

**GOVERNMENT OF RAJASTHAN
REVENUE (GROUP-6) DEPARTMENT**

Dated 01.11.1955

¹The Rajasthan Tenancy (Board Of Revenue)Rules, 1955

Notification

In exercise of the power conferred by Section 258 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the Board of Revenue has, with the previous sanction of the State Government, made the following rules, the same having been previously published as required by Section 259 of the said Act.

CHAPTER I

(Preliminary)

1. Short title and commencement. - (1) These rules may be called the Rajasthan Tenancy (Board of Revenue) Rules, 1955.

(2) They shall come into force at once.

2. Interpretation. - (1) In these rules, unless there is anything repugnant in the subject or context:-

"the Act" means the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

(2) The provisions of the Rajasthan General Clauses Act, 1955 (Rajasthan Act VIII of 1955), shall *mutatis mutandis* apply to the interpretation of these rules as they apply to the interpretation of an Act of the Rajasthan Legislature.

²{CHAPTER-I-A}

Rules To Give Effect To The Provisions Of Clause (14) Of Section 5

2A. Rules for the recording of groves. - Every person who has a grove within the meaning of clause (14) of Section 5, over the whole or a part of his holding shall within three months from the date of publication of this notification in Rajasthan Rajpatra apply to the Tehsildar of the Tehsil in which such grove is situated for the recording of such grove.

¹ Published dated 11-12-1955.

² Added by Notification 5058 B.R dated 07-05-58 .

2B. Particulars to be furnished. - The application for the recording of a grove shall contain the following particulars :-

- (1) Name of village.
- (2) Name of Thok of grove.
- (3) Khasra No. of grove.
- (4) Area.
- (5) Number and kind of trees.
- (6) Date of acquisition of holding.
- (7) Nature of holding.
- (8) Whether holding acquired free of rent for the purposes of grove or on payment of premium in lieu of rent.
- (9) Amount of premium paid.
- (10) Date of application, any, for reduction of land revenue.
- (11) Amount of land revenue reduced.
- (12) Year from which reduced.
- (13) Period for which reduced.

2C. Transfer of interest to be reported by grove-holders. - After a grove has been recorded the grove-holder shall inform the Patwari and the Tehsildar of all transfers of interest made by him.

2D. Acquisition of grove to be reported. - Every person obtaining possession of a grove by succession; transfer or otherwise shall bring the fact to the notice of the village Patwari and report it to the Tehsildar of Tehsil in which such land is situated, either or through the village Patwari or the Land Records Inspector, within three months from the date on which he obtains such possession.

2E. Report if grove loses its character. - If the land loses its character of grove, this fact shall be reported to the Tehsildar.

CHAPTER II

(Rules To Give Effect To The Provisions Of Sections 19-30)

³3. deleted

⁴4. Statement of claim for compensation under Section 20(1). - (1) The Statement of claim for the compensation rights in improvements to his tenant of Khudkasht or Sub-Tenant shall be submitted in Form J, and the land-holder shall submit as many copies of the statement of claim as there are tenants of Khudkasht or Sub-tenants from whom compensation is claimed.

³ Omitted vide Notification 11089/B.R/05-09-1959.

⁴ Substituted by Notification dated 05-09-59.

(2) The Statement of claim may either be presented to the Sub-Divisional Officer by the land-holder in person or it may be submitted through an authorised agent, or it may be sent by registered post, acknowledgement due.

5. Form of notice under Section 20(2). - The notice to be issued to the tenant under sub-section (2) of Section 20 shall be in Form K.

6. Other matters to be considered in determining value of improvement. - In addition to the matters, mentioned in Section 24 of the Act, the Sub-divisional Officer shall, in determining the value of any improvement take into consideration any money or manual labour contributed by the tenant for the making of the improvement.

⁵7. deleted.

8. Application for acquisition of rights to Nalbat. - An application for the acquisition under Section 36 A of right to Nalbat shall be in Form L, and the applicant shall submit as many copies of the application as there are persons in whom the right to realise Nalbat vests.

(2) The application may either be presented to the Sub-Divisional Officer by the tenant in person or it may be submitted through an authorised agent or it may be sent by registered post, acknowledgement due.

9. Notice under sub-section (2) of Section 36A. - The notice under sub-section (2) of Section 36A shall be in Form M and a copy of notice shall also be served upon the land-holder.

⁶**10. Statement of claim for compensation under Section 36A(2).** - The statement of claim for compensation payable to the person in whom the right to realise Nalbat vests shall be submitted in Form N and shall be in triplicate.

The statement of claim may either be presented to the SDO in person or it may be submitted through an authorised agent or it may be sent by registered post, acknowledgement due.

11. The certificate of acquisition of right to Nalbat shall be in Form O.

CHAPTER III

Rules To Give Effect To The Provisions Of Sections 48-52 OF THE ACT

Exchange of Tenancies

12. Documents to accompany the application. - An application under Section 49 of the Act shall contain the following particulars:-

⁵ Omitted vide Notification 11089/B.R/05-09-1959

⁶ Omitted vide Notification 11089/B.R/05-09-1959

- (i) the Khasra Nos. of the plots which the applicant wishes to take and of the plots cultivated by him, which he offers in exchange;
- (ii) A certified copy of the Khatauni Khatas in which all such plots are included;
- (iii) a certified copy of the Khewat Khatas to which all such plots pertain.
- (iv) grounds for exchange;
- (v) a statement showing details of any lease, mortgage or other encumbrance with which the land offered in exchange by the applicant may be burdened, together with the names and addresses of the lessee, mortgagee or other encumbrancer;
- (vi) if the land-holder is not a party to the proposed exchange his name and address.

13. Issue of notice. - On receipt of such application, the Assistant Collector shall give to the opposite party and to the land holder, and, where the provisions of Section 51 of the Act apply, to the lessee, mortgagee or other encumbrancer, an opportunity to show cause why the exchange should not be ordered. Every such notice shall be accompanied by a copy of the application which shall be filed by the applicant.

14. Disposal of objections and further procedure. - (1) The Assistant Collector shall hear and decide the objections, if any, and may after making such further enquiry as he considers necessary, reject the application if he is not satisfied that reasonable grounds exist for ordering the exchange.

(2) If the Assistant Collector is satisfied that reasonable grounds exist for granting the exchange, he shall value the land to be exchanged by multiplying the area of each plot by the annual rent thereof calculated in accordance with rents of that class of that category of land finally determined under the provisions of Section 21. After considering the valuation and where the provisions of Section 51 apply, the terms and incidents of the lease, mortgage or any other encumbrance, the Assistant Collector shall grant the application either in whole or in part.

15. Apportionment of rent. - If in the course of proceedings under Section 49 of the Act a portion only of a holding is allotted in exchange, the Assistant Collector shall apportion the rent payable in respect of such holding between such portion and the remainder of the holding.

16. Principles to be observed in ordering exchange. - In ordering an exchange, the Assistant Collector shall observe the following principles:-

(1) That the land, which the applicant receives, is, as near as may be, equal value to, and of the same quality as, this land which he gives in exchange;

(2) That an existing field shall not be sub-divided;

(3) If there is a work of improvement on any land sought to be exchanged, he may refuse to order the exchange unless the parties come to an agreement regarding the amount of compensation to be paid for such improvement and such compensation is actually paid;

(4) That, as far as possible, the interests of the lessee, mortgagee or other encumbrancer, if any, in respect of the land to be exchanged are not prejudiced;

(5) Where the provisions of Section 51 of the Act apply, when deciding whether or not reasonable grounds exist for ordering the exchange, he shall consider whether in the event of the transfer of the lease, mortgage or other encumbrance from one area to another, it is possible or not, to place the parties and the lessee, mortgagee or other encumbrancer, as the case may be, in a position similar to that which each and before such exchange, and he shall, in his order, clearly specify the lands and the interests affected thereby.

17. Preparation of map. - The Assistant Collector shall place on the record of the case an extract of the village map showing in different colours the plots given and received in exchange by the applicant.

⁷CHAPTER IV

(Rules To Give Effect To The Provisions Of Section 53 Division Of Holding)

Division Of Holding by Agreement

18. Filing of agreement for Division of Holding. - The agreement between the co-tenants in respect of the division of holding and distribution of rent over the several portions into which the holding is so divided under clause (1) of sub-section (2) of Section 53 of the Act, an agreement by co-tenants shall be filed in the Court of Tehsildar, having jurisdiction and the Tehsildar shall pass an order as per terms of the agreement within 30 days from the date of filing of the agreement and effect the division of holding accordingly.

19. Division of holding in a suit decreed on the basis of agreement. - If during pendency of a suit for division of holding the co-tenants in the suit come to an agreement the suit shall be decreed as per terms of the agreement.

Division of Holding by Decree or Order of Competent Court in a Suit

20. Division of holding by decree. - Same as provided in Rule 19 in a division of holding by the decree or order of a competent court passed in a suit by one or more of the co-tenant for the purpose of dividing the holding the distributing the rent thereof

⁷ Substituted by Notification no. BR//LR/G-3/P/140/97, dated 05-07-1997.

over the several portions into which it is divided the following principles shall be observed :-

- (a) The valuation of the portion allotted to each party shall be 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 quality of land.
- (d) As far as possible, existing fields shall not be split up.
- (e) Plots which are in the separate possession of a tenant shall, as far as possible, be allotted to the tenant, if they are not in excess of his share.

Division of Holding by Agreement or by Order of Court

21. Preparation of map and demarcation of sub-divided fields. - The Tehsildar shall prepare and place on record map showing in different colours the plots given to each party, and if any field has been sub-divided, he shall demarcate the portion at the expense of the parties.

CHAPTER V

(Rules To Give Effect To The Provisions Of Sections 60-62 Arrangement For Payment Of Rents)

22. Notice under Section 60. - The written notice, which a tenant is required to give to the land holder under sub-section (1) of Section 60 of the Act, shall be substantively as in Form 'P' and such notice shall be given before the tenant ceases to cultivate his holding and leaves the neighbourhood.

Abandonment

23. Issue of proclamation. - With the application mentioned in Section 61, the landholder shall file a proclamation in the office of the Tehsildar. Such proclamation shall be in Form 'Q'.

24. Mode of service of proclamation. - Copy of the proclamation shall be pasted on the notice board of the Tehsil within which the land to which it refers is situated and at some place of public resort on or adjacent to the land to which it refers and it shall further be published by beat of drum on or near such land, and if the Tehsildar so directs it may also be published in some newspaper circulating in the locality.

25. Form of application under Section 62. - The application for reinstatement under Section 62 shall be in Form 'R'.

25A. Form of application under Section 66 or Section 67. - An application by a-

- (i) Khatedar tenant under clause (b) of the proviso to Section 66, or
- (ii) Landholder under Sec. 67 of the Act, for sanction to the construction of a dwelling house for his own occupation or a cattle-shed, or a store house or any other construction for agricultural purposes to be erected or set up by him on his holding situated in any village other than-
 - (a) a city, town or village situated within the area notified by the State Government for the purposes of clause (a) of the proviso to Sub-Section (1) of the Section 66 of the Act; and
 - (b) villages the population of which according to the latest census, does not exceed two thousand, shall be submitted to the Tehsildar of the Tehsil through the Patwari of the circle in which the holding is situated in Form-'RR', and the particulars required by that Form shall be furnished.

25B. Patwari's report. - The Patwari shall submit the application together with his report in Part II of Form 'RR' to the Tehsildar within one week of the receipt by him of the application.

25C. Consultation with Urban Improvement Trust or Municipal Board. - (1) On receipt of the application in Form 'RR' and the Patwari's report, the Tehsildar shall forward the application and the report to the Urban Improvement Trust or the Municipal Board, if any within whose jurisdiction the land covered by the holding is situated and enquire whether, in the context of the master plan, if any or otherwise the said Trust or Board, as the case may be, sees any objection to the permission applied for being granted. The Urban Improvement Trust or the Municipality, as, the case may be, shall communicate its views to the Tehsildar within thirty days of the date of the receipt of the Tehsildar's reference.

25D. Disposal of application. - After considering the Patwari's report Substituted and renumbered by Notification No. BR/F.45(Misc.) RA/64/30465, dated 26-7-1964.[and the reply, if any, received from the Urban Improvement Trust, or the Municipal Board, as the case may be] and after making such further enquiry, if any, as he deems fit, the Tehsildar shall either accord sanction or reject the application :

Provided that the application shall not be rejected without giving the applicant an opportunity of being heard.

25E. Circumstances in which sanction may be accorded. - (1) In according sanction the Tehsildar shall take into consideration the following matters :-

- (i) whether the proposed construction would definitely be an improvement within the meaning of clause (19) of Section 5 of the Act;

- (ii) if the construction for which sanction is applied for a dwelling house whether the construction of the proposed dwelling house on the holding is absolutely necessary for agricultural purpose;
- (iii) whether the proposed construction would be too costly for the purpose for which it is intended;
- (iv) whether the applicant has already got a building for the convenient or profitable use or occupation of the holding in its immediate vicinity and if so, what is the Justification for having a dwelling house on the holding itself;
- (v) whether the applicant has a residential house in the Abadi of the village and if so whether the construction of a dwelling house on the holding itself is absolutely essential for agricultural purpose;
- (vi) if the construction for which sanction is applied for is a cattle shed, whether a cattle-shed or cattle-sheds already exists or exist on the holding and if so, whether the construction of a further cattle-shed is necessary in consideration of the number of cattle belonging to the applicant; and whether the area to be covered by the proposed cattle-shed is excessive;
- (vii) if the construction for which sanction is applied for is a store house, whether a store house or store houses already exists or exist on the holding and if so whether the construction of a further store house is necessary in consideration of the total annual produce for which storage accommodation is required; and whether the area to be covered by the proposed store house is excessive;
- (viii) if the construction for which sanction is applied for is some construction other than a dwelling house, cattle-shed or store house, the Tehsildar shall consider whether any such construction is essential for the convenient or profitable use or occupation of the holding;
- ⁸(viii-A) whether the proposed construction would be within one hundred yards of the railway boundary, or of the national highway, or any road maintained by the State Government or a Municipality.
- ⁹(ix) deleted

¹⁰{(2) Where the area of the holding exceeds thirty acres, the maximum area to be covered by dwelling houses, cattle-sheds, store houses and other constructions shall not exceed two thousand four hundred and twenty square yards and where the area of the holding does not exceed thirty acres, the maximum area to be covered by any such improvement shall not exceed one thousand square yards :

Provided that there shall not be more than one dwelling house for the use of the tenant or the land holder on his holding.}

¹¹25F. Circumstances in which the application shall be rejected. - The application shall be rejected if the proposed construction –

- (i) is not an improvement as defined in the Act, or
- (ii) is not an improvement which the applicant is entitled to make, or
- (iii) is too costly for the purpose for which it is intended, or
- (iv) is objected to by the Urban Improvement Trust or a Municipal Board, as the case may be, or
- (v) would be within one hundred yards of the railway boundary or of the national highway or any road maintained by the State Government or a Municipality.]

¹²25G. Making of certain improvements in small villages. - A Khatedar tenant, whose holding is situated in a village, the population of which according to the latest census, does not exceed two thousand and which is not situated in an area in respect of which the State Government has issued a notification under clause (a) of the proviso to sub-section (1) of Section 66 of the Act, may, without the permission of the Tehsildar make any such improvement as is referred to in sub-clause (a) of clause (1) of Section 5 of the Act, subject to the following conditions namely :-

- (i) the area to be used for the construction of a dwelling house shall not exceed five hundred square yards, and that for the construction of a dwelling house, and bara combined, one thousand square yards.

Explanation. - 'Bara' shall mean an enclosure or a shed for cattle as well as accommodation for stocking seed, fodder and agricultural implements, and shall include land required for the construction of a reservoir or tank.

- (ii) no dwelling house, cattle-shed or store-house, or any construction shall be erected or set up within one hundred yards of the railway boundary or the national highway, or any road maintained by the State Government or a municipality, and
- (iii) the construction shall be subject to the building bye-laws of the Village Panchayat, but no premium, price or conversion fee for the land shall be charged by the Village Panchayat.]

CHAPTER VI

Rules To Give Effect To The Provisions Of Section 77 Of The Act

¹¹ Notification no. F.6(71)Rev.B/63,dated 01-05-64

¹² Inserted vide Notification no. F9(Misc.)(8) Rev.65, dated 29-07-65.

26. Contents of application. - (1) An application for the determination of the amount expended on an improvement shall give the nature and description of the improvement effected and shall be accompanied by a copy of the order (if any) permitting the execution of the improvement and an account of the amount expended, supported, so far as possible, by vouchers.

(2) Alongwith the application, the applicant shall also file an extract from the khatauni in regard to the holding on or affecting which the improvement has been made.

27. Issue of Notice. - On receipt of the application, the Teshildar shall invite objections by issuing notice to the Opposite Party, fixing a date for filing such objections.

28. Inspection of the improvement. - If an objection is filed disputing the nature or description of the improvement, or the amount expended thereon, the Tehsildar shall either inspect the improvement himself and place on record his inspection note, or direct an officer not below the rank of Inspector of Land Records to inspect it and to report in accordance with the procedure laid down in Rules 10-12 of Order XXVI of the Civil Procedure Code, on the points to be clearly specified by him.

29. Disposal of objection and determination of amount. - The Tehsildar shall then dispose of the objection and determine the amount expended on the improvement and enter it in the register prescribed in Rule 30.

30. Register of improvement. - A register shall be maintained in the court of every Tehsildar in the following form :-

S. No.	Name of the village & No. of Khewat concerned	No. of the plot & No. of Khatauni on or affecting which the improvement is made	Nature and description of the improvement	No. & date of the order granting permission to make the improvement	Name of the person at whose expense the improvement is made	Whether the person making the improvement is a land-holder or a tenant and if a tenant, his Class	Cost of improvement as determined by the court	Particulars of the case and date of the Order with signature of the Tehsildar who determined the cost	Remarks
1	2	3	4	5	6	7	8	9	10

Note. - This register shall be retained in the record room permanently.

¹³[CHAPTER VI-A]

Rules To Give Effect To The Provisions Of Section 80 Of The Act

30A. Contents of application. - If trees, in any field at the time of commencement of the Act are the property of any person other than the Khatedar tenant, such owner shall make an application to the Tehsildar of that area for determining the amount of compensation to be given by Khatedar tenant in occupation of the holding. The application should contain :-

- (1) Name and full address of the tenant in occupation of the holding;
- (2) An extract from Khatauni in regard to the holding on which trees are standing;
- (3) Nature and description of trees;
- (4) Account of expenditure incurred on the trees;
- (5) Annual income from the trees;
- (6) Compensation claimed.

30B. Issue of Notice. - On receipt of the application the Tehsildar shall invite objections by issuing notice to such tenant fixing a date for filing such objections.

30C. Inspection of the holding. - If an objection is filed, disputing the nature of description of the scattered trees on the holding and the amount spent thereon, the Tehsildar may inspect the site in presence of the parties and place on record his inspection note.

30D. Decision on objections and determination of compensation. - The Tehsildar shall then dispose of the objections if any, and determine the amount of compensation, not exceeding the amount claimed having regard to:-

- (a) the labour and capital required for planting such trees;
- (b) the nature and kind of the soil of the land on the locality in which such trees stand;
- (c) market value of the timber; and
- (d) the average annual income of the fruits or the produce of such trees.

30E. Deposition of compensation amount. - (a) The Tehsildar shall then order the Khatedar tenant to deposit the amount of compensation within two months of the order or in suitable cases may also provide for payment in instalments.

(b) The Tehsildar shall inform the owner, when the money is deposited and shall pay the same to him as soon as he requests for it.

¹³ Inserted by Board's Notification no. 9704/BR, dated 06-10-58.

CHAPTER VII

Rules To Give Effect To The Provisions Of Section 84

31. Form of application. - (1) An application for a license under sub-section (8) of Section 84 of the Act shall be in Form 'S'.

(2) It shall be submitted through the Patwari of the circle in which the lands on which the trees sought to be removed are situated.

32. Patwari's report. - The Patwari shall, within one week of the submission of the application and after seeing the site, submit his report to the Sub-Divisional Officer in Part II of Form 'S', on the correctness or otherwise of the particulars-mentioned in Serial Nos. (3) and (4) of paragraph 2 of the application.

33. Enquiry and disposal by the Sub-Divisional Officer. - (1) The Sub-Divisional Officer shall, if the application is for the removal of trees for agricultural or domestic use and the number of trees sought to be removed is not excessive and is commensurate with the purpose for which removal is sought, grant the permission within fifteen days of the receipt of the Patwari's report.

(2) If the removal is applied for under ground (c) of Serial No. (5) of the particular, the Sub-Divisional Officer, shall either inspect the site himself, or get it inspected by the Tehsildar, or a Naib-Tehsildar, before passing orders.

(3) In the case of an application under ground (d) or ground (e) or ground (f) the Divisional Forest Officer shall be invariably consulted and a license granted only in accordance with the advice given by the Divisional Forest Officer, the Sub-Divisional Officer shall record his reason therefore and forward the case for further advice to the Chief Conservator of Forest Rajasthan, and the Sub-Divisional Officer shall be bound by the advice of the Chief Conservator of Forests and shall issue a license only in accordance with such advice.

33A. License fee and period of license. - (1) No license fee shall be charged for a license given on grounds (a) and (b), in the case of license on ground (c), (d), (e) or (f) a fee of ten paise per tree or rupees ten per acre, whichever is more, shall be charged.

(2) The period of the license shall be determined by the licensing authority with due regard to the number of trees to be removed, the area to be cleared and the labour involved, and no renewal of the licence shall be permitted.

(3) Nothing in this rule shall prevent the issue of fresh license where a license has expired before the removal of the trees covered by the license; provided that the issue of a fresh licence shall in all respects be governed by these Rules.]

¹⁴~~34.~~ deleted

¹⁵~~35.~~ deleted

36. Considerations to be had in granting licences. - (1) Before granting a licence, the Licensing Authority shall enquire into the grounds on which the applicant desires such a licence, as also into the jurisdiction thereof, and shall allow removal of such tree or trees only as may be sufficient to satisfy the particular needs of the applicant without such removal being harmful to others or being likely to impair or otherwise disturb the general village economy.

(2) In granting general licences the following further consideration shall be kept in view

(a) that the proposed removal is likely to prove useful and beneficial to the general public and serve their genuine need for fuel or timber, or is in the interest of the applicant, such interest not being in conflict with the general welfare;

(b) that the proposed removal is not likely to :-
(1) cause excessive denudation of land; or
(2) to lead to soil erosion; or
(3) to impair agricultural economy.

37. Conditions of licence. - It shall be a condition of every licence granted under the Act that the removal of trees shall be done :-

(a) within the period mentioned in the licence, and according to the ten or thereof;
(b) without causing damage to the land, standing crops, grass or trees or building of neighbours.

38. Inspection of licences. - All licences issued under these Rules shall be liable to inspection by any Revenue Officer, any Forest Officer or by a Police Officer not below the rank of Sub-Inspector of Police, and any breach of the terms of the licence or irregularity in the issue of the same shall be reported by the Officer detecting it to the authority which has issued the licence.

39. Cancellation of the licence. - The authority competent to issue a licence under the Act may, at any time, cancel the same where –

¹⁴ Omitted by Board's Notification No. 5085/BR, dated 07-05-58.

¹⁵ Omitted by Board's Notification No. 5085/BR, dated 07-05-58.

- (1) the licensee contravenes any of the terms and conditions of the licence or fails to produce it for inspection in the manner required in Rule 38, or
- (2) it is subsequently discovered that the licensee has mis-represented facts to secure the licence.

40. Surrender of licence. - A licence shall be surrendered to the Licensing Authority within fifteen days of the expiry of the period thereof.]

40A. Form and register of licenses. - A licence shall be in Form 'SS' and a register of licenses in the same form shall be maintained and kept up-to-date at each Sub-Divisional Office.]

CHAPTER VIII

Rules To Give Effect To The Provisions Of Sections 114 And 117 Of The Act

41. Publication of rent rates. - The Rent Rate Officer shall publish his proposals regarding rent rates and records made by him under Sections 111 to 113 of the Act, dispose of objections thereto and submit to the Board his proposals and record made by him after such modification, if any, as he may think fit, in the manner as may be laid down in the Rajasthan Settlement Manual for Settlement Officer in respect of such matters.

Dispute as to rent in certain cases

42. Enquiry to be held by the Tehsildar. - On receipt of an application mentioned in Section 117(2) the Tehsildar shall fix date for hearing in the presence of the applicants. The opposite party shall be served with a notice along with a copy of the application specifying the place and time of appearance. The parties shall be required to appear with all the evidence on which they may rely.

43. On the aforesaid date Tehsildar shall ascertain from the opposite party if he admits the claim. In case he so admits the Tehsildar shall give his award accordingly. Where the opposite party does not so admit, the Tehsildar shall record the evidence of the parties, examine the documentary and oral evidence that may be produced before him and shall also inspect the entries in the Revenue records, if any, and thereafter he shall give his award.

CHAPTER IX

Rules To Give Effect To The Provisions Of Sections 139-140 Of The Act

44. Deposit of rent in tehsil. - A register shall be maintained by the Tehsildar showing in respect of every sum deposited.

Receipt

- (1) The serial number of the deposit;
- (2) the date of receipt thereof;
- (3) the name, parentage, caste and residence of the depositor;
- (4) the name, parentage, caste and residence of the person specified under Section 139 of the Act, to whose credit the deposit has been paid;
- (5) the amount deposited;
- (6) the date of payment into the treasury and the challan number.

Payment

- (7) the serial number of the application for payment of refund;
- (8) the date of application for payment of refund;
- (9) the date of the order for payment of refund;
- (10) the name, parentage, caste and residence of the person to whom payment or refund is ordered;
- (11) the amount ordered to be paid;
- (12) the date of payment of refund by the treasury;
- (13) lapses under Article 328 of the Rajasthan General Financial and Accounts Rules.

45. Every deposit received by the Tehsildar shall be paid as soon as may be into the nearest Government treasury and a treasury receipt filed with the record of the case.

46. When the date of payment into the treasury has been entered in the register, the Tehsildar shall sign the register in token of the correctness of the entries made therein in respect of the deposit.

47. After the provisions of Rules 44, 45 & 46 have been complied with, the court shall issue notice in Form 'T' to the person or persons specified in column 4 of the register prescribed by Rule 44.

48. When order has been passed for the payment of a deposit, a deposit voucher, in the form prescribed by the Rajasthan General Financial and Accounts Rules, shall be handed to the person in whose favour the payment is made.

49. In every such voucher and in the counterfoil of every such voucher, the amount to be paid shall be entered in figures by the Tehsildar with his own hand.

50. The number and date of the voucher shall be entered in the record of the application for payment.

51. If a voucher for payment is not presented within three months from the date on which it was drawn up, encashment of it shall be refused, and a fresh voucher must be obtained (a) upon surrender and cancellation of the original voucher, or (b) if the

voucher has been lost, upon receipt by the Tehsildar of a certificate of non-payment thereof from the treasury.

52. Every cancelled voucher shall be forwarded to the treasury and a note of the cancellation made on the counterfoil of the original voucher.

53. When an intimation of payment having been made is received from the treasury, the date of payment shall be entered in the register, and the Tehsildar shall sign the register in token of the correctness of the entries made therein in respect of the payment.

54. If a deposit is unclaimed for a period of three years, the Tehsildar shall summon the depositor and direct him to submit a written application for refund of the deposit. On receipt of the application, and after satisfactory identification by the Tehsildar of the person who appears in response to the summon and claims to be the depositor, the procedure followed shall be similar to that in case of applications from land-holders.

55. The Reader of each Tehsil shall be responsible for bringing to the Tehsildar all unclaimed deposits; and he shall for this purpose bring up the register for the examination and signature of the Tehsildar in the first week of every quarter commencing from January.

56. Such comparison and adjustment of the entries in the register and in the treasury returns shall be made as may, from time to time, be necessary.

CHAPTER X

Rules To Give Effect To The Provisions Of Section 147 Of The Act

57. The return of market prices current at the harvest time as laid down in Section 147 shall be prepared by the Collector on the basis of the returns submitted to him from each Tehsil in accordance with the provisions contained in para 243 of the Rajasthan Land Records Manual. A copy of the return so prepared shall be sent to the Tehsil concerned for being pasted on the Notice Board of the Tehsil.

CHAPTER XI

Rules To Give Effect To The Provisions Of Sections 169, 171, 174 To 176, 177 & 178 Of The Act

Notice of Ejectment to Tenants

58. Contents of application. - (1) An application to the Tehsildar under Section 169 of the Act shall contain the following particulars :-

(a) the name, parentage, caste and place of residence of the landholder;

(b) the character in which the applicant claims to eject the tenant, e.g. whether as an estate holder, or a grantee at a favourable rate of rent, or as a tenant-in-chief who has sublet the land from which ejectment is sought;

(c) the name, parentage, caste and place of residence of the tenant;

(d) the total amount of arrears of rent and interest claimed with statement of account showing the arrears and interest claimed for each instalment;

(e) the khasra numbers and area of each plot comprising the holding, together with the name of the Tehsil and District, Village and Thok or Patti in which the holding is situated.

(2) An application under Section 174 of the Act shall contain the particulars specified in clauses (a) to (c) and (e) of the sub-rule (1) above and shall also be accompanied by a copy of the decree.

(3) An application under Section 177 of the Act shall contain, in addition to the particulars specified in clauses (a) to (c) and (e) of sub-rule (1), the ground on which ejectment is sought.

59. Verification of application. - An application referred to in Rule 58 shall be signed by the applicant in the same as a plaint.

60. Notice. - (1) With the application referred to in Rule 58, the applicant shall present as many duplicate copies of notice as there are tenants (and in the case of an application under Section 175, transferee or subtenant) to be served with such notice, and shall also deposit the necessary process-fee for the service of such notice.

(2) The form of notice to be used in an application under each of the sections mentioned in sub-rule (1) is noted below :-

Application under Section 169 - Form U

Application under Section 174 - Form V.

Application under Section 175 - Form W.

Application under Section 177 - Form X.

(3) *Refusal to issue notice.* - The Court shall refuse to issue the notice if it does not comply with the requirements of sub-rules (1) and (2).

(4) In the case of land held directly from the State Government the notice by the Tehsildar shall be in Form U(1).

61. Determination of the part of the holding from which a tenant is to be ejected. - If the amount payable on account of the arrear of rent with interest (as ordered by the Tehsildar) or with interests and cost (as decreed by the Court) as the case may be, remains unpaid under subsection (1) of Section 170 or sub-section (3) of that section, the Tehsildar shall order the ejectment of the tenant from the whole or a portion of his holding in accordance with the following scale :-

When the unpaid

amount exceeds 80 per cent of such account.

When the unpaid amount exceeds 60 per cent but does not exceed 80 per cent of such amount

When the unpaid amount exceeds 40 per cent but does not exceed 60 per cent of such amount

When the unpaid amount is 40 per cent or less of such amount :

Provided that if the residue of the holding left with the tenant less than the minimum prescribed by the State Govt, for the district or part of district which the land is situated, the tenant shall be ejected from the entire holding.

62. To determine the portion of a holding from which the tenant shall be ejected the court shall proceed as follows :-

(1) The decree holder shall be required to file a certified copy showing the sanctioned rates applicable to the holding.

(2) If the rent of any plot in the holding is separately recorded, it will be accepted as such. The rent of the remaining plots shall be calculated by multiplying the area of each plot by the appropriate sanctioned rate. The rents thus determined will be totalled so as to give the total rent of the holding.

(3) The actual rent of each plot, if not recorded already, will then be calculated in the same proportion to the total actual rent as the rent of a plot as calculated under sub-rule (2) bears to the total rent of the holding arrived at under that sub-rule. Thus, if the rent of a plot as calculated under sub-rule (2) is Rs. 5/- and the total rent arrived at under that sub-rule is Rs. 20/- while the total actual rent of the holding is Rs. 28/- the actual rent of the plot will be Rs. 7/-.

(4) In order to determine the area corresponding to the unpaid amount, the court shall select as many plots out of the holding as will yield an actual rent calculated under sub-rule (3) not exceeding the unpaid amount, and shall order the ejectment of the tenant from the area so determined. Provided that in determining this area, the court shall, as far as possible, (a) avoid the splitting up to a field and (b) see that the plots left with the tenant are as compact as possible.

62A. Determination of part in cases under Section 177. - In the case of a decree or order under Section 177, ejectment shall be ordered from the area in respect of which the detrimental act or breach of condition is committed.

CHAPTER XII

Rules To Give Effect To The Provisions Of Sections 180-182 Of The Act

Ejectment of Khudkasht or Ghair Khatedar tenant or Sub-tenant

63. Form of application. - An application under Section 180 of the Act shall contain the following particulars :-

- (1) Name, parentage, caste and residence of tenant with class, viz., tenant of Khudkasht, Ghair Khatedar Tenant or Sub-tenant;
- (2) Name of village with name of Tehsil and District;
- (3) Name of Thok or Patti;
- (4) Khasra numbers of fields with area of each;
- (5) Rent of holding;
- (6) Grounds on which ejectment is sought (see clauses (a) to (d) of Section 180); and
- (7) The total area of each category held under the land holder's personal cultivation.

64. The application shall be accompanied by the following documents :-

- (i) a certified copy of the Khatauni in which the land from which ejectment is sought is included;
- (ii) a certified copy of the Khewat to which such land pertains;
- (iii) in the case of an application under clause (b) or (c) of Section 180, the application shall also be accompanied by a certified copy of the lease or sub-lease granted under Section 45 or Section 46, as the case may be;
- (iv) in the case of an application under clause (d) of Section 180, the application shall also be accompanied by a certified copy of the Gasht Girdawari for the period specified in that clause, as also by a certified copy of the lease or sub-lease specified in the said clause;
- (v) the application shall also be accompanied by a certified copy of the applicant's Khata Khatauni showing the entire area held by him as Khudkasht.

65. Every application under Section 180 shall be verified as a pleading in accordance with Rule 15 of Order VI of the Code of Civil Procedure (No. V of 1908).

66. To every such application all persons whose land is sought to be acquired as Khudkasht shall be impleaded as parties and the applicant shall file with the application as many copies of it as there are tenants to be served with notice.

67. If the application complies with the provisions of Rules 63-66 the Assistant Collector shall issue a notice to all persons interested in the land in Form 'Y'.

68. The fee for the service of the notice shall be the same as the fee for the service of summons and processes of Revenue Courts.

69. The notice shall be served in accordance with the manner prescribed by sub-section (2) of Section 167 of the Act.

70. The Assistant Collector shall hear and decide the objections, if any, and if he is satisfied that the application should be granted, he shall calculate the amount of compensation payable to tenant for any improvement made by him and shall pass an order for ejectment of the tenant from the land applied for, or from such part thereof as he considers reasonable. Such order shall be conditional on payment, to the tenant, within such time as the Assistant Collector may direct, of compensation determined in accordance with the provisions of the Act.

71. If the compensation is not paid within the time directed by the Assistant Collector, the application shall be dismissed and the tenant shall be awarded costs.

72. Apportionment of rent. - If the tenant is to be ejected from only a portion of his holding, the Assistant Collector shall determine the rent payable by the tenant for the remaining land. The rent so payable shall bear the same proportion to the rent previously payable for the whole holding as the valuation of the remaining land in the possession of the tenant bears to the total area of the holding.

CHAPTER XIII

Rules To Give Effect To The Provisions Of Sections 186-188 Of The Act

Remedies for wrongful ejectment

73. An application under Section 186 of the Act shall contain the following particulars :-

- (1) Name, percentage, caste and residence of tenant with class of tenant;
- (2) Name of village with name of Tehsil and District;
- (3) Name of Thok or Patti;
- (4) Name, parentage, caste and residence of land-holder;
- (5) Name, parentage, caste and residence of other person now in possession;
- (6) Khasra Numbers of fields;
- (7) Area of fields;

- (8) Annual rent of holding; and
- (9) Date of ejectment or dispossession.

74. The applicant shall file with the application as many copies of it as there are land-holders and other persons in possession to be served with notice.

75. If the application complies with the provisions of Rules 73-74, the Assistant Collector shall issue a notice.

76. The fee for the service of the notice shall be the same as the fee for the service of summons and processes of Revenue Courts.

77. The notice shall be served in the manner prescribed by sub-section (2) of Section 167 of the Act.

78. The notice to the land-holder and the other person in possession shall be in the Form 'Z'.

79. If the land-holder and/or the other person in possession appears to contest the notice, the Assistant Collector shall hear and decide the case.

CHAPTER XIV

Rules To Give Effect To The Provisions Of Section 213 Of The Act

Sale of Khatedar tenant's interest in execution of decree for arrears of rent

80. Valuation of tenant's holding. - On receiving an application for the execution of a decree for arrears of rent by the sale of a tenant's interest in the holding, the court shall value the holding by multiplying the area of the plot or plots comprised therein by the annual rent thereof calculated in accordance with the rent of that class of that category of land finally determined under Section 21 of the Act. If no such rates have been sanctioned, the court shall determine appropriate rates after making local inspection and considering the rent generally payable by tenants for land of the same class in the vicinity.

81. Sale of interest in part of a holding. - If a holding consists of more than one plot, and the decree is, in the opinion of the court, likely to be satisfied by selling the interest in a part only of the holding, the court shall distribute the rent of the holding over the plots constituting it so that the rent allotted to each plot bears to the total rent of the holding the same proportion as the valuation of that plot bears to the total valuation of the holding at such rates. If the interest of the tenant is to be sold in lots, the court shall group the plots of the holding into lots, of which the value of the interest of one lot calculated in accordance with Rule 80 shall be not less than the amount due to the decree-holder under the decree in execution of which such interest is being sold :

Provided that no lot shall be formed by splitting up any existing field, and that the plots formed shall be as compact as possible :

Provided further that no plot thus formed shall be of an area less than minimum prescribed by the State Government for the district or part thereof in which land is situated.

82. Proclamation of sale. - In addition to the particulars required by sub-rule (2) of Rule 66 of Order XXI of the First Schedule of the Code of Civil Procedure, 1908, the sale proclamation shall mention the Khasra number, the area and the rent of the holding or part thereof which is to be sold, and if the holding is to be sold in lots, the khasra numbers, area and rent of each lot.

83. Place of sale. - The sale shall be held either in open court or at the place where the holding is situated as the court may direct.

84. Procedure of sale. - In conducting the sale, the court shall follow the procedure relating to sales of immovable property in execution of a decree prescribed in Order XXI of the First Schedule of the Code of Civil Procedure, 1908.

85. When two or more sub-tenants or agriculturists residing in the village, who claim to take the interest of a Khatedar tenant sold in execution of a decree under Section 213 of the Act, cultivate an equal area in the village, or when two or more agricultural or other labourers or village servants residing in the village claim to take such interest, such claim shall be determined by drawing lots.

86. As soon as the order confirming the sale has become final, the court shall order that the tenant be ejected from, and the purchaser be put in the possession of, the holding or portion of the holding of which tenant's interest has been sold. Unless the purchaser is the landholder, he shall have the same interest in the holding or part, or which the interest has been purchased by him, the tenant had; and the purchaser shall be liable to pay for the holding or part thereof, the rent specified in the proclamation of sale, and the court shall order that the village records be amended accordingly.

CHAPTER XV

Rules To Give Effect To The Provisions Of Sections 239 & 242 Of The Act

Question of Proprietary Right in Revenue Courts and of Tenancy Right in Civil courts

87. Process fee to be paid by party raising the issue. - A revenue courts shall, before forwarding the record to the civil court under the provisions of Section 239 of the Act, require the party who has raised the question of proprietary right in the land in suit to pay the process fees for the issue of notices by the civil court for the attendance of the parties between whom such question has arisen and shall note in its order forwarding the record of the civil court that such process fees have been realised. Such fees shall be charged in court fee stamps.

88. Notice to parties. - Where a record is received by a civil court with a notice that the necessary process fees have been paid in the court which has forwarded the record, it shall issue notices to both parties without cost as to the first date of hearing fixed by it.

89. Reference to civil court. - Where an issue on a question of a proprietary right is framed by a revenue court under the provision of Section 239(1) of the Act, is shall submit the entire record of the case to the District Judge who shall forthwith forward it to the competent civil court for the decision of that issue.

90. Entry in the case register. - The date of despatch of the record to the civil court shall be entered in red ink by the Ahalmad in the remarks column of the case register. When the record is received back from the civil court together with its finding on the issue, the date of return of the record shall be similarly entered in red ink in the remarks column of the case register.

91. Classification of papers, Nathi A and Nathi B. - Before the record is consigned to record room, the Ahalmad of the court shall classify the papers on the reference file added by the civil court and put them in Nathi A or Nathi B, as the case may be, and shall note the classification against each paper entered in the general index of the reference file received from the civil court.

92. Reference from civil courts. - On receipt of a record under the provision of Section 242 of the Act for the decision of the issue on the question of tenancy, the Collector shall forthwith forward the record to the appropriate revenue court for the decision of that issue.

93. Entry in the register of references. - On receipt of the record, the Ahalmad shall immediately make an entry thereof in the register of references maintained under Rule 94 and shall endorse on the reference the serial number of the said register. When the record is sent back to the civil court together with the finding of the revenue court, the date of the return of the record shall be similarly entered in the remarks column of the register.

94. Register of References. - For references received under the provisions of Section 242 of the Act, a Register of References shall be maintained in the court of each Assistant Collector in the following form.

S. No. of reference	S. No. of case on the file of civil court	Name of civil court making reference	District and village	Name of parents	Nature of case with reference to section of Law	Date of receipt of record with reference	Date of return of record with finding	Remarks
1	2	3	4	5	6	7	8	9

95. Reference file. - (a) The papers added to the record of the civil court, while it is in the revenue court shall not be classified and put in Nathi A or B but shall

be kept in a single file called the "reference file". A serial number shall, however, be endorsed on each paper, as it is entered in the file index and brought on the reference file.

- (b) The reference file shall be added to the civil court record as soon as the revenue court has recorded its finding and the record so prepared with the finding shall be returned direct to the civil court from which it was originally received.

96. Reference to be shown in the monthly return. - Reference received from the civil court shall be shown separately in the monthly progress report of cases submitted by revenue courts to the Collector and also in the statement of institutions and disposals.

CHAPTER XVI

Rules Relating To Affidavit

97. Swearing of affidavit. - Every affidavit to be filed before a revenue court office shall be sworn before an Oath Commissioner appointed for the purpose.

98. Fee. - The fee for the verification of an affidavit shall be one rupee.

99. Full particulars of persons and place to be given. - An affidavit shall fully describe the person swearing the affidavit with such particulars as will ensure his clear identification such as his full name, the name of his father, his religious persuasion, his rank or degree in life, his profession, calling occupation or trade and his true place of residence. Any person or place referred to in an affidavit shall be fully described in such manner as to enable his or its identity to be clearly fixed.

100. Persons who may make affidavits. - Except as otherwise provided by law or by an order of the court, an affidavit may be sworn by any person having knowledge of the facts deposed to therein.

Two or more persons may join in an affidavit, each deposing separately to such as are within his knowledge.

101. Forms of affidavits. - When the deponent speaks to any facts within his own knowledge, he must do so directly and positively using the words 'I affirm' or 'I make oath and say' or words to that effect.

102. Facts to be within the knowledge or sources be stated. - Except on interlocutory applications, affidavits shall be confined to such facts as the deponent is able of his own knowledge to prove.

On an interlocutory application when a particular fact is not within the deponent's own knowledge but is based on his belief or information received from others which he believes to be true the deponent shall use the expression "I am informed and verify believe such information to be true" or words to that effect, and shall sufficiently

describe, for the purpose of identification, the person or persons from whom his information was received.

When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the document shall verify that he believes such information to be true.

103. Identification of deponent. - Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn be identified before that person by some one known to him; and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made.

Such identification may be made by a person :-

(a) personally acquainted with the person to be identified; or

(b) who is reasonably satisfied as to his identity:

Provided that in the latter case, the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified, namely :-

Form of Declaration

"I (Name, Description and Address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A/B is that person".

104. Affidavit by Pardanashin woman. - No affidavit purporting to have been sworn by a woman who did not appear unveiled in the presence of the person before whom the affidavit was made, shall be used unless she was identified in the manner specified in Rule 103, and the 'affidavit is accompanied by a separate affidavit by the person identifying her, made at the time of identification setting forth circumstances in which she was personally known to him or he was satisfied that she was such person as she alleged herself to be in her affidavit.

105. Forms of Oaths. - The following forms of oaths and affirmations as prescribed under Section 7 of the Indian Oaths Act by the High Court of Judicature for Rajasthan shall be used in the Revenue Courts and Offices –

(1) *Oaths for witness.* - The evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth so help me God".

(2) *Affirmation for witness.* - "I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth and nothing but the truth".

(3) *Oath for interpreter.* - "I will well and truly interpret what, is deposed by the witness (or witnesses) before the Court so help me God".

(4) *Affirmation for interpreter.* - "I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the court

"

(5) *Oath for person making affidavit.* - "I swear that this my declaration is true; that it conceals nothing; and that no part of it is false, so help me God".

(6) *Affirmation for person making an affidavit.* - "I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false".

[FORM-A to I] Omitted
[FORM 'J']
[See Rule 4/B.R.]

Statement of claim for compensation for accrual of Khatedari rights and rights in improvement

In the Court of the Sub-Divisional Officer District Claim for compensation for accrual of Khatedari rights and rights in improvement.

Sir,

As required by sub-section (1) of Section 20 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), and Rule 4/BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955, I hereby submit my claim for the compensation payable to me for the (a) accrual of Khatedari rights and (b) rights in improvement to my tenant of Khudkasht/Sub-Tenant*.

2. The particulars of land to which this claim relates and of the land-holder and the tenant are given below :-

1. Name, parentage, age and full address of the land-holder (Claimant).
2. Name, parentage, age and full address of the land-holder Khudkasht/sub-tenant* to whom right accrued.
3. Name of village, with name of Tehsil.
4. Khewat No.
5. Khasra No. and Name(s), if any, or field(s).
6. Whether irrigated or un-irrigated.
7. Existing soil class.
8. Exact area in which rights accrued under Section 19.
9. Rent rate sanctioned therefor during last settlement of if clause (b) of sub-section (1) of Section 23 applies, rent-rate sanctioned during last settlement for similar land in neighbourhood.
10. Amount of compensation claimed for acquisition of khatedari rights.
11. Particulars of improvement in which rights accrued to tenant.
12. Year in which improvement was made.
13. Cost of improvement at the time it was made.
14. Present condition of work.
15. Extent to which improvement is likely to benefit the land during next 10 years.
16. Compensation claimed for rights in improvement.
17. Total compensation claimed under both heads.
18. Remarks

Date

Signature

¹⁶[FORM 'K']

[See Rule 5/B.R.]

Form of Notice under sub-section (2) of Section 20

Notice

In the Court of the Sub-Divisional Officer District Case
No.....of 19

AB S/o CD resident ofApplicant.

Vs.

.....Opposite-party.

Statement of claim for compensation for accrual of khatedari rights

Whereas the applicant mentioned above has, as required by sub-section (1) of Section 20 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) and Rule 5 of Rajasthan Tenancy (Board of Revenue) Rules, 1955, submitted a statement of his claim for the compensation, payable to him for the accrual of khatedari rights and rights in improvement made by you, you are hereby summoned to appear in this court either personally or by a pleader duly instructed and able to answer all material question relating to the case, or who shall be accompanied by some person able to answer all such questions on.....(date) (date to be fixed as to allow the tenant at least 30 days in which to file objection). A copy of the claim for compensation is attached hereto and if you do not admit the particulars given therein to be correct, you are asked to produce, on that date, all documents on which you intend to rely in support of your claim. Take notice that in default of your appearance on the aforesaid date the case will be heard and decided in your absence.

Given under my hand and seal of the Court this day.....year.....

Sub-Divisional Officer,

¹⁶ Substituted by notification dated 11089/BR, dated 05-09-59.

[Form 'L']

[See Rule 8/B.R.]

Application under Section 36A for acquisition of right to Nalbat

In the Court of the Sub-Divisional Officer.....District.....

.....S/o.....Applicant.

Vs.

.....S/o.....Opposite party.

Application under Section 36A for acquisition of right to Nalbat only

Sir,

I, AB S/o CD, caste aged resident of
Tehsil District hereby state as under :-

- (1) That I am a tenant of EF S/o GH, caste.....resident of.....Tehsil.....District.....in respect of the land, particulars whereof are given hereunder.
- (2) That I have been Khatedar tenant since before the commencement of the *Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) Rajasthan Revenue Laws (Extension) Act, 1957 (Rajasthan Act No. 2 of 1958) or acquired khatedari rights under Section 16/15-B in the said land.
- (3) That there is a well, bearing No. or known as attached to the aforesaid land and the right to Nalbat in respect of the said well is vested in IJ S/o KL, caste resident of Tehsil District who is person other than landholder.
- (4) That I wish to acquire the rights to Nalbat in accordance with sub-section (1) of Section 36A and therefore, pray that necessary action may kindly be taken.

Particulars of Land

1. Name of village with Thok or Patti.
2. Khasra No. and Name(s) if any of the field(s).
3. Area in Bighas/Acres.

Description of Well

* Strike out whichever is not applicable

¹⁷[Form 'M']

[See Rule 9/B.R.]

Form of Notice under sub-section (2) of Section 36A

Notice

In the Court of the Sub-Divisional Officer District
Case.....No. of 19

..... S/o Applicant

Vs.

..... S/o Opposite party.

Application under sub-section (1) of Section 36A of the Tenancy Act for acquisition of rights to Nalbat

Whereas the applicant mentioned above has made an application for the acquisition of rights to nalbat under sub-section (1) of Section 36A of the Tenancy Act, you are hereby summoned to appear in this court either personally or by a pleader duly instructed and above to answer all Material questions relating to the case, or who shall be accompanied by some person able to answer all such questions (date) (date to be fixed as to allow the tenant at least 30 days in which to file objection). A copy of the said application attached hereto and if you do not admit the particulars given therein to be correct, you are asked to produce on that date, all documents on which you intend to rely in support of your claim. Take notice that in default of your appearance on the aforesaid date, the case will be heard and decided in your absence.

Given under my hand and seal of the Court this day year

Sub-Divisional Officer,

A copy of the notice is forwarded to S/o case
(Landholder) (Address)

¹⁷ Substituted by Notification dated 05-09-59

¹⁸Form 'N'

[See Rule 10/B.R.]

Reply to the Notice under Section [36A] of the Act

In the Court of Sub-Divisional Officer DistrictCase No. 19

..... S/o Applicant.

Vs.

..... S/o Opposite Party.

Application for acquisition of right to Nalbat

Sir,

In reply to your notice dated I hereby submit that I do not wish to contest the application/* that I contest the application on following grounds :-

(Grounds to be mentioned)

I claim compensation and submit by claim as below :-

Claim for compensation for acquisition of right to Nalbat Under Section [36A]

1. Parentage, caste, age and residence of claimant i.e. person other than landholder in whom right to Nalbat vests.
2. Name of applicant for acquisition of right in Nalbat parentage, caste, age and residence.
3. Name of land-holder with parentage, caste, age and residence.
4. Particulars of land in which applicant claim that Khatedari rights have accrued-Name of village, Thok or Patti with name of Tehsil, Sub-Division and District, Khasra No. and Name/Names, if any of field/fields and Area in Bighas.
5. If Nalbat realised in cash, the annual amount paid during each of preceding 5 years.
6. If Nalbat realised in kind, quantity of produce delivered as Nalbat during the preceding [5] years.
7. Total period during which benefits from well in respect of which Nalbat is claimed have accrued to tenant (applicant).
8. Particulars of the well viz :-

(i) Name of well and Khasra No. in which situated.

(ii) Time of construction.

(iii) Present condition

(iv) Area irrigated in a normal year (in Bighas/Acres).

(v) Average present cost of construction of such well.

(vi) Probable extent of future utility of well.

9. Remarks

Signature..... S/o Caste Resident of..... (Claimant)

¹⁸ Substituted by Notification dated 05-09-59

Form 'O'

[See Rule 11/B.R.]

Certificate of [Acquisition] of right to Nalbat under Section [36-A]

In the Court of Case No.
 of 19
 S/o Applicant.
 Vs.
 S/o Opposite party

This is to certify that (1) S/o Caste age resident of Tehsil District has acquired right to Nalbat in respect of the well specified below with effect from (date).

(2) That the said tenant is liable to pay Rs. Rupees (in words) as compensation to (owner of Nalbat right) in a lumpsum/* in instalments of Rs. each payable on (date).

(3) The amount of compensation has been paid in full/*that the tenant has agreed to pay the amount of compensation by instalments as specified above, and the said compensation shall be a charge upon the holding and produce next after the charges for rent and revenue in respect thereof. The tenant shall be incompetent to alienate the holding unless and until the total amount of compensation as aforesaid has been paid in full.

Particulars of Well

1. Name of Village with Thok Patti.
2. Name of Tehsil and District.
3. Khasra No. and Name/Names of field/fields.
4. No. or name of well.

*Strike out whichever is inapplicable

Form 'P'

[See Rule 22/B.R.]

Notice of arrangement for payment of rent

See Section 60 of the Rajasthan Tenancy Act and Rule No. 22/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955

I. A.B. S/o C.D. caste.....resident of.....a (here enter class or tenant) tenant of the following lands hereby inform you, E.F. S/o G.H. caste resident the person from whom I hold that I am leaving the neighbourhood for months/years and that/during my absence I am leaving I.J. S/o K.L. caste

..... resident of incharge of my holding who will be responsible for paying the rent as it falls due.

Name of Village with name of Thok or Patti	Khasra No. and name/names if any of field/fields	Area in bighas/acres	Rent of holding
1	2	3	4
		TOTAL	
		

My address during the period of my absence will be :-

Sd

(Tenant).

Signature of Tehsildar, if issued through Tehsil

(Seal of the Court).

If issued through Tehsildar.

Form 'Q'

[See Rule 23/B.R.]

Proclamation of abandonment

See Section 61 of the Rajasthan Tenancy Act and Rule No. 23/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955.

In the Court of Tehsildar Tehsil District
Case No. of 19

A.B. (Add description and residence)Landholder

Vs.

C D. (Add description and residence).....Tenant.

(Name, description and place of residence [tenant])

To,

Whereas you a (here enter class of tenant)-tenant of the holding specified below, are presumed to have abandoned it, this proclamation is issued under Section 61 of the Rajasthan Tenancy Act. 1955 (No. 3 of 1955), that the above mentioned land-holder wishes to treat the holding as abandoned and will enter on it on the expiry of sixty days from the date of service/publication of the proclamation, whichever is earlier, unless appearance is made and reasonable cause to the contrary is shown before the expiry of such period.

Name of Village with name of Thok or Patti	Khasra Nos. of any field/fields	Area in bighas/acres	Rent of holding
1	2	3	4
Total			

Sd/-
(Tenant)

Sd/-
(Tehsildar)

Seal of the Court

Form 'R'

[See Rule 25/B.R.]

To,

The Tehsildar,

Tehsil.....

District.....

Subject :- Application for re-instatement and restoration of holding under Section 62(2) of the Act.

Sir,

With reference to your proclamation dated issued in pursuance of the provisions of sub-section (1) of Section 61 of the Act, I beg to state as under :-

(1) that *Khatedar

I was a tenant

Tenant of

Khudkasht

Ghair

Khatedar

tenant

Sub-tenant

of the undermentioned land and the period of my occupation was years.

State Government

(2) that I hold this land from

A.B. (land-holder)

(3) that in the year there was a severe drought/famine (name of epidemic) in that *Ilqa/or that I had to leave the village on account of (Grounds to be given) and proceed to (Name of place) alongwith my family and cattle etc.

(4) that when I learnt that the calamity had passed and conditions had returned to normal, I returned to my village on or about (date to be mentioned).

(5) that the approximate date of my migration from the village was

(6) that this application is within the period of one year from the date of service/publication of the above-mentioned proclamation.

(7) that in support of my contention that I left the neighbourhood on account of widespread calamity/the reasons mentioned in clause (3) above, I submit the following documentary evidence and I shall produce witnesses on the date of hearing.

(Particulars of documentary evidence to be given)

I pray, therefore, that I may be re-instated and the holding be restored to me subject to payment, by me, of arrears of rent, due from me on account of the holding till the date of restoration, including the period of abandonment in accordance with the provisions of the Act.

Particulars of Land

1. Name of village, with name of Thok or Patti (Tehsil and District)

2. Khasra Nos. and name/names of field/fields

3. Area in Bighas/Acres

4. Annual rent

Sd/-

(Tenant)

Dated.....19 .

[Form 'RR']

[See Rule 25A]

Part I

Application under Section 66/67 of the Rajasthan Tenancy Act, 1955 for sanction to the making of an improvement mentioned in sub-clause (a) of clause (19) of Section 5 of the Act.

To,

The Tehsildar,

Tehsil.....

Through : The Patwari, Circle No.

Sir,

As required by the clause (b) of the proviso to Section 66 of the Rajasthan Tenancy Act, 1955, and Rules 25A of the Rajasthan Tenancy (Board of Revenue) Rules, 1955 I hereby apply for sanction to the construction of the improvement, particulars whereof are given below :-

1. Name of applicant with parentage and address
2. Status (Khatedar tenant/Land holder [x x x])
3. Particulars of holding :-
 - (a) Name of village
 - (b) Khasra number
 - (c) Area in acres
4. Distance of holding from the Municipal limits of the nearest city of or town of
5. Particulars of improvement for which sanction is required :-
 - (a) Khasra No. on which improvement is to be made
 - (b) Exact nature of improvement dwelling house/cattle-shed/store house/other construction.
 - (c) Full description, dimensions and area to be covered.
 - (d) Cost of the proposed construction.
6. Number and particulars of existing improvement of the nature specified in sub-clause (a) of clause (19) of Section 5 of the Tenancy Act.
7. If the application is for permission to construct a dwelling house on the holding :-
 - (a) Whether the applicant owns a residential house in the abadi of the village and if so, distance of the village abadi from the khasra No. on which the dwelling is proposed to be constructed ?
 - (b) Whether the applicant owns a building or construction in the immediate vicinity of the holding otherwise than on the village site [of item (4) of sub-clause (b) of clause (19) of Section 5 of the Act.] ?
 - (c) Whether he will personally reside in the dwelling house proposed to be constructed ?
8. If the application is for permission to construct a cattle-shed on the holding :-
 - (a) No. and particulars of existing cattle-shed, if any.
 - (b) Total number of cattle owned by the applicant.

(c) Area to be covered by the proposed cattle-shed.

9. If the application is for permission to construct a store-house on the holding :-

(a) Number and particulars of existing store-house, if any.

(b) Total annual production of the holding for the past 3 years.

(c) Where and how the production is stored at present, and

(d) Area to be covered by the proposed store-house.

Signature

Verification

I solemnly verify that the particulars given above are correct to the best of my knowledge and that I have stated the truth and have not suppressed or concealed any fact.

Signature

Place.....

Date.....

Part II

Patwari's Report

1. This application was received by the undersigned (name) Patwari Circle No. on (date to be filled).
2. The particulars given in Part I above have been checked with the entries in the Khasra for Kharif/Rabi Samvat and the Jamaldadani (Khewat Khatauni) for Samvat and have been found to be correct, or that such and such particulars are not correct.
3. The applicant is a Khatedar Tenant [x x x] Zamindar/[x x x] and cultivates the land specified in Serial No. 3 of Part I, or
*Does not cultivate the land which is being cultivated
4. He has a dwelling house/ dwelling houses on the holding covering an area of which is equal to part of the holding, or
He has no dwelling house on the holding.
5. He has a residential house in the village abadi which is at distance from the holding or that he has no residential house in the village abadi.
6. He owns/does not own a building for the convenient or profitable use or occupation of the holding in the immediate vicinity of the holding otherwise than on the village site.
7. There are cattle-sheds covering area equal to part of the holding, or there are no cattle-sheds on the holding.
8. The applicant owns cattle according to the register of livestock.
9. (a) There are store-house on the holding covering area equal to part of the holding or there are no store-houses on the holding.
(b) According to Jinswara, Milan Khasras and the other record, the approximate annual production of the applicants holding for which storage is required is.....mds.

Submitted to the Tehsildar.

Signature.....

Patwar Circle No.....

Date.....

Form 'S'

[See Rule 31]

**Application for licence under sub-section (5) of Section 84 of the Rajasthan
Tenancy Act, 1955**

To,

The Sub-Divisional Officer,
.....(Sub-Division).
.....(District).

Sir,

I am a Khatedar tenant holding land in excess of the ceiling area applicable to me, and I desire to remove trees which vest in me or are my property or are in my possession, and I, therefore, hereby apply for a license under sub-section (5) of Section 84 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

2. The required particulars are given below :-

(1) Name, parentage and age of applicant.

(2) Full address of the applicant.

(3) Particulars of applicants holding viz. -

(a) Name of village, with name of Tehsil in which holding is situated.

(b) Khasra numbers with area in acres/bighas.

(c) Soil-class.

(4) Particulars and class of trees, with age, if known, and approximate weight, sought to be removed and name of village (Name of tehsil) and khasra numbers in which such trees are growing together with soil class of the said khasra number.

(5) Grounds on which license is applied for, viz. -

(a) Agricultural use, making of plough, implements for drawing water from well for irrigation, making bullock-cart for transporting the produce, etc. burning lime or surki for construction of well or tank, etc.

(b) Domestic use : fuel-wood in own household.

(c) Clearing of land for extension or cultivation.

(d) Plantation of new trees, the trees sought to be removed having grown old and useless.

(e) Removal of fruit trees which have become over nature and in which rot and deterioration have set in.

(f) The trees sought to be removed are affecting the fertility of the soil or otherwise cause damage to the soil or standing crops.

(6) Date of last license granted and number of trees removed there under.

3. If the license applied for is granted, I undertake to use the wood for the purpose, indicated by me and for other purpose and I will abide by the terms and conditions of the license.

Place and date

Yours faithfully.
Signature

Part II

Patwari's Report

(1) Date of receipt of application -

(2) Date of report -

The statement made in the opening sentence of the application and the particulars given at serial Nos. 3 and 4 are correct/incorrect*.

Correct particulars are as follows:

The condition of the trees is.....(Full description to be given).

Submitted to the Sub-Divisional Officer.

Circle No.

Signature of the Patwari

[FORM 'SS']

[See Rule 40A]

License for removal of trees under Section 84(5) of the Rajasthan Tenancy Act, 1955

S. No.	Date of issue	Name of Licensee with full address	Period of validity of license	No. and class of trees with age and weight, if known, allowed to be removed	Area in acres/bighas proposed to be cleared	Purpose for which removal of trees or clearance of ground allowed	Special conditions, if any, imposed	Remarks
1	2	3	4	5	6	7	8	9

1. The licensee above named is hereby authorised to fall and remove the trees mentioned above within the period and otherwise subject to the terms and conditions given above, and to the provisions of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955), and Rules 31 to 40A of the Rajasthan Tenancy (Board of Revenue) Rules, 1955, and to the condition that the felling and removal of trees, shall be done without causing damage to the lands, standing crops, grass or buildings of neighbours.

2. This license must be produced for inspection when demanded by a Revenue Officer, Forest Officer or a Police Officer not below the rank of Sub-Inspector of Police.

3. Heavy penalties are imposed by law for the removal of trees in contravention of the license, including fines, cancellation of the license, and forfeiture of the timber.

4. This license should be surrendered to the authority issuing it, within fifteen days of the expiry of license.

Date & seal of Licensing Authority

Form 'T'

Notice of deposit of rent

(See Section 139 of the Rajasthan Tenancy Act, 1955 (No. 3 of 1955) and Rule 47/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules)

In the Court of the Tehsildar,

Tehsil..... District

Case No. of 196 .

AB (add description and residence)tenant.

Vs.

CD (add description and residence) landholder.

To,

(Name, description and place of residence of landholder.)

Whereas AB S/o caste r/o who claims to be your tenant in respect of the land specified below having deposited in my court the instalment(s) under-mentioned of rent in arrears unpaid balance of instalment(s) on the date of his application, notice of the receipt of deposit is hereby given to you and you are directed to appear in my court on (date) to prove your title to receive the amount.

Particulars of Rent

Name of village	Name of Thok or Patti	Khasra numbers of fields	Area in Bighas/Acres
1	2	3	4

Particulars of Deposits

Year of/instalment(s)/or unpaid balance of instalment(s)	Amount	Date of deposit
1	2	3

Dated
Tehsildar
Tehsil.....

Form 'U'

Notice to a tenant for the payment of arrears of rent or for ejectment in default

(See Section 169 of the Rajasthan Tenancy Act, 1955 and Rule 60/B. R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955)

In the Court of the Tehsildar,

TehsilDistrict

Case No. of 19 .

AB (add description and residence) Applicant (landholder)

Vs.

CD (add description and residence) Opposite party (Tenant).

To,

(Name, description and place of residence).....(tenant).

Whereas the person above named, alleging himself to be your landholder, has applied to this court for the issue of a notice to you for payment of arrears of rent as per details given below and for your ejectment in case of default.

And whereas the amount of Rs. is claimed to be due from you to the said landholder on account of arrears of rent in respect of the holding specified below, notice is hereby given to you to pay within thirty days of the date of service of this notice, the amount of arrears or to appear and admit or contest the same. In default the application will be heard and determined in your absence.

Details of Account

Year and instalment	Khasra No.	Rent payable	Rent paid	Arrears	Interest	Remarks
1	2	3	4	5	6	7

Total.....

Grand total.....

Description of the Holding

District	Tehsil	Village	Thok or Patti	Khasra No. of fields	Area of field Bighas/Acres
1	2	3	4	5	6

Number of fields and total area

The instalments of rent payable by you for the holding in future are specified below :-

Rent payable for the holding in future

Rabi instalment

Kharif instalment

Given under any hand and the seal of the Court this day of 19.

Signature

(Tehsildar)

(Sead of the Court)

Date 19.

Form 'U(1)'

Notice to a tenant for the payment of arrears of rent or for ejection in default

(See Section 169 of the Rajasthan Tenancy Act, 1955 and Rule 60/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955).

In the Court of the Tehsildar,

Tehsil, District

Case No. of 19.

State

Vs.

CD (add description and residence) Opposite party (Tenant).

To,

(Name, description and place of residence) (tenant).

Whereas the amount of Rs. is due from you to the State on account of arrears of rent in respect of the holding specified below, notice is hereby given to you to pay, within thirty days of the date of this notice, the amount of arrears or to appear and admit or contest the same. In default the application will be heard and determined in your absence.

Details of account

Year and instalment	Khasra No.	Rent payable	Rent paid	Arrears	Interest	Remarks
1	2	3	4	5	6	7

Total.....

Grand total.....

Description of the Holding

District	Tehsil	Village	Thok or Patti	Khasra No. of fields	Area of field Bighas/Acres
1	2	3	4	5	6

Number of fields and total area

The instalments of rent payable by you for the holding in the future are specified below:-

Rent payable for the holding

Rabi instalment

Kharif instalment

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

Signature.....

(Tehsildar)

(Seal of the Court)

Dated 19 .

Form 'V'

Notice to tenant for payment of the amount outstanding under a decree for arrears of rent or for ejectment in default

(See Section 174 of the Rajasthan Tenancy Act, 1955 and Rule 60/BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955)

In the Court of.....at..... Case No. of
..... 19 .

AB (add description and residence) Decree-holder (land-holder).

Vs.

CD (add description and residence) Judgment-debtor (Tenant)

To,

(Name, description and place of residence)

Whereas the person above-named, alleging himself to be your landholder, has applied to this court for the execution of decree for arrear of rent by the issue of a notice to you for the payment of the amount outstanding or for your ejectment in case of default.

And whereas the amount of Rs. is claimed to be due from you to the holding specified below, and on account of costs as detailed below, notice is hereby given to you to pay, within two months from the date of service of this notice, the aforesaid amount into the court or in case of default to show cause why you should not be ejected from your holding and to state whether in case an order for your ejectment is passed you claim compensation for any improvements made by you. In case of default an order may be passed for your ejectment from the holding specified below :-

Details of account

Year and instalment	Rent payable	Rent paid	Arrears	Interest	Cost awarded by the decree	Remarks
1	2	3	4	5	6	7

Total.....

Grand Total.....

Description of holding

District	Tehsil	Village	Thok or patti	Khasra No. of fields	Areas of fields Bighas/Acres
1	2	3	4	5	6

Number of fields and total area

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

Signature

Designation

Dated 19 .

Form 'W'

Notice to a tenant under Section 175 to show cause against ejectment illegal transfer or sub-letting

(See Section 175 of the Rajasthan Tenancy Act, 1955 and Rule 60/BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955)

In the Court of at Case No. 19 .

AB (add description and residence) Applicant (land-holder).

Vs.

CD (add description and residence) (tenant)

and

EF (add name, description and place of residence) (transferee or sub-lessee) Opposite party;

To,

(Name, description and place of residence) (tenant)

Whereas the person above-named, alleging himself to be your land holder has applied to this court under Section 175 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below, for your ejectment from the holding specified below, this notice or ejectment is issued to you under the said section of the Act. You are hereby asked to show cause why you should not be ejected from the-area so transferred/sub-let. You are informed that:-

(a) If you desire to dispute ejectment you must contest this notice within thirty days of its being served on you, and

(b) If within thirty days of the service of this notice you appear and admit your liability of ejectment, you will not be liable for any costs.

Take notice that, in default of your appearance within the period specified above, an order of ejectment may be passed against you.

Grounds of ejectment

1.....

2.....

Description of holding

District	Tehsil	Village	Thok or patti	Khasra Nos. of field	Area or fields Bighas/Acres	Rent of holding
1	2	3	4	5	6	7

Total No. of fields and total area

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

Signature.....

Designation

Dated 19 .

(Seal of the court).

Form X'

Notice to a tenant under Section 177 to show cause against ejectment for detrimental act or breach of condition

(See Section 177 of the Rajasthan Tenancy Act, 1955 and Rule 60/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955).

In the Court of at

Case No. of 19 .

AB (add description and residence) Applicant (landholder).

Vs.

CD (add description and residence) (tenant)

and

EF (add name, description and place of residence) (person claiming through tenant) Opposite party.

To,

(Name, description and place of residence).....(tenant and person claiming through tenant).

Whereas the person above-named, alleging himself to be your land holder has applied to this court under Section 177 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below, for your ejectment from the holding specified below, this notice of ejectment is issued to you under the said section of the Act. You are hereby asked to show cause why you should not be ejected from the area concerned. You are informed that:

- (a) If you desire to dispute ejectment, you must contest this notice within thirty days of its being served on you, and
- (b) If within thirty days of the service of this notice you appear and admit your liability to ejectment, you will not be liable for any costs.

Take notice that, in default of your appearance within the period specified above, an order of ejectment may be passed against you.

Grounds of ejectment

1

2

Description of holding

District	Tehsil	Village	Thok or patti	Khasra Nos. of field	Area of fields Bighas/Acres	Rent of holding
1	2	3	4	5	6	7

Total No. of fields and total area

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

Dated 19 .

(Seal of the Court).

Signature

Designation

Form 'Y'

Notice of ejectment to a tenant of Khudkasht, Ghair Khatedar tenant' ant or sub-tenant under Section 181 of the Act

(See Rule 67/B.R. of the Rajasthan Tenancy Act (Board of Revenue) Rules, 1955)

In the Court of Assistant Collector District

Case No. of 19 .

AB (add description and residence) Applicant (landholder).

To,

(Name and place of residence) (Tenant)

Whereas the land-holder above named has applied under Section 180 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below, for your ejectment from the holding specified below this notice of ejectment is issued to you in accordance with the provisions of sub-section (3) of Section 181 of the Act. You are hereby informed that :-

(a) if you wish to dispute the ejectment you must contest the notice within thirty days of its being served on you, and

(b) that if within thirty days of the service of notice you appear and admit your liability to ejectment, you will not be liable for any costs.

Take notice that in default of your appearance within the period specified above an order of ejectment may be passed against you.

Grounds of ejectment

(See clauses (a) to (d) of Section 180)

1

2

Description of holding

District	Tehsil	Village	Thok or patti	Khasra Nos. of fields	Area of fields Bighas/Acres	Rent of holding
1	2	3	4	5	6	7

Total No. of fields and total area

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

Dated 19 .

(Seal of the Court).

Signature

Designation

Form 'Z'

[See Rule 78/B.R.]

Notice under Section 186 of the Act

In the Court of Assistant Collector.....District

Case No.of 19 .

AB (add description and residence) Applicant (tenant).

Vs.

CD (add description and residence) Opposite Party (landholder)

and

EF (add description and residence).....Opposite party (other person now in possession).

To,

(Name, description and place of residence) (Opposite Party).

Whereas the person named above alleging himself to be the tenant of CD has applied to this court for re-instatement under Section 186 on the ground that he has been ejected from, or dispossessed of, his holding, or part thereof, specified below :-

(a) before the commencement of the Act otherwise than by process of law, or

(b) after the commencement of the Act in contravention of its provisions.

This notice is hereby issued to you in accordance with the provisions of sub-section (2) of the said section to show cause within a fortnight of the receipt of this notice why the applicant be not re-instated in his holding or part thereof and why you *EF (name of other person in possession) who is not to be alleged in possession be ejected therefrom. A copy of the application is attached and you are hereby informed that if you wish to contest the application you must appear and contest this notice within 15 days of its being served upon you.

Take notice that in default of your appearance within the period specified above, an order for the re-instatement of the applicant and your ejectment and/or the ejectment of the other person now in possession, shall be passed.