Sale of goods of defaulters' locker.
(Section 173)

156. If the deposit made by the Branch Manager under rule 155 is not sufficient to clear the arrears, and the Bank Locker hired by the defaulter contains goods capable of being sold, such goods may be sold either by inviting tenders or by public auction as he considers fit. In every such sale, the procedure prescribed for the sale of movable property shall mutatis mutandis apply.

Discharge of Bank's Liability
(Section 173)

157. Every payment made by the Branch Manager under rule 155 and the delivery of goods sold to the purchaser under rule 156 shall operate as a valid discharge of the Bank's liability to the defaulter.

Attachment of Land for which arrear is due

Attachment of holding
(Section 174)

158. (1) Every process of attachment of land under section 174 shall be issued by the Collector or the Sub-Divisional Officer authorised by him in **R.C. Form-41** and shall be affected in the manner provided in order 21 rule 54 of the First Schedule to the Code of Civil Procedure 1908.

(2) A copy of **R.C. Form-41** shall also be served on the defaulter and the factum of attachment shall also be announced by beat of drum on the spot.

(3) If the defaulter pays the amount of arrear including the cost of the process of attachment, the property attached shall stand released.

Disposal of objection
Sections 174 and 183)

159. If any objection is filed against attachment made under rule 158, the same shall be disposed of promptly by the attaching officer.

Lease or Sale of Land for which arrear is due

Lease of holding
(Sections 178 and 179)

160. (1) As soon as may be, after a land is attached under section 174(1), the Collector or the Assistant Collector authorised by the Collector may proceed to let it out to

any person, other than the defaulter whom he thinks fit, provided such person pays the whole of the arrears including the cost of the process of attachment before the execution of the deed of the lease.

(2) The period of lease (which shall not exceed ten years) shall be decided by the Collector or the Assistant Collector authorised by the Collector, keeping in view the amount of arrears and the area of the land.

(3) Every such lease shall be executed in **R.C. Form-42** in the manner specified in section 175 and during the currency of such lease; the lessee shall be bound to pay the land revenue in respect of such land.

(4) If the lessee makes default in payment of land revenue or otherwise contravenes the terms and conditions of the lease, the Collector or the Assistant Collector authorised by the Collector may after affording opportunity of hearing to the lessee, cancel the lease.

(5) After the expiry or the cancellation of the lease, as the case may be, the land shall be restored to the defaulter or to his legal representatives in accordance with section 175(4).

Sale of holding
(Sections 176 and 179)

161. (1) If no suitable person is willing to take the land on lease under section 175 and the amount of arrear remains unpaid, the Collector or the Assistant Collector authorised by the Collector may proceed to sell the whole or part of the land in respect of which the land revenue is in arrears, by public auction and the provisions of section 184 to section 205 shall mutatis mutandis apply.

(2) While conducting the sale under sub-rule (1), the sale officer shall announce that only those persons should participate in the auction, acquisition of land by whom does not contravene the provisions of section 89.

(3) Every proclamation of sale under this rule shall be issued in **R.C. Form-43** and shall contain particulars

specified in section 184.

Attachment and sale of other immovable property of the defaulter

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|--|---|
| Attachment of other immovable property
(Sections 177 and 179) | 162. (1) Every process for the attachment of other immovable property of the defaulter under section 177 shall be issued in R.C. Form-41 and shall be affected in the manner prescribed in order 21 rule 54 of the First Schedule to the Code of Civil Procedure, 1908.

(2) A copy of the R.C. Form-41 shall also be served on the defaulter.

(3) If the defaulter pays the amount of arrears including the cost of process of attachment, the property shall stand released. |
| Sale proclamation
(Section 184) | 163. Every proclamation of sale of the property referred to in rule 161 shall be issued in R.C. Form-43 and a copy thereof shall be served on the defaulter as required by section 184(4). |
| Sale Officer
(Section 186) | 164. Every sale of immovable property shall be made by the Collector or by an Assistant Collector authorized by him, who may, from time to time postpone the sale. If a sale is adjourned for more than 21 days, a fresh proclamation of sale shall be necessary. |
| Information to Commanding Officer
(Section 186) | 165. Where an immovable property sold under section 186 is situate within a cantonment area, the Collector shall, as soon as the sale has been confirmed, inform the Commanding Officer of such cantonment about the factum of sale and the name and address of the purchaser. |
| Bid by Collector
(Section 186) | 166. When no bid is offered at an auction sale upto the amount of reserve price, the Collector may bid upto the amount of such arrears. |
| Recovery of deficiency
(Section 189) | 167. If at an auction sale, the person declared to be the purchaser fails to deposit 25% of the amount of his bid as required by section 189(1), and the fresh sale results in deficiency in price, such deficiency on re-sale (together with the expenses of first sale) may be recovered from |

such person as arrears of land revenue.

Deposit of purchase price
(Sections 189 and 190)

168. Where any property (whether movable or immovable) is sold by public auction for the recovery of arrears of land revenue under Chapter XII of the Code, every deposit of the purchase money under section 189 or section 190 shall be made either in cash or by demand draft or partly in cash and partly by such draft.

Application for preference
(Section 191)

169. (1) Where any immovable property belonging to a Scheduled caste is sold by public auction for recovery of the arrears of land revenue under Chapter XII of the Code, any person belonging to such caste, may apply to the Collector (along with necessary deposit) within a period of 30 days from the date of such auction for the preference referred to in section 191.

(2) The provisions of sub-rule (1) shall mutatis mutandis apply to the sale of immovable property belonging to a scheduled tribe.

(3) Where more than one person have applied for the grant of such preference (along with necessary deposit) within the prescribed period, then the Collector or an Assistant Collector authorized by him may call for bid between the applicants either by inviting tenders or by open auction and determine as to who is the highest bidder.

(4) The question of granting preference shall not arise if the auction sale is set aside under section 192, section 193 or section 195.

Application for setting
aside sale
(Section 192)

170. (1) Where any holding or other immovable property belonging to or held by any person has been sold under Chapter XII of the Code, then such person may apply to the Collector within a period of 30 days from the date of sale for setting aside such sale under section 192 along with a prayer for making necessary deposits.

(2) The applicant may deposit the amounts specified

in clauses (a) to (c) of section 192(1) within a period of seven days from the date of application under sub-rule (1).

(3) If the amount is deposited in accordance with sub-rule (2), the Collector shall set aside the sale, and shall also direct for the refund of the purchase money in terms of section 197.

Application of setting
aside sale
(Section 193)

171. (1) An application to set aside an auction sale on the ground of material irregularity or mistake in publishing or conducting it can be made by any person referred to in section 193(1) before the Commissioner within a period of 30 days from the date of such auction.

(2) In every such application, the grounds on which the auction sale is sought to be set aside should be clearly specified and all interested persons should be impleaded as parties.

(3) If an auction sale is set aside under this rule, the auction purchaser shall be entitled to receive back the amount specified in section 197.

Confirmation by Collector
(Section 194)

172. At any time after 30 days from the date of an auction sale relating to an immovable property, the Collector may confirm such sale under section 194, if the following conditions are fulfilled:-

(a) That no application for setting aside a sale under section 192 or section 193 was made within a period of 30 days from the date of such sale;

(b) That such an application was made but has been rejected by the Collector or the Commissioner, as the case may be;

(c) That the property belonging to Scheduled Caste or Scheduled Tribe was sold by public auction and no application under section 191 was made, within a period of 30 days, from the date of such sale;

(d) That the amount of purchase money does not

exceed 50 lakh rupees;

(e) That the amount of purchase money is equal to or is more than the reserve price or the amount of arrears specified in the sale proclamation;

(f) That the provisions of section 195 do not apply to the auction sale in question.

Confirmation of sale by
Commissioner
(Section 194)

173. At any time after 30 days from the date of an auction sale referred to in rule 171, the Commissioner may confirm such sale under section 194, if the following conditions are fulfilled:-

(a) That no application for setting aside a sale under section 192 or section 193 was made within a period of 30 days from the date of such sale;

(b) That such an application was made but has been rejected by the Collector or the Commissioner, as the case may be;

(c) That the property sold by public auction belonged to a Scheduled Caste or Scheduled Tribe, and no application under section 191 was made, within a period of 30 days, from the date of such sale;

(d) That the amount of purchase money exceeds 50 lakh rupees;

(e) That the amount of purchase money is less than the reserve price or the amount of arrears specified in the sale proclamation;

(f) That the provisions of section 195 do not apply to the auction sale in question.

Purchaser not to
contravene
(Section 89)

174. Before confirming an auction sale under rule 172 or rule 173, the Collector or the Commissioner, as the case may be, shall satisfy himself that the purchaser of land does not contravene the provisions of section 89.

Date of ownership
[Section 198(3)]

175. When the sale of an immovable property has been confirmed in accordance with section 194, the right, title and interest of the land of the immovable property

aforesaid vested in the defaulter shall be deemed to have vested in the certified purchaser from the date of the auction sale.

Sale Certificate

Certificate of sale
(Section 198)

176. (1) When the sale of an immovable property has been confirmed, under section 194, a certificate of sale shall be issued by the Collector in **R.C. Form-44** to the person who was declared purchaser at the auction sale.
- (2) When an immovable property is sold in lots in accordance with section 184(2), the sale certificate shall be issued to the auction purchaser of each lot.
- (3) Every such sale certificate shall be drawn up on a stamped paper of the value specified in article 18 of Schedule I-B of the Indian Stamp Act, 1899.
- (4) A sale certificate issued under this rule need not be registered under the Registration Act, 1908, but the revenue officer issuing it shall send a copy thereof to the registering authority for the purposes of being filed in Book No.1 as required by section 89 of the said Act.
- (5) The copy of sale certificate to be sent to the registering authority under sub-rule (4) is exempt from stamp duty.

Delivery of possession
(Sections 199 and 201)

177. If the person declared to be the purchaser of an immovable property applies for delivery of possession over the property so purchased, the Collector shall put the purchaser in possession of such property and for that purpose use or cause to be used such force as may be necessary.

Costs of Processes and Collection Charges

Cost of various processes
(Section 180)

178. The costs of various processes mentioned in sections 170 to 178 shall be as follows, and shall be recoverable along with arrears of land revenue:
- | | |
|-----------------------|---------|
| (a) Writ of demand | Rs.5/- |
| (b) Warrant of Arrest | Rs.10/- |

Collection charges
(Section 180)

179. Where any sum recoverable as arrear of land revenue is sought to be realised under or in accordance with the provisions of this Code, the State Government shall subject to the provisions of section 180, be entitled to collection charges at the rate of five percent on the amount of each arrears, in addition to the cost of processes referred to in rule 178.

Fee for service of
summons and other
connected processes
[Section 233(2)(xix)]

180. (1) When any notice, summons, proclamation and other process is required to be issued to the defendant or the opposite party in connection with any suit, application or other proceedings (including appeal, revision or review), then the plaintiff, appellant or applicant shall, subject to the provisions of this rule and rule 181, be required to deposit process fee in accordance with rates of fees chargeable for serving and executing processes issued by the revenue courts as enumerated in the Revenue Court Manual amended from time to time.

(2) Such process fee shall be payable in court-fee stamps.

(3) If any such process is to be served by publication in the newspapers, the plaintiff, appellant or the applicant shall be required to deposit the actual cost of publication in cash.

(4) If any such process is sought to be served by a special messenger the plaintiff, appellant or applicant shall deposit such special fee as the Court may in each case determine.

(5) The fee prescribed in this rule shall be in addition to the cost of process or collection charges referred to in section 180.

Processes for which no fee
is chargeable
(Section 233)

181. Notwithstanding anything in the foregoing rules, no fee shall be chargeable for serving or executing-

(a) any process issued by a revenue Court or revenue officer of his own motion.

- (b) any process issued for the second time in consequence of an adjournment otherwise than at the instance of any party.
- (c) Any copy of a summons, notice or other process posted in any Court-house or office.
- (d) Any order directing the officer-in-charge of a Jail to detain or to release a person committed to his custody.
- (e) Any process issued by any revenue Court or revenue officer for the attendance of any person (other than a party to the suit, appeal or other proceeding) and not called as a witness by any such party.
- (f) Any proclamation referred to in section 35 or section 48.

CHAPTER XIII**JURISDICTION AND PROCEDURE OF REVENUE COURTS**

- | | |
|--|--|
| <p>Certified copy of order or decree to be enclosed.
(Section 233)</p> | <p>182. Where an appeal or revision against any order or decree is preferred under any provision of the Code, a certified copy of such order or decree shall accompany the memorandum of appeal or revision, unless such copy is dispensed with by the Court or officer concerned.</p> |
| <p>Power of appellate and revisional Court
(Sections 207, 208 and 210)</p> | <p>183. (1) The appellate or revisional Court may either admit the appeal or revision, as the case may be, or after giving the appellant or the revisionist an opportunity of being heard, summarily reject it.</p> <p>(2) If the appeal or revision is admitted a date shall be fixed for hearing of the case and notice shall be served on the respondent or the opposite party.</p> <p>(3) The appellate or the revisional court may, with the consent of the parties, finally dispose of the appeal or revision at the stage of admission.</p> <p>(4) The appellate or the revisional court shall, endeavour to finally decide the appeal or revision, as the case may be, within a period of six months from the date of filing the appeal or revision and if the appeal or revision is not decided within the aforesaid period, the reason for the same shall be recorded.</p> |
| <p>Variance of order in revision
(Section 210)</p> | <p>184. No order shall be varied or reversed in revision under section 210, unless notice has been served on the parties interested and opportunity of hearing has been provided to them.</p> |
| <p>Impleadment of State Government
(Section 213)</p> | <p>185. Where any suit, application or proceedings is filed or instituted by any Gram Panchayat or a local authority, the State Government shall be impleaded as a party.</p> |
| <p>Non-applicability of CPC
(Section 214)</p> | <p>186. The provisions of the Code of Civil Procedure, 1908 shall not be applicable to the summary proceedings under the Code or these rules, but the principles enshrined in the Code of Civil Procedure, 1908 and the principles of</p> |

natural justice shall be observed in the disposal of such proceedings.

Expert evidence when
barred.

(Section 233)

187. In mutation proceedings referred to in sections 33 to 35, no request for producing expert evidence shall be entertained by any revenue Court or revenue officer, unless for reasons to be recorded, such Court or officer otherwise directs.

Provisions of the Code to
apply.

(Section 214)

188. Where in relation to any suit, application or proceedings under the Code, any express provision has been made in the said Code or these rules or Regulations made thereunder, the provisions of the Code, these rules or regulations will apply, notwithstanding anything contained in the Code of Civil Procedure, 1908, or the Limitation Act, 1963.

CHAPTER-XIV

MISCELLANEOUS

Bar on entry after sunset
and before sunrise

(Section 220)

Breaking open the door.

(Section 220)

189. No revenue officer shall enter upon any land or building with or without other public servants for carrying out the duties under the Code after sunset and before sunrise.

190. (1) No outer door of a dwelling house shall be broken open by any revenue officer for carrying out the duties under the Code, unless such dwelling house is in occupancy of a defaulter and he refuses to open such door after due warning.

(2) Where any room in a dwelling house is in the occupancy of a woman who according to the local custom does not appear in public, the revenue officer concerned shall allow such woman the liberty to withdraw, before he enters such room.

Limitation and Court Fees

(Section 233)

191. (1) All suits, applications and proceedings mentioned in the **Appendix-I** shall be instituted within the period of limitation specified therein against each of them.

(2) The Court fees payable on plaints in respect of suits mentioned in the **Appendix-I** shall be payable at the rate specified therein against them.

(3) Except as otherwise provided in these rules, the Court fee on memo of appeals shall be the same as was payable on plaints filed before the trial Court.

(4) All documents, other than those specified in sub-rules (2) and (3), filed or exhibited in any suit, application or proceeding shall be chargeable with such rate of fee as is given in the Court Fees Act. 1870.

Determination of
questions in summary
proceedings

(Section 225-A)

192. (1) All the questions arising for determination in any summary proceeding under this Code or these rules shall be decided upon affidavits.

(2) The following proceedings shall be treated as summary proceedings, namely:

Section	Particulars
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24	Demarcation proceedings.
25	Proceeding regarding rights of way and other easements.
26	Proceeding regarding removal of obstacle.
30(2)	Proceeding regarding physical division of minjumla number.
31(2)	Proceeding regarding determination of shares.
32	Proceeding regarding correction of records.
35	Mutation proceedings.
38	Proceeding regarding correction of error or omission.
49	Proceeding regarding revision of map and records.
58	Proceeding regarding dispute arising in respect of any property referred to in sections 54, 56 or 57.
66	Proceeding regarding inquiry into irregular allotment of Abadi sites.
67	Proceeding regarding eviction of unauthorised occupants.
80	Proceeding regarding declaration for non-agricultural use.
82	Proceeding regarding cancellation of declaration.
98	Proceeding regarding permission to transfer Bhumidhari land to person other than Scheduled Caste.
101	Proceeding for exchange.
105(2)	Proceeding for possession of Land.
128	Proceeding for cancellation of allotment and lease.
149	Proceeding for eviction of Government

&150	lessee.
193	Proceeding to set aside sale for irregularity.
195	Proceeding for setting aside of sale by Collector or Commissioner.
212	Proceeding for transfer of cases.

(3) The State Government or the Board may declare any other proceeding except the suits under the Code or these rules as the summary proceeding.

(4) The procedure for disposal of summary proceedings is contained in Revenue Court Manual.

Constitution of Village
Revenue Committee
(Section 225-C)

193. (1) There shall be a Village Revenue Committee for each Gram Panchayat and the Committee shall have not more than five members including the Chairman.

(2) The Chairman of the Land Management Committee shall be the Chairman of the Village Revenue Committee.

(3) The first runner, if any, for the post of Pradhan in the election shall be the Deputy Chairman of the Village Revenue Committee. If there is no first runner for the post of Pradhan, the Deputy Chairman shall be elected by the members of the Revenue Village Committee from amongst themselves.

(4) As soon as may be after the commencement of these rules, and every time thereafter when a Land Management Committee is reconstituted, the Chairman of every Land Management Committee shall, by a written order appoint a date on which the members of the Land Management Committee shall meet and elect from amongst themselves, the three members to constitute the Village Revenue Committee under section 225-C of the Code.

(5) On the issue of the order under sub-rule (4), the Secretary of the Land Management Committee shall give to the members of the Land Management Committee at

least one week's notice stating therein the number of members of the Village Revenue Committee to be elected by Land Management Committee, and the date, time and place of the meeting.

(6) The Quorum necessary for the meeting shall be two third of the total number of the members of the Land Management Committee for the time being.

(7) As soon as the meeting commences, the Chairman shall invite nominations for election for the post of member of the Village Revenue Committee supported by two members of the Land Management Committee one as the proposer and the other as seconder:

Provided that a candidate may propose his own name.

(8) The Chairman shall takedown the names of all validly nominated candidates on a register and announce the same immediately.

(9) If the number of the validly nominated candidates is equal to the number of members to be elected, the Chairman shall declare all such candidates duly elected.

(10) If the number of the validly nominated candidates is less than the required number of seats, the Chairman shall declare all such candidates duly elected. The proceedings shall then be taken a fresh to fill up the remaining seats in accordance with the procedure prescribed in these rules.

(11) If the number of validly nominated candidates exceeds the number of seats, the required members shall be elected by secret voting by all the members of the Land Management Committee present in the meeting.

(12) Votes shall be cast in person and no votes shall be received by the proxy. Every member shall have one vote: Provided that the Chairman shall not have a right of vote.

(13) The Chairman shall, as soon as may be, after the votes have been cast, prepare in the presence of the

members present, a record of the voting and declare, upto the number of the seats, candidates, who are found to have secured, in order, the highest number of votes, to have been duly elected.

(14) In the event of there being an equality of votes between the candidates, the Chairman shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

(15) For filling a casual vacancy in the membership of the Village Revenue Committee, the procedure to be followed shall, as far as possible, be the same as laid down in the foregoing rules.

(16) The Bhumi Prabandhak Samiti shall forward the proposal along with the list of validly elected candidates for the constitution of Village Revenue Committee to the Collector through the Sub-Divisional Officer for the necessary approval. After approval by the Collector the Village Revenue Committee shall be deemed to be constituted.

(17) If the direction for submitting the proposal for constitution of the Village Revenue Committee is not complied with by the Bhumi Prabandhak Samiti the Collector may exercise the power under section 71 of the Code.

(18) The Village Revenue Committee shall discharge the duties and perform the functions, imposed or assigned by the Code or the rules or the regulations or the directions issued from time to time by the State Government or by the Board.

(19) If the Collector, after necessary inquiry, is satisfied from any complaint supported with affidavit or otherwise that the Village Revenue Committee has refused or failed without reasonable cause or excuse to discharge the duties

or perform the functions, imposed or assigned by the Code or the rules or the regulations or the directions issued from time to time by the State Government or by the Board, he may dissolve the Village Revenue Committee and may constitute a new Village Revenue Committee in accordance with the provisions of these rules:

Provided that the Village Revenue Committee shall not be dissolved without being afforded the reasonable opportunity of hearing.

(20) The resignation of the Chairman or member of the Village Revenue Committee may be accepted by the Collector and the vacancy for the post of Chairman or members shall be filled in, in the manner hereinbefore enumerated in this rule.

(21) If any member of the Village Revenue Committee is not discharging his duties or performing his functions as hereinbefore enumerated, the Land Management Committee may pass a resolution for removal of such member and the same shall be forwarded for approval of the Collector through the Sub-Divisional Officer.

(22) If the resolution submitted by the Land Management Committee for the removal of the member is approved by the Collector, the post of the member concerned shall fall vacant which shall be filled in, in accordance with law.

(23) No act or proceeding of a Village Revenue Committee shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of the same.

Free and competent legal
service
(Section 233)

194. The State Government shall, as per the provisions of the Legal Services Authorities Act, 1987 (Act No.39 of 1987), as amended from time to time, provide free and competent legal service regarding the dispute and

litigation arising under the Code or the rules framed thereunder to the weaker sections of the society and ensure that opportunity for securing justice are not denied to any citizen by reason of economic or other disabilities and shall organise Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity.

Misconduct
(Section 233)

195. If any revenue officer does not decide the suit, application or proceedings or any other official does not submit the required report within the stipulated period and the sufficient reason for the delay is not recorded, it would amount to misconduct under the U.P. Government Servant (Discipline and Appeal) Rules, 1999.


Protection to Revenue
Officer acting judicially
(Section 233)

196. A Revenue Officer acting judicially shall be entitled to protection contained in the Judicial Officers Protection Act, 1850 (Act no.18 of 1850).

Savings
(Section 233)

197. The provisions of these rules shall not affect the suit, appeal, revision or other proceedings pending in any court before the commencement of these rules. Such suit, appeal, revision or other proceedings shall be decided in accordance with the provisions of the rules rescinded by these rules.

By order,


(SURESH CHANDRA)
Pramukh Sachiv.

APPENDIX-I
LIMITATION AND COURT FEES

(Rule-191)

Sl. No.	Section	Nature of suit, application and proceedings	Period of limitation	Proper Court Fee
1	2	3	4	5
1.	24(1)	Application for the settlement of boundary dispute.	Nil	Rs.5/-
2.	24(4)	Appeal to Commissioner	As provided in section 24(4)	Rs.5/-
3.	32	Application for correction of records.	Nil	As in Court Fees Act, 1870
4.	35(2)	Appeal to Sub-Divisional Officer	As provided in section 35(2)	Rs.5/-
5.	38(1)	Application for correction of records	Nil	As in Court Fees Act, 1870
6.	38(4)	Appeal to Commissioner	As provided in section 38(4)	Rs.5/-
7.	49(8)	Appeal to Record Officer	As provided in section 49(8)	Rs.5/-
8.	57(2)	Application for permission to plant trees	Nil	Rs.5/-
9.	58(1)	Application for settlement of dispute referred to in the section.	Nil	Rs.5/-
10.	58(2)	Appeal to Commissioner	As provided in section 58(2)	Rs.5/-
11.	66(1)	Application for cancellation of allotment	As provided in section 66(2)	Rs.5/-
12.	67(5)	Appeal to Collector	As provided in section 67(5)	Rs.5/-
13.	80(1)	Application for declaration	Nil	As per the provisions of rule 85(2) of the Code
14.	82(1)	Application for cancellation of	Nil	Rs.50/-

		declaration		
15.	82(2)(c)	Suit for ejectment by bhumidhar.	Nil	As in the Court Fees Act, 1870
16.	85(1)	Suit for ejectment by Gram Panchayat	Nil	As in the Court Fees Act, 1870
17.	85(2)	Suit for ejectment by the land holder.	Nil	As in the Court Fees Act, 1870
18.	98(1)	Application for permission to transfer of land	Nil	Rs.2/-
19.	101(1)	Application for exchange of land	Nil	Rs.50/-
20.	107(2)	Application for permission to make a bequest	Nil	Rs.2/-
21.	115(3)	Application for restoration of land	As provide in section 115(3)	Rs.5/-
22.	116	Suit for division of holding.	Nil	As in the Court Fees Act, 1970 payable on the plaintiff's share of land revenue.
23.	122(3)	Application by person entitled to claim land	As provided in section 122(3)	Rs.5/-
24.	131(1)	Suit for ejectment of an asami.	Nil	As in the Court Fees Act, 1870 on one year's rent.
25.	131(4)	Suit for arrears of rent.	Three years from the date when rent became due.	Rs.5/-
26.	133	Suit for injunction, compensation or repairs.	Three years from the accrual of cause of action.	As in the Court Fees Act, 1870.
27.	134	Suit for ejectment and damages.	Nil	As in the Court Fees Act, 1870 on annual land revenue.
28.	137(1)	Suit for possession or compensation.	Three years from the date of wrongful dispossession.	As in the Court Fees Act, 1870.

29.	139(1)	Application for fixation of rent.	One year from the date of termination of rights of asami.	As in the Court Fees Act, 1870.
30.	141(1)	Application for computation of rent.	-do-	-do-
31.	144	Suit for declaration by bhumidhar or asami.	Nil	Rs.10/-
32.	145	Suit for declaration by the Gram Sabha.	Nil	Rs.5/-
33.	151(1)	Suit for ejection and damages by Government Lessee.	Nil	As in Court Fees Act, 1870.

APPENDIX-II**[Rule-74 (f)]****INSTRUCTIONS FOR THE CONDUCT OF GRAM PANCHAYAT LITIGATION****Procedure of Litigation**

A Gram Panchayat is a corporate body, having perpetual succession, which is vested with the capacity of suing and being sued in its statutory name. On its behalf the Land Management Committee and its Chairman are responsible for the conduct of all litigation affecting generally the Gram Panchayat, subject to the control, generally of the government and locally of the Collector or the Sub-Divisional Officer.

2. The conduct of Gram Panchayat litigation shall not depend upon the individual discretion of the Chairman of the Land Management Committee, but shall be a matter of resolution of the Land Management Committee as a whole. In urgent cases, however, the Chairman can take action on his own and seek ratification of the Land Management Committee afterwards, by including it in the agenda of the next ensuing meeting.

3. In all cases where a member or Chairman of the Land Management Committee is either a party to a suit or proceeding relating to the Land Management Committee or is otherwise interested in the matter in issue, it shall, by a resolution to that effect, entrust a member, other than the said member or Chairman, as the case may be, with the conduct of the litigation.

Gram Panchayat Panel Lawyers

4.(1) For the conduct of suits, applications and other proceedings, including objections, appeals, revisions, writs and special appeals by or against the Gram Sabha, Gram Panchayat or Land Management Committee, the Panel Lawyers shall be appointed under section 72 of the Code in the manner provided in rule 72 of the rules framed thereunder.

(2) The Panel Lawyer may appear, plead and act without any written authority on behalf of any Gram Panchayat of the area for which he is appointed, before any court in any suit or other case of which he has charge by or against Gram Panchayat.

(3) Panel Lawyer in any court shall be the agent of the Gram Panchayat of the area of which he is appointed for the purpose of receiving processes against such Gram Panchayat, Gram Sabha or Land Management Committee issued under U.P. Revenue Code, 2006 or the enactments repealed by such Code.

(4) In a case, which figures two courts i.e. revenue and civil-the revenue Panel Lawyer will do pairvi of the case in the revenue court and the civil Panel Lawyer in the civil court.

5. **Free opinion and legal advice by Panel Lawyer-**Panel Lawyers shall always be available to give free legal opinion and advice to the Land Management Committee, the Chairman of the Samiti can directly consult him on points of law, particularly in all cases where Gram Panchayats have been impleaded as defendants or where they propose to file suit or applications under the U.P. Zamindari Abolition and Land Reforms Act, 1950 or the Land Revenue Act, 1901 or the Revenue Code, 2006.

6. (1) Only the Collector and the Sub-Divisional Officer are authorized to sanction the engagement of Panel Lawyers. In each and every case the Land Management Committee shall obtain their sanction for the engagement of such lawyers and shall not engage them directly.

(2) The Land Management Committees cannot also engage any lawyer other than a Panel Lawyers except with the specific permission of the Collector.

(3) The Collector shall ordinarily grant permission for the engagement of a lawyer other than a Panel Lawyer in those cases only which may be of special intricacy or in which it may be apprehended that the Panel Lawyer would collude with the opposite party.

(4) Fresh sanction of the Collector or Sub-Divisional Officer is essential to engage a counsel in an appeal against Gram Panchayat (either alone or along with the State as a party), even if the lawyer is the same, who had been allowed to appear in original suit, from which said appeal has been arisen.

7. **Panel Lawyers not be engaged in criminal cases-** (1) Panel Lawyers cannot be engaged in criminal cases or cases under the Panchayat Raj Act, 1947. They can appear only in those cases in which their engagement is approved by the Collector or the Sub-Divisional Officer. They would also defend the interest of State in all cases in which the State is a party unless the Collector directs otherwise. Panel Lawyers (criminal) should be engaged on behalf of the Gram Panchayat in criminal cases filed by or against the Gram Panchayat. Panel Lawyers (criminal) should be paid his fees at the same rate, which has been prescribed for the similar cases of the State and the expense should be borne by the Consolidated Gaon Fund.

(2) Panel Lawyers are under a disability to appear in any case against the Gram Panchayat of the area for which he has been appointed, barring exceptional cases in which they may be allowed to do so by the Collector. The Collector shall give such permission only when there is no conflict between the Gram Panchayat and the other party.

8. It would be the duty of the Panel Lawyers to bring to the notice of the Collector or the Sub-Divisional Officer all cases in which they are satisfied that the Chairman, the

Secretary or any other member has colluded with the opposite party or has been lukewarm in his pairvi. Sections 126 and 127 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, section 95(1) of the U.P. Panchayat Raj Act, 1947 and section 71 of the Revenue Code, 2006, can be utilized to prevent collusion and indifference. Collectors and Sub-Divisional Officers have been delegated the powers of State Government under these sections.

9. **Consultation and advice with the Panel Lawyer-** When the Chairman, the Secretary or the nominee of the Land Management Committee goes to the Panel Lawyer for consultation or advice, they should have an authority from the Tahsildar or the Naib-Tahsildar, bearing the seal of the tahsil, for purposes of identification so that the Panel Lawyer may know whether they are in fact the persons they allege themselves to be. The best means of identification would be to see if the person has with him the subsidiary account book of litigation expenses, every item of which has to be certified by the Panel Lawyer.

10. The District Government Counsel shall be in-charge of all revenue and civil cases in each district in which the Gram Sabha, Gram Panchayat or Bhumi Prabandhak Samiti is a party, and shall also be available for consultation and advice where necessary. Panel Lawyers will work under his supervision subject to the overall control of the Collector.

11. (1) Subject to the provisions of sub-paragraph (4) of paragraph 18, appeals or revisions in Gram Panchayat cases before the Collector, the Civil Judge or the District Judge at the headquarters of a district, or before the Additional Commissioner and Commissioner at the headquarters of a division, shall be conducted by the Panel Lawyers concerned in consultation with the District Government Counsel. In districts where there are no civil Panel Lawyers, the District Government Counsel (Civil) shall conduct the civil appeal or revision. All the revenue cases before the Board of Revenue and all the civil cases arising out of the U.P. Zamindari Abolition and Land Reforms Act, 1950, the U.P. Land Revenue Act, 1901, the U.P. Consolidation of Holdings Act, 1953 or U.P. Revenue Code, 2006 and writs before the High Court in which State of U.P. and Gram Sabha, Gram Panchayat or Land Management Committee are parties or Gram Panchayat alone is a party, are to be conducted by the lawyers of Gram Panchayat so appointed by the State Government in this regard and in such cases, the Collector will have to obtain sanction of the Government in the revenue department. The district Panel Lawyers would get the ordinary fee admissible to them, unless the Collector certifies that they are entitled to greater fees, because of their intricate nature of any case or for any other special reasons. The payment of the bills relating to the above cases and other miscellaneous expenses relating to that district shall be made from the Consolidated

Gaon Fund.

(2) Permanent advance of rupees one thousand may be granted to the Panel Lawyer from the Consolidated Gaon Fund for meeting day to day expenses. The Panel Lawyer may spend money out of this advance and may recoup the money spent by submitting the vouchers of the expenditure. He will render the final account of the advance money to the revenue assistant in the office of the Collector or in the office of the Land Reforms Officer, as the case may be, at the end of financial year in the month of March by returning the unspent balance. At the beginning of the new financial year, the permanent advance of the rupees one thousand may again be given to the Panel Lawyer.

Institutions and Defence of Suits

12. **Institution of suits with consultation of Panel Lawyer-** (1) Gram Panchayat or Gram Sabha will either be a plaintiff instituting or filing a suit, or a defendant contesting such a suit. The Chairman of the Land Management Committee shall not be entitled to take any action in any suit or proceedings unless he consults the Panel Lawyer and obtains order of the Sub-Divisional Officer or the Collector.

(2) Before instituting a suit or proceeding, the Chairman of the Land Management Committee should report full facts to the tahsildar along with a copy of the resolution of the Land Management Committee for filing the suit or proceeding. The tahsildar shall, after making such enquiry as may be necessary, and after consulting the tahsil Panel Lawyer, submit his report to the Sub-Divisional Officer along with written opinion of the tahsil Panel Lawyer. If the suit or proceeding is to be instituted in a court at tahsil headquarters, the Sub-Divisional Officer shall take a decision. If the suit or proceeding is to be instituted in a court at the district headquarters, the Sub-Divisional Officer shall submit all the papers to the Collector for orders. The Collector shall then decide whether a suit or proceeding is to be instituted or not. He may, in this connection, consult the headquarters Panel Lawyer or the District Government Counsel, if he considers necessary.

(3) Where the land of Gram Panchayat has been allotted to the persons under the provisions of U.P. Zamindari Abolition and Land Reforms Act, 1950 or U.P. Revenue Code, 2006 and any suit is instituted or any proceeding is initiated by the influential persons against such allotment the pairvi on behalf of the Gram Panchayat shall be done in such suits or proceedings in as much as the interest of the Gram Panchayat and the State Government is vested in such land.

13. **Duties of the Land Management Committee on being defendant-** (1) In cases where the Land Management Committee is a defendant it will receive a copy of the

plaint and summons. It will then be the duty of the chairman or any duly authorized member to contact the tahsil or headquarters Panel Lawyer accordingly as the case is before a tahsil or district headquarter court immediately with the narrative of the case and latest extracts of khatauni and khasra pertaining to the land in dispute. After securing any further clarification from the Chairman or the duly authorised member, the Panel Lawyer concerned will submit papers along with his opinion to the Sub-Divisional Officer through the tahsildar if the suit or proceedings lies in a Court of Tahsildar or through the Sub-Divisional Officer to the Collector if the suit or proceedings lies before a district headquarter court. If the suit or proceeding had been instituted in a court at the tahsil headquarter and the Government is not a party, the Sub-Divisional Officer shall take a decision as to whether the case is to be contested or not. If the suit or proceeding has been filed in a court at district headquarters and the Government is a party to it, the Sub-Divisional Officer shall submit the papers along with his own comments to the Collector for orders. The Collector shall then take a decision as to whether the suit or proceeding be contested or not. He may, if he considers necessary, consult the headquarters Panel Lawyer or the District Government Counsel.

(2) If the Sub-Divisional Officer or the Collector had decided that a suit should be contested, a written statement shall accordingly be filed by the tahsil Panel Lawyer in the court situated at tahsil headquarter and by the headquarters Panel Lawyer in the court at District headquarters. The written statement on behalf of the Land Management Committee shall be signed by the chairman or a member duly authorised in this behalf. In cases where the Government is a party a separate written statement would also be filed duly signed by the Collector in all cases, whether pending in a court at district headquarters or at tahsil headquarters.

14. In cases where the Gram Sabha or Gram Panchayat is only a formal party and the decision in such a case is not likely to affect the property or the Land Revenue of the Government, the Collector or the Sub-Divisional Officer shall not ordinarily permit the contest of the case or the engagement of the Panel Lawyer for that purpose at the district or tahsil headquarters.

15. **Cases decided ex-parte-** It is possible that some cases might be decided ex-parte against the Gram Sabha, Gram Panchayat or Land Management Committee. The limitation for getting set aside such order is thirty days from the knowledge of the order. Usually such knowledge will be gained when the succeeding plaintiff will apply for the execution of the court's orders or for correction in land records. In either of these two cases, the lekhpal will come to know of the ex-parte orders and it will then be his duty, as secretary of the Land

Management Committee to inform the Sub-Divisional Officer and the Collector of the ex-parte orders. The latter will take necessary action in consultation with the Panel Lawyer for getting set aside the ex-parte decrees or orders, if the interest of the Gram Sabha, Gram Panchayat or the State Government have been materially affected thereby. In all such cases the Sub-Divisional Officer or the Collector will assess as to how the case or suit suffered by default and, if necessary, take action against the chairman or members of the Land Management Committee if they were responsible for the same.

16. **Notice under section 80 C.P.C.-** (1) A large number of notices under section 80, Civil Procedure Code, 1908 or under section 106 of U.P. Panchayat Raj Act, 1947, are received in Gram Sabha or Gram Panchayat cases in which the State is a party. After consulting the Panel Lawyer or District Government Counsel, it is decided by the Collector as to whether a case, when filed, should be contested or not. After a decision as to whether the suit or proceeding be contested or not has been taken by the Collector, the decision shall be communicated to the Gram Panchayat concerned through the Tahsildar to enable the Chairman concerned to know as to which cases are to be contested. For this purpose, contestable and non-contestable cases of a particular month should be separated by the revenue assistant and tahsil-wise lists of non-contestable cases of a particular month should be prepared by him by the third day of the following month for being sent to the Tahsildar. All these lists should invariably be dispatched by the fifth day of each month. The Tahsildar shall, thereafter, communicate the necessary information to the Chairman of the Land Management Committee concerned, so that they may not needlessly run up to the Panel Lawyer at the tahsil or district headquarters for consultation or pairvi when the suit is actually filed and summons and notices received.

(2) Mislband registers prescribed for revenue courts shall in the case of Gram Panchayat or Gram Sabha cases, be maintained by the revenue assistant at the district headquarters, who shall be the in-charge of the related cases of the Gram Panchayat, but for this purpose assistance should be afforded from the office of the District Land Reforms Officer. The column for "Brief of final orders" in the mislband register shall contain orders of the Collector about contest or non-contest of a suit. When a suit is filed, a note to this effect shall be made in the "Remarks" column against relevant entry of the notice case. Serial number and date of suit shall be mentioned making this note. The notice files in which final orders have been passed shall be kept till the date of the limitation period, so that they may be readily available at the time the suit is filed. As soon as a suit has been filed, the non-contestable case file shall be consigned after obtaining final orders of the Collector and

contestable case file should be sent to the District Government Counsel or the Revenue Panel Lawyer at the district headquarters or the tahsil headquarters, as the case may be, for defending it. Misband registers should be kept in two volumes-one for civil cases and the other for revenue cases, at the district headquarters. Each of the registers should be divided in two parts-in one part should be entered notice cases and in the other should be entered the suit cases. The part in which suit cases are to be entered should further be split up in five parts (one for cases under the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, the other for cases under the Uttar Pradesh Land Revenue Act, 1901, the third for cases under the Uttar Pradesh Zamindari Abolition and Land Reforms Rules, 1952, the fourth for cases under the U.P. Revenue Code, 2006 and the fifth for cases under the U.P. Revenue Code Rules, 2016). Sufficient pages say about three-fourth of the register, should be kept reserved for making entries of notices, as their number would proportionately be higher than that of suit cases. Cross entry of the particulars of the notice file should also be made in the "Remarks" column of the suit entry. As soon as a suit has been decided, the District Government Counsel or the Panel Lawyer will return the file to the Revenue Assistant with the following information:

(a) A brief note about the result of the case.

(b) Date of expiry of the period of appeal.

(c) The dates of advances, if any, drawn by the District Government Counsel or the Panel Lawyer with complete account of the expenditure accompanied by relevant vouchers and his fee bill.

17. (1) Where a suit or proceeding has been decided against the Gram Sabha, Gram Panchayat or the Land Management Committee or the State Government, the Collector, after consulting District Government Counsel, Revenue or Civil, as the case may be, shall himself take a decision about the filing of first appeal in revenue and civil cases as the period of limitation is only thirty days. When a second appeal in a civil case is to be filed, the Collector shall obtain orders of Legal Remembrancer to Government. When a decision is to be taken whether a writ application has to be opposed or not, the Collector shall obtain orders of the Government in the Revenue Department. In revenue cases under the U.P. Zamindari Abolition and Land Reforms Act, 1950, and the rules framed thereunder, or the U.P. Revenue Code, 2006, and the rules framed thereunder, however, the Collector shall himself take a decision about the filing of the second appeal also and Government Orders for the purpose are not necessary. Where, however, any intricate law question is involved or where there is difference of opinion between the District Officer and the District Government

Counsel, the case may be referred to Government in the Revenue Department. In all cases of reference to Government in the Judicial or Revenue Department, the Collector shall submit a copy of the orders of original and appellate courts or a copy of the writ application along with the narrative and the opinion of the District Government Counsel (Civil).

(2) The tahsil or headquarters Panel Lawyer who conducts the original suit shall continue to conduct the appeal within the district and the District Government Counsel (Civil) shall, as usual, supervise this work of the Panel Lawyer also.

(3) The Collector will take steps for realization of cost, etc. in a case in which either Gram Panchayat or the Government or both are parties.

18. (1) The State Government shall be a necessary party in the following classes of suits instituted against the Gram Panchayat :

(a) Suits under sections 59 to 61 and 183 of the U.P. Tenancy Act 1939, in which the cause of action accrued before the date of vesting.

(b) Suits for the declaration of the rights and/or of recovery of possession by a bhumidhar.

(c) Suit by persons claiming the land or any of the things vested in a Gram Panchayat or a local authority under the Revenue Code, 2006 or the enactment repealed by the Revenue Code.

(d) Suits, the decision in which is likely to affect adversely or otherwise, the land revenue payable to the State Government.

In all such cases the Collector and/or the Government would also be receiving copies of the plaint and summons and the line of defence which is to be adopted in such cases by the Land Management Committee will be governed with reference to instructions received from the Collector.

(2) The Collector shall appoint one of his experienced subordinate officers as Special Officer on whom shall rest the responsibility for doing proper pairvi of cases in which the State Government is also a party. A civil suit shall only be contested on behalf of Government if the District Government Counsel or the civil Panel Lawyer and the Special Officer are both of the opinion that it should be contested and in that case the papers shall not be sent to the Remembrancer to Government for instructions unless a difficult question of law is involved in which his advice may be necessary or where there is material evidence available with Government. If both the District Government Counsel or the Civil Panel Lawyer and the Special Officer are of the view that a civil case should not be contested, it shall not be contested. The cases of difference of opinions between the District Government

Counsel or civil Panel Lawyer and the Special Officer shall be referred by the District Officer to the Legal Remembrancer to Government if he also disagrees with the District Government Counsel or Civil Panel Lawyer. The tendering of advice to contest a civil suit merely to inflate his bills may adversely affect the prospects of the District Government Counsel or Civil Panel Lawyer for further extension of his term on its expiry.

(3) As regards Revenue suit filed under the U. P. Zamindari Abolition and Land Reforms Act, 1950 and the rules framed thereunder, or under the U.P. Revenue Code, 2006 or the rules framed thereunder, in which the State is a party, a decision for the contest or not of the suit shall be taken on the same lines as indicated for Civil Suits in sub-paragraph (ii) above. In case there is agreement between the District Government Counsel or Revenue Panel Lawyer and the Special Suits Officer, they shall take action accordingly. The cases of difference of opinion between the District Government Counsel or Revenue Panel Lawyer and the Special Suits Officer shall be referred by the District Officer to the Secretary to Government in the Revenue Department if he also disagrees with the District Government Counsel or Revenue Panel Lawyer.

(4) In a case whether it be a civil case or revenue case in which the State is also a party, the District Officer shall decide if the District Government Counsel or the Gram Panchayat Panel Lawyer should appear on behalf of the both according to the importance of the case. But two lawyers should certainly not be engaged. The Collector should in the first instance consult the Gram Panchayat Panel Lawyer concerned and if a case turnout to be of extraordinary importance, the opinion of the District Government Counsel should be invited. Where it is a case of particular importance, the District Government Counsel himself should appear before the court both on behalf of the State as well as the Gram Panchayat and in the rest of the cases defence of the State may as well be undertaken by the Gram Panchayat Panel Lawyer.

19.(1) In criminal cases, the Chairman and Secretary of the Bhumi Prabandhak Samiti or a duly authorized member of the Land Management Committee may lodge a report at the police station and the police shall take necessary action in cognizable offences.

(2) Particular watch should be kept of cases in which re-entry of the trespasser over the land or other properties restored to the Gram Panchayat occurs and such cases should be reported for stringent action preferably under section 447, Indian Penal Code. In the special cases, criminal proceedings under section 447 of Indian Penal Code, 1860, can be resorted to in accordance with the provisions of Criminal Laws (Amendment) Act, 1961. In such cases, after service of notice on the trespasser for vacating land within the specified time for the first

trespass on the land of Gram Panchayat, criminal proceeding may be initiated. In all cases, when the crime has been established under section 456 of the Code of Criminal Procedure, 1973, application should be presented to take possession.

Plaints, Written Statements, Applications and Admissions

20.(1) In all cases where the Land Management Committee enters into litigation, the Chairman shall sign the plaint or the written statement and applications on its behalf and shall make all the necessary arrangements for the successful prosecution of the case.

(2) In the absence of the Chairman, this work may be done by a member of the Committee authorized by the Chairman in writing. If no member has been authorized by him, the Committee may authorize one of its members by a resolution.

(3) If in any case the Land Management Committee refuses to sign a plaint or to defend a case, as advised by the Panel Lawyer and as instructed by the Collector or the Sub-Divisional Officer, they should take suitable disciplinary action against the Chairman or the member, as the case may be, of the Land Management Committee and make alternative arrangements under the powers delegated to them under section 127 of the U.P. Zamindari Abolition and Land Reforms Act, 1950, or under section 71 of the U.P. Revenue Code, 2006, respectively. In case of alternative arrangements, the person or authority appointed to discharge the functions of the Land Management Committee shall also be authorized to sign plaints or written statements etc. and to look after litigation of the Gram Panchayat.

21. The Chairman of the Bhumi Prabandhak Samiti or a member so authorized by the Chairman or the Samiti shall not admit any claim of the opposite party or enter into a compromise or an agreement with the opposite party in any suit or proceeding or withdraw any suit or proceeding without obtaining prior permission in writing of the Sub-Divisional Officer or the Tahsildar, not being the presiding officer of the court in which the suit or proceeding is pending.

22. An application, admitting any claim or incorporating a compromise or an agreement or an application for the withdrawal of a suit or proceeding shall be accompanied with a copy of the order passed by the Sub-Divisional Officer or Tahsildar, as the case may be, duly sealed with the seal of office. In the absence of such an order the application shall be deemed to be without authority and shall neither be recorded nor taken notice of by the court. The court shall in such a case call for a fresh and duly authorized application or written statement within a period of thirty days and intimation of this order shall be given to the Sub-Divisional Officer or the Tahsildar, as the case may be, by the court concerned.

23. Gram Panchayat plaints and applications shall bear the requisite Court fee.

Litigation Expenses

24. The Panel Lawyer may submit his bills for fee in every month for the cases decided including the miscellaneous expenses incurred upto the preceding months to the Collector who will verify them and pay out of Consolidated Gaon Fund. It is unnecessary for Panel Lawyers to take the signatures of Presiding Officer of Courts by way of certificate that they attended the court, because in civil and revenue cases payment is not made date-wise, as is done in criminal cases. A copy, however, of the Collector's or the Sub-Divisional Officer's order sanctioning the engagement of the Counsel should be attached to the bill. The bills of the Panel Lawyers will be in the following form:

Payable from District Consolidated Gaon Fund

Bill of Fees claimed by the Panel Lawyer/special counsel for conducting the Gram Panchayat litigation of District.....

1. Date.....
2. Description of the case.....
3. Name of the Court.....
4. Result of the case.....
5. Valuation given in the plaint, application or in the memorandum of appeal.....
6. Amount of fee (in figure).....(in words).....

Certified that this is the first bill for conducting the above case and I have never claimed it nor have received payment therefor before.

Whether the fee has been awarded by the Court or not.....

.....
 Signature of the Counsel
 Full designation.....
 Address.....

For use of office of the Collector

To the Collector,

This bill has been checked by me. Orders for contesting the case was given.... on and that of engaging for counsel on.....the claim has been awarded by the Court and that has been calculated correctly.

Bill for.....Rupees.....Rupees (in words) may be passed.

Sd./Revenue Assistant

Payment be made for as.....(in words).....only.

Dated.....

Signature of

Collector or Officer-in-charge of Treasury.

25. As provided in rule 582 of the General Rules (Civil), 1957 and rule 204 the Revenue Court Manual respectively, the Gram Panchayat Panel Lawyers are not required to file certificate of fee for getting their fee taxed and included in decrees and orders.

26. (1) The Panel Lawyers will generally receive fees according to scale laid down in rule 73 of the U.P. Revenue Code Rules, 2016. However, cases decided, by one judgment shall be deemed to be one case for the purpose of calculating the fee. In intricate cases requiring more time and labour where the prescribed fee is not adequate, proposals for payment of extra fees will be considered by the Collector and, when necessary, it will be referred to the Government and the fee shall be paid as per the decision taken by the Government.

(2) All the revenue cases in revenue court and civil cases in civil court, which have been arisen out of the U.P. Zamindari Abolition and Land Reforms Act, 1950, or the U.P. Revenue Code, 2006, and in which either the State of Uttar Pradesh is alone a party or State of Uttar Pradesh and Gram Sabha/Gram Panchayat both are involved and the interest of the Gram Sabha/Gram Panchayat is not involved, will be conducted respectively by District Government Counsel (Revenue) and District Government Counsel (Civil) and their fees and miscellaneous expenses will be paid by the State Fund. The fees of the Counsel will be debitable to Legal Remembrancer's budget under the appropriate head of account. Miscellaneous legal expenses will be borne by concerned Administrative Department. In all revenue and civil cases arising out of said Acts, in which either Gram Sabha/Gram Panchayat is alone a party or Gram Sabha/Gram Panchayat and State of U.P. both are party, but if in fact interest of only Gram Sabha/Gram Panchayat is involved and the interest of State is not involved, the fees and miscellaneous expenses on litigation will be paid by concerned District Consolidated Gaon Fund.

(3) If the cases of Gram Sabha/Gram Panchayat are before the Consolidation Court, which is situated in interior or the distance from the tahsil or district headquarter, Panel Lawyers appearing in court situated at such distance will be paid travelling and daily allowance in accordance with the provisions of the paras 186 and 187 of the Legal Remembrancer Manual. However, it is notable that generally there is no need of assistance of Gram Panchayat Panel Lawyer in proceedings before the Assistant Consolidation Officer. In

those cases, in which Gram Sabha / Gram Panchayat is proforma party and no interest thereof is involved in their result, appearance of the Panel Lawyers will not be compulsory before the Consolidation Officer. If the cases are arranged so that in most of the cases, in which Panel Lawyer has to appear be fixed on one date or next consecutive dates, thereafter, the unnecessary travelling and daily allowance can be saved.

(4) In all such cases in which the Panel Lawyer has to go out for spot inspection for conducting the cases for Gram Sabha/ Gram Panchayat, he shall be paid travelling and daily allowance as according to para 7.47 and 7.48 of the Legal Remembrancer Manual.

27. Clerks of Panel Lawyers will be paid a fee as per the scale laid down in rule 73 of the U.P. Revenue Code Rules, 2016. The Panel Lawyer will include in his bill the fee of clerks calculated at the rate enumerated in rule 73 of the Rules, 2016 aforesaid and give certificate that he is entitled for the said fees and this fee will be paid in the form of writing expense from the Gaon fund. More fees to the clerks will be paid only in those cases, when the same has been included in the decree passed by the Court, but same is not payable in other cases. If in any case typing work be get in excess, actual expenses incurred on the typing work can be paid. Though permission for this will be given in very few exceptional cases, when typing material is more than six pages.

28. Supply of plain paper and other necessary stationery to the Panel Lawyers for Gram Panchayat cases will be a legitimate item of expenditure from the Gaon Fund.

29. The Chairman of the Land Management Committee shall be allowed a permanent advance of Rs.500 to meet the emergent cost of litigation, and management of land and things. This advance shall be obtained from the Gaon Fund but shall be recouped from time to time on submission of payment vouchers in respect of litigation expenses from the said fund. A person, who attends a court on behalf of the Gram Panchayat, will be given out of pocket expenses from this permanent advance. He will be reimbursed to the extent of actual travelling allowance and daily allowance at Rs.20 per day. Full details of the expenditure shall be shown by the Chairman in the Register of Expenditure in Gram Panchayat in **B.P.S. Form-12(old B.P.S. Form 6)**. Whenever payment is made to any person, the Chairman shall always obtain a receipt and keep it on record. The Panel Lawyers should also give receipts of payment taken for litigation expenses from Gram Panchayat pairokars or from the Collector. A subsidiary account book of litigation expenses shall be maintained by the Chairman, and every item of expenditure should be certified by the Panel Lawyer concerned. This subsidiary account book may be useful in checking entries in the register in **B.P.S. Form-12 (old B.P.S. Form 6)**.

Litigation Documents, Statements and Registers

30. Panel Lawyers will adopt the same procedure for inspection and obtaining copies of papers and summoning the records in cases, where Gram Panchayat or the Land Management Committee is party as the District Government Counsel adopts in Government cases. Immediately after a case has been decided, the copies of documents the Panel Lawyer has received on behalf of the Gram Panchayat, may be made over to the Chairman of the Land Management Committee along with copies of judgment obtained by them. The Revenue Assistant or the Tahsil clerk-in-charge of litigation would make a point to obtain these documents and transmit them onwards to the Chairman of the Land Management Committee through the Sub-Divisional Officer or Tahsildar for safe custody. Copies of the judgments received by the Secretary of the Land Management Committee (i.e. the Lekhpal) should be kept in a Guard File subsidiary to the register of litigation cases.

31. The Civil Panel Lawyer or District Government Counsel (Civil), where there is no Civil Panel Lawyer at the headquarter and Tahsil Panel Lawyers will submit to the Collector (Tahsil Panel Lawyers will submit their report through Sub-Divisional Officer) a bi-monthly progress report in respect of litigation work done by each of them in the following proforma :

Description	Previous balance	Receipt during the two months	Total for disposal	Disposal	Balance at the end of the two months period	Remarks
1	2	3	4	5	6	7
(1) Notice under section 80, C.P.C.						
(2) Suits against Gram Panchayat/ Land Management Committee.						
(3) Suits by Gram Panchayat/ Land Management Committee.						
(4) Appeals by Gram Panchayat/ Land Management Committee.						
(5) Appeals against Gram Panchayat/ Land Management Committee.						
(6) Others						

This bi-monthly statement should be accompanied by a descriptive report which will show the nature of cases instituted or contested under each provision of law and the results generally obtained along with the comments of the lawyers concerned for generally improving the manner and method of conducting Gram Panchayat litigation.

32. Every Secretary of the Land Management Committee will maintain a register of cases for each Gram Panchayat in five parts (one for cases under the U.P. Zamindari Abolition and Land Reforms Act, 1950 including civil cases, the other for cases under the U.P. Land Revenue Act, 1901, the third for cases under the U. P. Zamindari Abolition and Land Reforms Rules, 1952, the fourth for cases under U.P. Revenue Code, 2006 and the fifth for the cases under U.P. Revenue Code Rules, 2016) in the following form. Columns 4 and 8, should be wide enough to enable the noting of the description and result in detail :

- (a) Serial number/Case number.
- (b) Name of the village.
- (c) Names of the parties.
- (d) Description of the case.
- (e) Area involved in the case with khasra number and Land Revenue.
- (f) Date of the institution of the case.
- (g) Date of decision.
- (h) Result of the case.
- (i) Remarks (mention of collusion or ex parte order should be made in this column).

33. The Collector and the Sub-Divisional Officer shall hold a meeting about Gram Panchayat litigation once in a month at the district and tahsil headquarter respectively. The meeting at the tahsil headquarter shall be attended by the Tahsildar or the Naib-Tahsildar, the Tahsil Panel Lawyer and the clerk-in-charge of litigation work (Registrar Kanungo or corresponding clerk). At the district headquarters, the meeting could be held at the bungalow of the District Magistrate and the Special Officer, the Revenue Assistant, the District Government Counsel and the Civil and Revenue headquarter Panel Lawyers shall attend this meeting. These meetings will help to improve efficiency of the conduct of Gram Panchayat litigation to iron out differences and to initiate action against defaulting Chairman of the Land Management Committee. The annual report regarding the work and conduct of the Panel Lawyer shall be forwarded to the Board of Revenue which shall forward the same with its report thereon to the Revenue Department of the State Government and in pursuance thereof appropriate order or instructions may be issued by the State Government.

34. The Civil Panel Lawyer or the District Government Counsel can easily attend to the various Gram Panchayat cases in Civil Courts because the number of civil courts is not

large, and civil suits are not many. The number of revenue courts at the district headquarters is, however, quite large and revenue suits and applications are numerous. Consequently, the revenue Panel Lawyer finds it difficult to attend to all cases in all these courts each day. The Collector can, however, solve this difficulty by passing orders that Gram Panchayat cases in each court would be taken up on fixed days so that the revenue Panel Lawyer can attend to one or two courts each day and deal with all the cases of Gram Panchayats pending in revenue courts conveniently.

R.C. FORM-1

(See Rule-4)

Notification no.....Date.....

Public Notice

In pursuance of the provisions of section 6(2) of Uttar Pradesh Revenue Code, 2006 (U.P. Act No.8 of 2012), notice is hereby given that the State Government proposes to alter the limits of the following revenue area by amalgamation/re-adjustment/division/abolition/creation/alteration in the name/in any other manner:-

(a) Details of the revenue area-.....

(b) Particulars of the alteration-.....

The above proposal shall be taken up for consideration after the expiry of 45 days from the date of publication of this notice in U.P. Gazette.

Any objection or suggestion in respect thereof may be submitted in writing to the Principal Secretary Department of Revenue, Government of Uttar Pradesh, Lucknow before the expiry of the said period.

Secretary
to the Government of U.P.

R.C. FORM-2

(See Rule-15)

Show cause notice to be issued by the Collector u/s 18(2)

To,

.....
.....,
.....

Whereas you were directed to deliver the money/the particular papers/property.....

.....to.....

.....

but the order/direction datedissued under section 18(1) of the Code has not been complied with by you within the period stipulated in the order dated.....and therefore, the notice is hereby given to you to show cause within a period of one week from the date of the service of the notice as to why the penalty under sub-section (2) of section 18 of the Code not be imposed on you.

If you do not submit any objection/explanation with the specified period and time a decision in the matter would be taken and order would be passed against you ex-parte.

Issued under my hand and the seal of the office thisday of20....

Date:.....

Signature of the Collector

Seal:.....

.....District”

R.C. FORM-3**(See Rule-24)**

List of village (Tahsilwise) of District.....

Sl. No.	Names of villages	Total area	Total cultivated area	Area which are liable to fluvial action	Area having precarious cultivations	Number of plots	Names of Lekhpal & place of residence	Number of khatas in khatauni		Remarks
								Part I	Part II	
1	2	3	4	5	6	7	8	9	10	11

R.C. FORM-4**(See Rule-25)**

Khasra (field Book) of village.....Tahsil.....District.....

Number of field	Area	Number of khatauni khata	Name of tenure holder as classified in Part I in khatauni	Name of tenure holder, as classified in Part II in khatauni	Method of irrigation
1	2	3	4	5	6

CROPPED AREA

Kharif Area			Rabi Area			Zaid Area			Dofasli	
Crop	Irrigated	Un-irrigated	Crop	Irrigated	Un-irrigated	Crop	Irrigated	Un-irrigated	Irrigated	Un-irrigated
7	8	9	10	11	12	13	14	15	16	17

Details of un-cropped land to agree with columns of the area statement		Kind and number of full grown trees on each plot	Remarks
Class of land	Area		
18	19	20	21

R.C. FORM-5**[See Rule-26(3)]**

Provisional Partition Scheme of Minzumla Numbers

Survey No.	Total area of survey number in hectare	Names of Tenure Holders of each minzumla number in Hindi Alphabetical order	Area of tenure holder in the minzumla Number	Proposed map of minzumla number indicating the area in distinct colours proposed to the tenure holders
1	2	3	4	5

R.C. FORM-6

[See Rule-26(7)]

Notice regarding provisional partition scheme of minzumla numbers

To,

.....

.....

.....(name and address of the tenure holders)

As per the provisional partition scheme for minzumla numbers prepared under rule 25 of the rules, the survey minzumla number.....area.....of the Village.....

ParganaTahsilDistrict.....

has been physically partitioned as under:-

(Map of survey number partitioned indicating the part allotted to the tenure holders)

If, you have any objection about the proposed partition of the minzumla number aforesaid, you may file objection, before the Lekhpal within fifteen days of the publication of the provisional partition scheme. In case no objection is received within the time prescribed, it shall be presumed that you have no objection to make against the proposed partition scheme and orders shall be passed accordingly.

R.C. FORM-7**(See Rule-27)**

Khatauni (Record of Rights) of

Village.....Tahsil.....District.....

Serial No. of Khata Khatauni	Name of tenure holder with parentage and residence	Year of commencement of tenure	Khasra no. of each plot of the khata	Area of each plot	Land revenue payable by the tenure holder	Share of tenure holder
1	2	3	4	5	6	7

Substance of order effecting change, with number and date of order and designation of authority						Remarks
Fasli	Fasli	Fasli	Fasli	Fasli	Fasli	
8	9	10	11	12	13	14

R.C. FORM-8

[See Rule-28(5)]

Notice regarding provisional determination of share of co-tenure holders

To,

.....

.....

.....(name and address of the tenure holders)

As per the provisional determination of share of co-tenure holders under rule 27 of the rules, your share in plot number/khata number.....area.....of the Village.....Pargana.....Tahsil.....District.....is

If, you have any objection about the proposed share aforesaid, you may file objection, before the Lekhpal within fifteen days from the date of receipt of the notice. In case no objection is received within the time prescribed, it shall be presumed that you have no objection to make against the proposed share and orders shall be passed accordingly.

R.C. FORM-9

[See Rule-29(1)]

Report regarding succession under section 33(1) of U.P. Revenue Code, 2006

To,

The Revenue Inspector

.....Circle

.....Tahsil

.....District

1. Name, parentage and address of applicant.
2. Particulars of land in respect of which the report is being made.
3. Name, parentage and address of the person (including the date of death) from whom succession is claimed.
4. Relationship of the applicant with the deceased.
5. Whether the applicant is sole successor? If not, name and addresses of other co-successors.
6. Whether succession is based on Will? If so, a copy thereof should be annexed.
7. Any other details.

Date:.....

.....

Signature of applicant

R.C. FORM-10

[See Rule-30(1)]

Report by bhumidhar with non-transferable rights or
an asami admitted by Bhumi Prabandhak Samiti
under section 33(3) of U.P. Revenue Code, 2006

To,

The Revenue Inspector,

.....Circle

.....Tahsil

.....District

1. Name, parentage and address of applicant.
2. Particulars of land to which the applicant was admitted by Bhumi Prabandhak Samiti.
3. Whether admitted as bhumidhar with non-transferable rights or as an asami.
4. Amount of land revenue or rent.
5. Documentary proof of such admission.
6. Any other details.

Date:

.....

Signature of applicant

R.C. FORM-11

[See Rule-33(1)]

Report regarding transfer of land under section 34 of U.P. Revenue Code, 2006

To,

The Tahsildar

.....Tahsil

.....District

1. Name, parentage and address of applicant.....
2. Particulars of land acquired by transfer (including area and land revenue.....)
3. Name, parentage and address of transferor.....
4. Name, parentage and address of other transferee if any
5. Nature of transfer (sale, gift etc.....)
6. Date of execution and registration of deed of transfer.....
7. Amount of consideration.....
8. Any other details.

Date:

.....

Signature of applicant

R.C. FORM-12

[See Rule-34(1)]

Proclamation under section 35(1) of U.P. Revenue Code, 2006

Before Tahsildar.....Tahsil.....District

Case No.....of.....

.....Versus.....

Whereas Sri.....s/o.....

R/o.....was a tenure-holder of the land specified below;

And whereas the said tenure-holder is said-

(a) to have died on.....

(b) to have executed a Will on.....

(c) to have transferred his interest in the said land onby (sale, gift etc.);

And Whereas Sri..... s/o.....r/o.....

claims to have succeeded to the interest of the said tenure-holder on the basis of the succession/transfer:

Now, by means of this proclamation, notice is given to all concerned to file objection, if any, against the proposed succession/transfer beforeon which date, the case shall be taken up for consideration.

Details of land

.....
.....
.....

Date of Issue:

Seal:

Tahsildar

R.C. FORM-13

[See Rule-35(1) and 35(2)]

Intimation under section 36(1) of the U.P. Revenue Code, 2006

To,

The Tahsildar,

.....Tahsil

.....District.

Whereas the following document purporting to create, assign or extinguish any title to or any charge on land has been registered in this office under the Registration Act, 1908 on

.....

Details of the document

(1) Executed by

(2) In favour of

(3) Nature of document.....

(4) Particulars of land.....

Necessary intimation is given to you along with a copy of such document which is meant for official purposes alone.

Date:

Seal: Registering Authority

R.C. FORM-14

(See Rule-46)

To,

1. The Collector,

.....

2. The Competent Authority,

.....(Designation of officer)

.....(District)

**Application for permission to plant
trees under section 57(2) of U.P. Revenue Code, 2006**

(1) Name, parentage and

address of applicant

(2) Number and name of the

trees sought to be planted

(3) Details of the public road,

path or canal on the site

whereof such trees are to be planted

(4) Sketch map of the site of

proposed plantation.....

(5) Undertaking that the applicant shall nurse the

trees during initial years.....

Date:

Applicant

R.C. FORM-15**[See Rules-57(11)]**Form of Lease of Tanks under section 61 of the U.P. Revenue Code, 2006

This INDENTURE made this day.....between
 the Bhumi Prabandhak Samiti.....district.....through
 the Chairman of the said Samiti (hereinafter called the Lessor) and
 Sri.....s/o.....r/o.....(
 hereinafter called the lessee) showeth as under:

Whereas the Tank fully described below is to be let out in accordance with section 61
 of the U.P. Revenue Code, 2006 and the offer of the lessee has been approved by the Sub-
 Divisional Officer.....under his order dated

Now this indenture is witness that the tank described below has been let out by the
 lessor to the lessee on the following terms and conditions:-

- (1) That the lessee shall hold the said tank for a period of five years
 (from.....to.....) only.
- (2) That the lessee undertakes to pay Rs.....as yearly rent for the said lease
 before 30 June every year and that a sum of Rs.....has already been deposited
 by the lessee on.....as the lease rent for the first year
 (from.....to.....).
- (3) That the lessee shall use the tank only for fishing and other prescribed purposes and
 for no other purposes.
- (4) That National Savings Certificates worth Rs.....have already been
 deposited and pledged by the lessee in favour of the lessor by way of security which
 shall be returned to the lessee after the expiry of the period of lease, provided the
 work and conduct of the lessee have been satisfactory and he has not been found
 guilty of contravening any of the terms and conditions of this lease.
- (5) That after the expiry of the period of lease, the lessee shall handover peaceful
 possession to the lessor, failing which the Sub-Divisional Officer shall have the
 power to evict the lessee by force;
- (6) That this deed of lease shall not be renewed nor it shall be extended beyond the
 period specified above.
- (7) That during the period of lease, the rights of the local residents to use the tank for
 the purposes of washing clothes, watering the cattle, digging earth for potteries,
 bathing etc. shall remain undisturbed.

- (8) That the lessee shall not cause any mischief or nuisance which may endanger the lives of any person or animal using the water of the tank.
- (9) That the officers of the Government departments including the fisheries department shall have the right to inspect the tank from time to time and issue directions regarding the rearing of fish and such directions shall be binding on the lessee.
- (10) That this lessee shall have no right to sub-let the tank in any circumstance nor shall the lessee transfer it to any person.
- (11) That the lessee shall be bound to keep the tank and the surrounding area clean and shall remove the Jalkumbhi and other obnoxious weeds at his own cost.
- (12) If the lessee contravenes any of the terms and conditions of this deed, the Sub-Divisional Officer ---- shall have the power to terminate the lease without any notice and also to forfeit the security referred to in para (4) above.
- (13) That if due to any natural calamity, the lessee suffers any loss, he shall not be entitled to claim any rebate from the lessor.
- (14) That any amount which is found to be due from the lessee under this deed of lease shall be recoverable by the lessor as arrears of land revenue through the Collector.
- (15) That the expenses relating to stamp duty and the registration shall be borne by the lessee.

In witness whereof the parties hereto have set their hands the day and the year above mentioned.

Details of the Tank let out

.....

.....

.....

Signature of the lessor

Signature of the lessee

Countersigned by the Sub-Divisional Officer-----

Witness - (1)-----

(2)-----

R.C. FORM-16
[See Rule-61(3)(a)]

List of persons referred to in section 64

Village.....Pargana.....Tahsil.....District.....

Sl. No.	Name and address of Head of family	Caste or Tribe	Other members of his family	Relationship with head of family	Age	Housing accommodation available	Housing accommodation further needed	Remarks
1	2	3	4	5	6	7	8	9

A- An agricultural labourer or a village artisan residing in the Gram Panchayat and belonging to a Scheduled Caste or Scheduled Tribe or Other Backward Classes or a person of general category living below poverty line as determined by the State Government ;

B- Any other agricultural labourer or a village artisan residing in the Gram Panchayat ;

C- Any other person residing in the Gram Panchayat and belonging to a Scheduled Caste or Scheduled Tribe or Other Backward Classes or a person of general category living below poverty line as determined by the State Government :

R.C. FORM-17
[See Rule-61(3)(b)]

List of land for abadi sites

Village.....Pargana.....Tahsil..... District.....

Khasra number of plot	Area	Remarks.
1	2	3

Dated.....

Sub-Divisional Officer

Tahsil.....

District.....

R.C. FORM-18**[See Rule-63(3)]**

Certificate of Allotment

I,Chairman of the Land Management Committee of circle.....Tahsil.....District...../Sub-Divisional Officer of the Sub-Division.....District.....certify that Sri.....s/o Late/Sri.....r/o Village.....Tahsil District..... and Smt..... w/o..... r/o Village..... Tahsil.....District has been allotted housing site measuringsq. meters detailed below.

The allottee paid Rs.....as premium to the committee through the receipt no..... dated.....Village.....Pargana.....TahsilDistrict.....

Khasra number of the plot	Area	Boundaries
		South North East West

Datedday of 20.....

Chairman,
Land Management Committee/
Sub-Divisional Officer of Sub-Division

R.C. FORM-19

[See Rule-66]

Information to Assistant Collector required by section 67(1) regarding plot

no.....area.....of the

Village.....Pargana.....Tahsil.....District.....

To,

The Assistant Collector/Tahsildar

Tahsil

District.....

Sir,

Sri.....s/o.....r/o

Village.....Pargana.....Tahsil.....District.....has

wrongfully occupied or has caused or is causing damage to, or misappropriation of, the property entrusted to the Gram Panchayat /local authorityspecified below :-

(1)Plot No.....

(2)Village

(3)Tahsil.....

(4)Area of Plot

(5)Details of damage/misappropriation/unauthorised occupation.....

(6) Year of the unauthorised occupation.....

(7) Market value of the property calculated at the circle rate fixed by the Collector.....

(8) Damages claimed

You are, therefore, requested to take necessary action against the unauthorised occupant aforesaid regarding recovery of damages/compensation and eviction of the unauthorised occupants.

Dated.....

The Chairman/Member/Secretary of LMC/
any other member of the Gram Sabha

R.C. FORM-20

[See Rule-67(2) and 67(5)]

In the Court of Assistant Collector/Tahsildar.....

Tahsil.....District.....

Case No.....of.....

Gram Panchayat/Local Authority.....

Versus

.....

To,

Sri.....

s/o.....

r/o.....

Whereas I am satisfied from the report/information dated.....of the Chairman /member/secretary of the Land Management Committee...../.....(name & address of other informant)/..... (name of the local authority) that you-

- (a) have damaged/ are damaging the property specified below;
- (b) have misappropriated the property specified below;
- (c) are in unauthorised occupation of the property specified below:

Details of property entrusted to the Gram Sabha/Local authority to which this notice relates.

(1)Plot No.....

(2)Village

(3)Tahsil.....

(4)Area of Plot

(5)Details of damage/misappropriation/unauthorised occupation.....

(6)Market Value of the property damaged/misappropriated/unauthorised occupation.....

(7) Damages claimed

(8)Expenses of execution.....

Therefore, notice is hereby given to you that you should within.....days.....(1) remove the wrongful occupation and deposit the damages of

Rs.....and in case you want to harvest the crop before vacating the land, further deposit the amount of Rs.....as rent; (2) repair the damage or make good the loss on account of misappropriation, or/and deposit Rs.....as damages for causing damage to or misappropriation of the property entrusted to the Gram Panchayat/local authority; (3) do or refrain from doing.....and appear before me in my court room on.....(date) at.....(time) to report compliance with this notice or to show cause against it.

You are also informed that in case you do not attend on the specified date and time either in person or through an advocate and do not file any objection against the show cause notice, a decision in the matter would be taken and orders shall be passed against you ex-parte.

Issued under my hand and the seal of the court thisday of20..

Seal of the Court.

Presiding Officer.....

Designation.....

Date.....

Note: Deposit of damages can be made either with the Chairman of the Land Management Committee or the Local authority, as the case may be, and receipt may be obtained.

R.C.FORM-21**[See Rule-67(8)]**

Register showing details of the amount ordered to be realized on account of damages and compensation awarded in proceedings under section 67 of the Code

Tahsil.....District.....

Sl. No.	Case number and year	Names of parties	Date of order	Amount ordered to be realized	Amount realized	Remarks
1	2	3	4	5	6	7

R.C.FORM-22**(See Rules-80 and 122)**Counterpart of the lease to be executed by bhumidhar
with non-transferable rights

I.....s/o.....r/o.....

Circle.....Tahsil.....district.....

have taken a lease of the land specified below from the Bhumi Prabandhak Samiti of

.....as bhumidhar with non-transferable rights with effect fromon

an annual land revenue of Rs.....payable in following installments:-

(a) Fifty percent payable on 15 November

(b) Fifty percent payable on 1st. May

Details of land

Name of village Pargana.....

Tahsil..... District.....

Plot No Area

Boundary.....

dated.....

.....
Signature of executant

R.C.FORM-23

(See Rules-80 and 122)

Counterpart of the lease to be executed by asami

I.....s/o.....r/o.....

Circle.....Tahsil.....district.....

have taken a lease of the land specified below from the Bhumi Prabandhak Samiti

.....,as an asami with effect fromon an annual rent of

Rs.....payable in following installments:-

(a) Fifty percent payable on 15 November

(b) Fifty percent payable on 1st. May

Details of land

Name of village Pargana.....

Tahsil..... District.....

Plot No Area

Boundary.....

dated.....

.....

Signature of executant

R.C. FORM-24**(See Rules-80 and 81)**

Zamabandi of asami of Gram Sabha

Village.....Pargana.....Tahsil.....District.....

DEMAND				
Serial No.	Name, parentage of asami (with address)	No. of khata khatauni	Demand for kharif/ Rabi (Fasli)	Arrears of last fasli(including suspended rent to be collected in current fasli)
1	2	3	4	5

DEMAND				
Total for Kharif/Rabi(Fasli)	Remissions	Suspension	Other causes including excess collection of last fasli	Total
6	7	8	9	10

DEMAND			
Net Demand (Column 6-Column 10)	Amount paid	No. and date of receipt	Serial no. of cash book
11	12	13	14

COLLECTIONS				
Arrears	Excess	Date of deposit in Gaon fund	Signature of Chairman	Remarks
15	16	17	18	19

R.C. FORM-25

[See Rule-85(1)]

Before the Sub-Divisional Officer

.....Tahsil

.....District

Application for declaration under section 80(1)
of the U.P. Revenue Code, 2006.

1. Name of the Applicant:
2. Parentage and Address:
3. Particulars of the holding
(Khata Khatauni No., Area,
Village, Tahsil etc.
4. Land Revenue payable.
5. Area of the holding used
for non-agricultural purpose.
6. Specific non-agricultural use
to which the holding or part has
been put to:
7. Whether the declaration is
sought for entire holding or
only part).
8. Prayer:

Signature of applicant

Date:_____

Note: Every application shall be accompanied with a copy of the current Khatauni.

R.C. FORM-26

(See Rule-89)

Before the Sub-Divisional Officer

.....Tahsil

.....District

Application for cancellation of
declaration under section 82
of the U.P. Revenue Code, 2006.

1. Name of the Applicant:.....
2. Parentage and Address:
3. Particulars of the holding
(Khata Khatauni No., Area,
Village, Tahsil etc.
4. Land Revenue payable.
5. Area of the holding used
for non-agricultural purpose.
6. Particulars of the declaration
under section 80 which is sought to be
cancelled.
7. Whether the declaration is
sought to be cancelled for the
entire holding or part.
8. Prayer.

Signature of applicant

Date:_____

Note: Every application shall be accompanied with a copy of declaration under section 80(1) of the Code or under section 143 of the U.P. ZA and LR Act, 1950.

R.C. FORM-27

[See Rule-99(1)]

Application by a bhumidhar with transferable rights belonging to a Scheduled Caste for permission to transfer (by sale/ gift/bequeath by will) his land in favour of a person not belonging to a Scheduled Caste.

To

The Collector,

Sir,

I....., son of Sri/late....., resident of Village....., Tahsil....., District....., state as follows:

1. That I am a Bhumidhar with transferable rights and belong to a Scheduled Caste known as
2. The details of the total area of land held by the applicant as Bhumidhar in Uttar Pradesh are given in Schedule-I appended hereto.
3. That I desire to transfer by sale/gift/bequeath by will my bhumidhari land specified in Schedule-II appended hereto in favour of Sri, son of Sri, resident of Village....., Tahsil....., District..... who does not belong to a Scheduled Caste.
4. That the grounds on which I pray for the permission to transfer by sale/gift/bequeath by will the land specified in Schedule-II appended hereto as follows:
.....
.....
.....
.....
5. The amount of consideration is Rs.and the amount of market value as per the circle rate fixed by the Collector is Rs.
6. It is, therefore, prayed that the permission may be granted to me under section 98(1) or under section 98(1) read with section 107 of the U.P. Revenue Code, 2006 for transferring by sale/gift/bequeathing by will the land specified in Schedule-II appended hereto.

Signature of the applicant.

(Verification)

Signature of the applicant.

Dated.....

Witness :

SCHEDULE I

(Appended to R.C. Form 27)

Details of total area of land held by Sri....., son of Sri, resident of village, tahsil....., district....., as bhumidhar in Uttar Pradesh.

District	Tahsil	Village	Khata khasra no.	Area in hectare	Land revenue payable or deemed to be payable
1	2	3	4	5	6
Rs.					

Signature of the bhumidhar.

SCHEDULE II

(Appended to R.C. Form 27)

(Details of land of which Sri, son of Sri, resident of village, tahsil....., district....., is a bhumidhar with transferable rights and which he desires to transfer by sale/gift/bequeath by will).

District	Tahsil	Village	Khata khasra no.	Area in hectare	Land revenue payable or deemed to be payable
1	2	3	4	5	6

Signature of the bhumidhar.

R.C. FORM-28

[See Rule-99(2)]

Application by a bhumidhar belonging to a Scheduled Caste for permission to mortgage his interest in land in favour of a person not belonging to a Scheduled Caste.

To
The Collector,

Sir,

I....., son of Sri/late....., resident of Village....., Tahsil....., District....., state as follows:

1. That I am a Bhumidhar and belong to a Scheduled Caste known as
2. That details of the total area of land held by the applicant as Bhumidhar in Uttar Pradesh are given in Schedule-I appended hereto.
3. That I desire to mortgage my interest in respect of my bhumidhari land specified in Schedule II appended hereto in favour of Srison of Sri, resident of Village....., Tahsil....., District....., who does not belong to a Scheduled Caste.
4. That the grounds on which I pray for the permission to mortgage my interest in respect of the land specified in Schedule-II appended hereto as follows:
.....
.....
.....
.....
5. It is, therefore, prayed that the permission may be granted to me under section 98(1) of the U.P. Revenue Code, 2006 for mortgaging my interest in respect of the land specified in Schedule-II appended hereto.

Signature of the applicant.

(Verification)

Signature of the applicant.

Witness :

Dated.....

SCHEDULE I

(Appended to R.C. Form28)

Details of total area of land held by Sri....., son of Sri, resident of village, tahsil....., district....., as bhumidhar in Uttar Pradesh:

District	Tahsil	Village	Khata Khasra no.	Area in hectare	Land revenue payable or deemed to be payable
1	2	3	4	5	6

Signature of the Bhumidhar.

SCHEDULE II

(Appended to R.C. Form 28)

Details of land of which Sri, son of Sri, resident of village, tahsil....., district....., is a bhumidhar, in respect whereof he desires to mortgage his interest.

District	Tahsil	Village	Khata Khasra no.	Area in hectare	Land revenue payable or deemed to be payable
1	2	3	4	5	6

Signature of the Bhumidhar.

R.C. FORM-29
[See Rule-99(3)]

Application by a bhumidhar/asami, referred to in section 98(1) and belonging to a Scheduled Caste for permission to let out his land to a person not belonging to a Scheduled Caste.

To
The Collector,

Sir,

I....., son of Sri/late....., resident of Village....., Tahsil....., District....., state as follows:

1. That I am a bhumidhar/asami referred to in section 98(1) and belong to a Scheduled Caste known as
2. That I desire to let out the land specified in the Schedule appended hereto, of which I am a bhumidhar/asami to Srison of Sri, resident of Village....., Tahsil....., District....., who does not belong to a Scheduled Tribe.
3. That the grounds on which I pray for the permission to let out my land specified in Schedule appended hereto as follows:
.....
.....
4. It is, therefore, prayed that the permission may be granted to me under section 98(1) of the U.P. Revenue Code, 2006 for letting out the land specified in Schedule appended hereto.

Signature of the applicant.

(Verification)

Signature of the applicant.

Dated.....

Witness :

SCHEDULE

(Appended to R.C. Form 29(iii))

Details of land of which Sri, son of Sri, resident of village, tahsil....., district....., is a bhumidhar/asami and desires to let out is as under :-

District	Tahsil	Village	Khata Khasra no.	Area in hectare	Land revenue payable or deemed to be payable
1	2	3	4	5	6

Signature of the Bhumidhar.

R.C. FORM-30
(See Rule-119)

List of persons desirous of being admitted under
section 125 of U.P. Revenue Code, 2006, whose
requests were considered by the Bhumi Prabandhak Samiti
of village at its meeting dated.....

Serial No.	Name of persons (desirous of being admitted) along with parentage	Addresses of persons referred to in column 2	Details of land already held by applicant and his family				
			Khasra no. of plots	Area	Village, Pargana and Tahsil	Class of tenure	Land Revenue or rent
1	2	3	4	5	6	7	8

Certified that the above particulars are correct.

Lekhpal/ Secretary

Dated:

.....

Chairman

(Bhumi Prabandhak Samiti)

Dated:.....

R.C.FORM-31**[See Rule-120(1)(a)]**

List of persons selected for settlement of land as bhumidhar with non-transferable rights or asami by Bhumi Prabandhak Samiti of Village.....Pargana.....Tahsil..... District.....at its meeting held on.....

- (1) Date of making announcement for the meeting under rule 119
- (2) No. of applicants appearing before the Samiti in the said meeting
- (3) Details of land proposed to be allotted

Village.....

Plot No

Area.....

Proposed land revenue/rent.....

Serial No.	Particulars of persons selected	Category of preference	Land proposed to be settled		
				Area	Land revenue/rent
1	2	3	4	5	6

Certified that the details mentioned above are correct

Lekhpal/Secretary
Date

Chairman
(Bhumi Prabandhak Samiti)
Date:.....

Sub-Divisional Officer

The above list is submitted along with a copy of proceedings of the meeting of the Bhumi Prabandhak Samiti held on for necessary approval.

.....
Chairman

Dated:_____

Order of the Sub-Divisional Officer

1. Approval is given to the admission of persons recorded at serial numbers..... as Bhumidhar with non-transferable rights or as asami of land specified in columns 4 and 5 on payment of land revenue/rent specified in column 6 above, against their names.
2. The proposal of Bhumi Prabandhak Samiti for admission to land to persons recorded at serial nosis not approved for following reasons:-

Reasons

Date.....

Sub-Divisional Officer

Note:- Separate forms should be used for admission as bhumidhar with non-transferable rights and for asamis.

R.C.FORM-32**[See Rules-120, 121 and 122]**Certificate of admission to land as an asami

I,Chairman, of the Bhumi Prabandhak Samiti.....
 circle..... Tahsil..... district..... certify that the said
 Samiti has admitted Sri..... s/o..... r/o.....
 to the land specified below as an asami with effect from..... at an annual rent of
 Rupees..... payable in following installments-

(a) fifty percent of the amount by 15 November.

(b) fifty percent of the amount by 1st. May.

Details of the land

Name of Village.....Pargana
 Tahsil..... District
 Plot noArea.....
 Boundary.....
 Dated.....

Chairman

Bhumi Prabandhak Samiti

R.C.FORM-33**[See Rules-120, 121 and 122]**Certificate of admission to land as bhumidhar with non-transferable rights

I,Chairman, of the Bhumi Prabandhak Samiti.....
 circle..... Tahsil..... district..... certify that the said
 Samiti has admitted Sri..... s/o..... r/o.....
 to the land specified below as bhumidhar with non-transferable rights with effect
 from..... at an annual rent of Rupees..... payable in following installments-

(a) fifty percent of the amount by 15 November.

(b) fifty percent of the amount by 1st. May.

Details of the land

Name of Village.....Pargana
 Tahsil..... District
 Plot noArea.....
 Boundary.....
 Dated.....

Chairman

Bhumi Prabandhak Samiti

R.C. FORM-34**[See Rule-136(6)]**

Register showing the holdings for which relief on account of agricultural calamities (class I)
was sanctioned

Tahsil.....Pargana.....Village.....

Serial no.	Number of khata khatauni	Total area of holding	Land revenue	Area affected
1	2	3	4	5

Land revenue remitted	Year of remission	Year in which remission cancelled or modified	Amount	Remarks
6	7	8	9	10

R.C. FORM-35**(See Rule-139)**

Receipt for Land Revenue

Counterfoil (A)

1. Book Number
2. Receipt Number
3. Name of Village
4. Number of Zamabandi Khata
5. Name and parentage of payee
6. Date of collection
7. Amount paid-
 - (i) In figures
 - (ii) In words
8. Installment (Rabi/Kharif)
9. Full signature of collection Amin
10. Total brought forward.

Receipt (B)

1. Book Number
2. Receipt Number
3. Name of Village
4. Number of Zamabandi Khata
5. Name and parentage of payee
6. Date of collection
7. Amount paid-
 - (i) In figures
 - (ii) In words...
8. Installment (Rabi/Kharif)
9. Full signature of collection Amin

Coupon(C)

1. Book No.
2. Receipt No.
3. Name of Village
4. Name and parentage of payee
5. Amount paid
6. Date of collection.

R.C.FORM-36
[See Rule-141(3)]
Writ of Demand

1. Serial Number
2. Khata Khatauni
3. Village
4. Pargana
5. Name of defaulter
6. Amount of arrears and installment
7. Date of issue
8. Name of process server
9. Date of service
10. Date of report of service
11. Remarks

Certified that the above statement of account is correct

.....
 Signature of wasil bakinavis.

.....
 Signature of Tahsildar

R.C.FORM-36
[See Rule-141(3)]
Writ of Demand

Serial Number
 To
 Sri.....
 Whereas arrears of land revenue or sums recoverable as arrears of land revenue as specified below are due from you;
 You are hereby required to pay the same into the Tahsil within fifteen days from the date of service of this notice OR to appear and show cause why coercive processes should not be issued in accordance with the U.P. Revenue Code, 2006 against you.

Details of the amount due

.....
 Date of Issue.....
 SEAL (Signature of Tahsildar)

R.C.FORM-36
[See Rule-141(3)]
Writ of Demand

Serial Number
 To
 Sri.....
 Whereas arrears of land revenue or sums recoverable as arrears of land revenue as specified below are due from you;
 You are hereby required to pay the same into the Tahsil within fifteen days from the date of service of this notice OR to appear and show cause why coercive processes should not be issued in accordance with the U.P. Revenue Code, 2006 against you.

Details of the amount due

.....
 Date of Issue.....
 SEAL (Signature of Tahsildar)

R.C.FORM-37

Serial No.

R.C. FORM-37

Counterfoil

[See Rule-144(1)]

Warrant of arrest under section 171 of the
U.P. Revenue Code, 2006.

- 1. Serial No. To
- 2. Name of defaulter
- 3. Residence (Name and designation of the person
authorised to execute this warrant)
- 4. Amount of arrears
- 5. Nature of arrears Whereas Sri.....s/or/o
- 6. Date of Issueis a defaulter in
- 7. Name of person the sum of Rs.....due on account of arrears of land
authorised to execute revenue/sum recoverable as arrears of land revenue;
warrant. And whereas the said Sri.....has
- 8. Name of Collection failed to pay said amount despite service of Writ of demand
Amin accompanying dated.....
him. You are hereby directed to arrest the said defaulter and
- 9. Date fixed to produce him before this Court on or before.....
- 10. Date of report of service. In case the defaulter pays to you or the Collection Amin
- 11. Remarks accompanying you the aforesaid amount as also the process
fee, this warrant shall not be executed.

..... Issued under my hand and seal of the court
Signature of on.....
Wasil baki navis

.....
Signature of
Tahsildar

SEAL

.....
Signature of the
Collector/Assistant
Collector

R.C.FORM-38
[See Rule-147(2)]

Counterfoil Warrant of attachment of movables

Book No.....

Serial No

1. Warrant No. To

2. Name and designation of officer authorised to execute the warrant
(Name and designation of the person authorised to execute this warrant)

3. Name of defaulter with address
Whereas Sri.....s/o.....r/o.....

4. Amount of arrears is a defaulter in the sum of Rs due on account of land revenue/sum recoverable as arrears of land revenue;

5. Nature of dues
6. Date of Issue
7. No. of case
You are hereby directed to attach the moveable properties of the said defaulter and unless he pays the said amount together with Rs.....as the cost of this process of attachment, to hold the property so attached until further orders.

Signature of
Wasil baki navis before.....with a report regarding the mode or manner of attachment.

.....
Signature of
Tahsildar

Date of issue
SEAL

.....
Signature of the
Collector/Assistant Collector

The following property of the defaulter was attached and made over to Sri.....s/o.....for safe custody.

List of movables attached

.....
.....

Received the aforesaid property for safe custody.

.....
signature of
executing officer
date.....

.....
signature of supurdar
date.....

R.C.FORM-39
[See Rule-151(1)]

Proclamation of Sale of Movable Properties

Case No.....of
 (Name of parties)

Whereas the movable properties specified below were allotted on.....and the defaulter Sri.....s/o.....r/o.....has failed to pay the arrears specified below within 30 days from the date of attachment;

And whereas, this court has directed for the sale of the said properties;

Notice is, therefore, given that the said properties shall be sold by public auction on.....at.....O'clock at.....(place of sale) on the following terms and conditions:-

- (1) The highest bidder at the auction shall be declared to be the purchaser of the property sold.
- (2) The highest bidder shall have to deposit the full amount of purchase-money on the spot in one lump sum in cash or by bank-draft.
- (3) In case of default, the property shall have to be resold forth with.
- (4) On deposit of the purchase money, the sale shall become absolute.
- (5) No such sale shall take place, if the amount of arrears as shown below is paid before the auction sale.

<u>Details of properties</u>	<u>Details of arrears</u>
.....	(a) Arrears of land revenue
.....	or sum recoverable as such.....
.....	(b) Cost of process of attachment.....
.....	(c) Cost of process of sale.....

	Total Rs.....

Date of Issue.....
 SEAL Signature of Sub-Divisional Officer

- Note 1. This proclamation shall be issued at least 21 days before the date of the intended sale.
- Note 2. A copy of this proclamation should be served on the defaulters at least 7 days before the date of intended sale.
- Note 3. If the sale is held or conducted by an officer other than the Collector or Assistant Collector, then the name and designation of such officer should be specified in the proclamation.
- Note 4. A copy of proclamation should also be served on the supurdar directing him to produce the attached movables for the purposes of the sale.

R.C. FORM-40

(See Rule-153)

Sub-Divisional Officer.....

Case No.....

Date:.....

To

The Branch Manager,

.....

.....Branch

.....

Whereas a sum of Rs..... (in words.....) is due on account of arrears of land revenue from Sri r/o who is a defaulter.

And whereas the said defaulter has opened Account No. and has hired a Locker No..... in your Branch.

Now, therefore, you as well as the said defaulter are prohibited and restrained from operating the said Account or the said Locker, and from withdrawing or permitting withdrawal of any amount or goods from the said Account and the said Locker till further orders.

Sd/-

(Sub-Divisional Officer)

Copy forwarded to Sri.....r/o.....(the defaulter).

Sd/-

(Sub-Divisional Officer)

R.C.FORM-41

(See Rules-158 and 162)

Attachment of land and other Immovable Properties

Case No.....of

To,

Sri.....

(Name and address of defaulter)

Whereas you have failed to pay the amount of land revenue or sum recoverable as arrears of land revenue specified below;

You are hereby informed that the property specified below has been attached and you are further prohibited and restrained from transferring or creating charge on such property by sale, gift or otherwise and all other persons are also prohibited and restrained from receiving the said property by sale, gift or otherwise.

Details of property attached

Details of arrears

.....
.....

.....
.....

Date of Issue.....

Signature

SEAL

Collector/Sub-Divisional Officer

Note:- A copy of this order should also be affixed on or near the property so attached, and the factum of attachment should be announced by beat of drum, on the spot.

R.C.FORM-42
(See Rules-160 and 163)

Form of lease under section 175 of the Code

This INDENTURE made this day of.....between the Sub-Divisional-Officer.....district.....(hereinafter called the lessor) of the one part, and Sri.....s/o.....r/o.....(hereinafter called the lessee) of the other part.

Whereas the land described below is to be let out under section 175 of the U.P. Revenue Code, 2006 on account of arrears of land revenue or sum recoverable as such.

And whereas the lessee has applied for the cultivation of the land described below and the lessor has agreed to let it out on the terms and conditions hereinafter appearing;

Now, this indenture witnessed that in consideration of the sum of Rupees.....paid by the lessee to the Lessor (The receipt whereof the lessor hereby admits), the land described below has been let out by the lessor to the lessee under the provisions of section 175 of the U.P. Revenue Code, 2006 on the following terms and conditions:-

- (1) The lessee shall hold the said land for a period of.....years (from.....to
- (2) That during the aforesaid term of the lease, the lessee shall continue to pay the annual land revenue amounting to Rs.....in accordance with the provisions of the said Code and the rules made thereunder;
- (3) That without written permission of the lessor, the lessee shall not sub-let or otherwise transfer the subject-matter of this lease.
- (4) That after the expiry of the period of lease or on the cancellation of the lease under para (5) below, the lessee shall hand over possession to the lessor or his agent, failing which the lessor or his agent shall have the right to evict the lessee by using necessary force.
- (5) That if the lessee commits breach of any of the terms and conditions of this lease, the lessor shall have the right to terminate the lease.
- (6) That if during the period of lease, the lessee dies leaving an heir, such heir may, with the express permission of the lessor (and not otherwise) hold the land for the remaining period of the lease.
- (7) That if the amount of land revenue or any part of thereof remains outstandings, the same may be recovered from the lessee or his heirs as arrears of land revenue.

In witness whereof the parties hereto have set their hands the day and year above written.

Details of the land let out

.....
.....

Signature of lessee

Signature of lessor

Witnesses

- 1.
- 2.

R.C.FORM-43
(See Rules-161 and 163)

Proclamation of Sale of Land and Other Immovable Properties

Case No..... of.....
(Names of Parties)

Whereas the land/other immovable properties specified below were attached onand the defaulter Sri.....s/o.....r/o..... has failed to pay the arrears specified below;

AND whereas, this court has directed for the sale of the said land/other immovable properties of the said defaulter;

Notice is, hereby, given that the said land/other immovable properties specified below shall be sold by public auction on.....at.....O'clock at..... (place of sale) on the following terms and conditions :-

- (1) The highest bidder at the auction sale shall be declared to be the purchaser of the land/other immovable properties, provided he is legally competent to bid;
- (2) The said purchaser shall have to deposit immediately 25 percent of the bid amount in one lump sum in cash or by bank draft, failing which the land/other immovable property shall be re-sold forthwith.
- (3) The balance amount shall be deposited by the purchaser on or before the fifteenth day of sale in accordance with section 190 of the U.P. Revenue Code, 2006.
- (4) If the balance amount is not so deposited, the deposit made under para (2) above shall stand forfeited to the State Government.
- (5) No such sale shall take place if the amount of arrears specified below is paid before the auction sale.
- (6) The confirmation of sale shall be governed by section 194 of the said Code.

Particular of land or other immovable properties (including the estimated value, reserve price and circle rate of the property, land revenue and the encumbrances, if any)

Details of Arrears

- | |
|--|
| (a) Arrears of land revenue or sum recoverable as such arrears |
| (b) Cost of process of attachment |
| (c) Cost of process of sale |

Total Rs.

Signature of Collector/

Assistant Collector

District.....

Date of issue.....

SEAL

Note 1. This proclamation shall be issued at least 21 days before the date of intended sale.

Note 2. A copy of the proclamation should also be served on the defaulter at least seven days before the date of intended sale.

Note 3. If the sale is held or conducted by an officer other than the Collector or Assistant Collector, then the name and designation of such officer should be specified in the proclamation.

R.C. Form-44

(See Rule-176)

Office of the Collector, district.....

(Case No..... of.....)

(.....versus.....)

This is to certify that Sri.....s/o.....r/o.....was declared the purchaser of the property described below at an auction sale held under Chapter XII of the U.P. Revenue Code, 2006.

Date of auction:.....

Date of confirmation of sale

Sale consideration

Detail of Property

.....
.....
.....

Date of Certificate

.....

.....

(Collector)

(Seal)

B. P. S. FORM-1

[See Rule-80]

REGISTER OF PROPERTY OF GRAM PANCHAYAT**1. NAME OF CIRCLE OF GRAM PANCHAYAT**

(Names of villages along with the circle of Gram Panchayats)

.....

.....

.....

2. TABLE 1						
		Areas not vested			Areas vested	
Population	Fasli year	Holdings and groves	Uncultivated area besides holdings and groves	Total of cols. 3 and 4	Which is with asamis	Forest and waste land
1	2	3	4	5	67	

Areas vested					
Pasture land	Tanks, ponds and water channels	Abadi sites	Others	Total of Cols. 6 to 11	Grand total of the village (Cols. 5 and 12)
8	9	10	11	12	13

3. TABLE 2, Part (A)—Details of land not vested

Khasra No. of Village	Area	Nature of land
1	2	3

4. TABLE 2—Part (B)—Details of land vested

Khasra No. of Village	Area	Nature of land
1	2	3

5. TABLE 3—Land set apart for fuel, plantation, orchards, etc.

Village and Plot Nos.	Area	Purpose
1	2	3

6. TABLE 4—**Scattered trees, other than those of forests, abadi, holdings or groves**

Village and plot Nos.	Kind of trees	Number of trees	Approximate Age
1	2	3	4

7. TABLE 5—**Hats, bazars and melas which is managed by the Bhumi Prabandhak Samiti**

Village	Name of hat, bazar or mela	Date and month on which day the hat, bazar or mela, is held	Place or plot No. where mela is held
1	2	3	4

Annual income				
2023 F.	2024 F.	2025 F.	2026 F.	2027 F.
5	6	7	8	9

8. TABLE 6—**Private Ferries**

Village	Name of river and ferry	Place or plot no.
1	2	3

Annual income

2023 F.	2024 F.	2025 F.	2026 F.	2027 F.
4	5	6	7	8

9. TABLE 7—**Tanks, ponds and water channels, etc.**

Village	Name of tank, pond or water channel, etc.	Place or plot no.
1	2	3

Annual income

2023 F.	2024 F.	2025 F.	2026 F.	2027 F.
4	5	6	7	8

10. TABLE 8—**Roads and Pathways**

Village	Name of road or pathway	Kachcha or pucca	Name of Village through which it passes	Kilometer	From	To
1	2	3	4	5	6	7

11. TABLE 9—**Abadi sites**

Village	Name of abadi	Khasra No.	Area
1	2	3	4

12. TABLE 10—**Total income of the Gram Sabha**

Village	Fasli year	Asamis	Income from items given below		
			Pasture lands	Hats, bazars and melas	Ferries
			4	5	6
	123				

Income from items given below

Tanks, ponds and water	Forest and wasteland	Abadi sites	Others	Total income (Cols. 3 to 10)
7	8	9	10	11

B. P. S. FORM-2
[See Rule-80]

Tahsil Register of land to be leased in possession of Bhumi Prabandhak Samiti

Name of Village.....Name of Bhumi

Prabandhak Samiti.....

Plot No.	Land available for allotment from land vested under section 117 of U.P. Z.A. and L.R. Act, 1950 or under section 59 of the U.P. Revenue Code, 2006 commencing Fasli year	Date and Order No. by which other land made available to Bhumi Prabandhak Samiti	Post of that officer who has passed order mentioned in column 4	Date of receiving order in Tahsil
	Plot No.	Area		
1	2	3	4	5

Plot No.	Area	Land revenue at the Circle's rate	Signature of Lekhpal to certify that he has covered in the Property Register the entries of Colum 4	Date of lease of the land	To whom leased
7	8	9	10	11	12

Land revenue	Date and No. of mutation	Signature of lakhpal to certify that the entries have been made in Khatauni and Property Register
13	14	15

B. P. S. FORM-3**[See Rule-80]**

(To be sent to Collector through Tahsildar)

Statement of land leased by Bhumi Prabandhak Samiti in Fasli year 20....,

Serial No.	Name of Village	Area of land available to be leased on the commencement of Fasli year	Area of land possessed by Bhumi Prabandhak Samiti with in the year	Total Area (Column No. 3+4)	Area of land leased within the year
1	2	3	4	5	6
land revenue	Area of land available to be leased now	First date of land vested shown in column 6/when land came in possession of Bhumi Prabandhak Samiti			
7	8	9			

B.P.S. FORM-4**[See Rule-80]**

[Detail of land to be leased on the year expired on 30th September, 20to Bhumidhar with non-transferable rights/Asami Tenure-holders

District.....

Area of land to be leased (in Hectares)

At the commencement of year under review	Area of land in the year expired resulting from rights obtained under section 194 (A) & (B) of U.P. Zamindari Abolition and Land Reforms Act or under section 124 of the U.P. Revenue Code, 2006	Total
(A)	(B)	(C)
1		

FORM

Area of land leased on year under review.....

Number of leases	Area	Land revenue
(A)	(B)	(C)
2		

Statement of land leased mentioned in Column above

To such person, who have died from enemy action being in active service in armed force of the Union, his landless widow, son, unmarried daughter and father-mother residing in the Circle			To such person resident of Circle, who have been handicapped fully by the enemy action when he was in active, service of armed force in Union		
No. (A)	Area (B)	Land revenue (C)	No. (A)	Area (B)	Land revenue (C)
(i)			(ii)		
3					

To such landless person residing in the Circle, who is agricultural labourer and belongs to Scheduled Caste or Scheduled Tribe			To any landless agricultural labourers residing in the Circle			To any Bhumidhar or Asami residing in the circle and who has the landless than 1.26 Hectares (3.125 Acres)		
No. (A)	Area (B)	Land revenue (C)	No. (A)	Area (B)	Land revenue (C)	No. (A)	Area (B)	Land revenue (C)
(iii)			(iv)			(v)		
<p>To such landless person residing in the Circle, who has been retired, exonerated or discharged from service, otherwise than as an officer, in arm force of the Union</p>								
<p>To any person residing in the Circle who is a freedom fighter and has not been granted political pension</p>			<p>To any landless agriculture labourer belonging to Scheduled Caste or Scheduled Tribe, not residing in the Circle but residing in the Circle of Nyay Panchayat referred to in section 42 of U.P. Panchayat Raj Act, 1947</p>					
No. (A)	Area (B)	Land revenue (C)	No. (A)	Area (B)	Land revenue (C)	No. (A)	Area (B)	Land revenue (C)
(vi)			(vii)			(viii)		

B. P. S. FORM-5**[See Rule-80]**

Should be sent to Board of Revenue by the Collector on each 15th September of the year

Statement of land leased by the Bhumi Prabandhak Samiti

District

Year of cultivation of 20....Fasli

Serial No.	Name of Tahsil	Area of the land acquired to be leased on the very beginning of the Fasli year	Area of land came under the possession of the Bhumi Prabandhak Samiti with in the year	Total area (Column 3+4)
1	2	3	4	5

Area of the land leased within the year	Land revenue	Area which is still to be leased (Colum No. 5+6)	Reason for the land to be leased shown in Column 8 in brief
6	7	8	9

B. P. S. FORM-6**[See Rule-80]****PROCEEDINGS BOOK**

Date	Name of members present	Business transacted	Signatures or thumb- impression of the members present
1	2	3	4

B. P. S. FORM-7**[See Rule-80]****Permit of Cutting of Trees**

Permission is hereby given with the prior permission of the Prescribed Authority to fuel or to cut for any other purpose and remove the following trees situated in grove or grove land in plot no.....of Village.....Pargana.....Tahsil..... District.....under the terms and conditions mentioned below toson/daughter/wife ofresident of village..... Pargana.....TahsilDistrict.....

List of trees	Length and width of the trees	Estimated quantity of wood for the purpose of fuel or for any usage	Remarks
1	2	3	4

Chairman

Bhumi Prabandhak Samiti

Gram Panchayat.....

District.....

CONDITIONS UNDER WHICH PERMIT HAVE BEEN ISSUED

1. Permit is for personal and non-transferable use.
2. On demand of any Forest or Police Officer Permit shall be submitted necessarily.
3. Permit is valid only for the utilization of the area mentioned above.
4. Cutting of trees and its conversion should not be done carelessly and there should be no wastage.
5. The Revision Authority may cancel the Permit at any time and the permit-holder should forthwith stop cutting, altering and removing the produce of forest and if written recommendation for removal of forest produce is received by any of the officers mentioned above he shall do the same forthwith.
6. The root of the trees should not be digged out without the written permission of the Prescribed Authority.

B. P. S. FORM-8

[See Rule-80]

DEMAND AND COLLECTION REGISTER

Demand							Collects					
Serial No.	Description of demand	Name and address of the debtor	Amount	Arrears of previous year, if any	Total demand	Remission of amount	Date of payment	No. of receipt	No. and date of order	Remission of amount	Signature of the Chairman	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

B. P. S. FORM-9**[See Rule-80]****CERTIFICATE FOR RECOVERY OF GRAM PANCHAYAT'S DUES**

District..... Tahsil.....Pargana.....

Name of Gram Panchayat	Name and address of the defaulter	Total amount obtainable	Amount realised	Outstanding amount (Col. 3 minus Col. 4) (Both in words and figures)	Nature of dues	Remarks
1	2	3	4	5	6	7

Forwarded to the Collector.....

for recovery as arrears of land revenue under section 142 of the U.P. Revenue Code, 2006
(U.P. Act No.8 of 2012).

Chairman
Bhumi Prabandhak Samiti

B. P. S. FORM-10

[See Rule-80]

Receipt Book

Receipt No.....Dated..... Received from Sri..... Son of Sri.....resident of....., the sum of (in words)received in the head of..... <div style="text-align: right; margin-right: 50px;">Rs. P.</div>	Receipt No.....Dated..... Received from Sri..... Son of Sri.....resident of....., the sum of (in words)received in the head of..... <div style="text-align: right; margin-right: 50px;">Rs. P.</div>
--	--

Seal

Signature of Chairman.

Seal

Signature of Chairman.

B. P. S. FORM-11**[See Rule-80]****Cash Book**

Realizations								Deposited in the Gram Fund						
Serial No.	Date	Nature of realisation	Amount	Progressive total	Signature of the Chairman	Amount deposited (in Rs.)	Date of deposit	Progressive total for deposits made	Signature of Chairman	Date of withdrawal	Amount withdrawn	Amount survived in Gram Fund	Signature of Chairman	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

B. P. S. FORM-12**[See Rule-80]****Register of Expenditure**

Realizations								Expenditure					
Serial No.	Date	Balance brought forward	Amount, received from the Gram Fund	Total of Cols. 3 and 4	Signature of the Chairman	Serial No.	Date	Own what account	Amount spent	Date and Number of receipt	Balance in hand	Signature of Chairman	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14