

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 348/1-6(23)-74-Revenue-I, dated May 21, 1976:

No. 348/1-6(23)-74—Revenue-I

Dated Lucknow, May 21, 1976

IN exercise of the powers under section 44 of the Uttar Pradesh Imposition of Ceiling on Land Holding Act, 1960 (U. P. Act no. I of 1961), read with section 21 of the U. P. General Clauses Act, 1904 (U. P. Act no. I of 1904), the Governor is pleased to make the following rules :

**THE UTTAR PRADESH IMPOSITION OF CEILING ON LAND HOLDINGS
(SEVENTH AMENDMENT) RULES, 1976**

1. (1) These rules may be called the Uttar Pradesh Imposition of Ceiling on Land Holdings (Seventh Amendment) Rules, 1976.

Short title and commencement.

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

2. In the Uttar Pradesh Imposition of Ceiling on Land Holdings Rules 1961 (hereinafter referred to as the said rules), for the rules as set out in Column I, the rules as set in Column II, shall be substituted, namely—

Substitution of rules 28, 29 and 30.

COLUMN I

Existing Rule

28. The amount shall, subject to rule 29, be paid in negotiable bonds in the form of promissory notes which shall be described as Uttar Pradesh Land Ceiling Bonds.

COLUMN II

Rule as hereby substituted

28. Where the amount payable under section 17—

(a) does not exceed rupees one thousand, the whole of it shall be payable in cash in lump-sum;

(b) exceeds rupees one thousand, a sum of rupees one thousand shall be payable as the first instalment, and the balance shall be payable in four equal annual instalments:

Provided that the State Government may, in its discretion, make full payment of the amount outstanding at any time before the expiry of the period of four years.

COLUMN I
Existing Rule

29. (1) Where the total amount payable to a person under section 17 does not exceed Rs. 1,000 the entire amount and where it exceeds Rs. 1,000 an amount of Rs. 1,000 shall be paid in cash in lump sum.

(2) In addition to the amount mentioned in sub-rule(1), all such amounts as cannot be covered by bonds shall also be paid in cash.

30. The bonds shall be issued in denominations of Rs. 50, Rs. 100, Rs. 200, Rs. 500, Rs. 1,000, Rs. 5,000 and Rs. 10,000 and shall bear interest at the rate of three and half per centum per annum on the principal that has not become payable, calculated from the date of dispossession. No interest shall be payable on any amount of principal beyond the date on which its payment fell due even though the sum is not realised by the holder of the bond.

Ommission of
rules 31 and 32.

Substitution of
rule 33.

3. In the said rules, rules 31 and 32 shall be *omitted*.

4. In the said rules, for the rule as set out in Column II, shall be *substituted*.

COLUMN I
Existing Rule

33. (1) The instalments shall be payable at the treasury or sub-treasury in Uttar Pradesh at which the bond is enframed for payment of the instalment.

(2) In case the person entitled to amount desires enframing of bond on a treasury or sub-treasury of the tahsil other than that where the amount was assessed, he shall soon after he receives a copy of the draft assessment roll intimate the Prescribed Authority the name of such treasury or sub-treasury and the Prescribed Authority shall indent bonds accordingly.

COLUMN II
Rule as hereby substituted

29. The amount referred to in rule 28 shall become due on the following date or dates—

(i) In the case of the amount referred to in clause (a) of rule 28 or in the case of the first instalment of the amount referred to in clause (b) thereof, it shall become due on the first day of April following the date on which the possession of surplus land was taken under section 14(8).

(ii) Where possession of different surplus lands of the same tenure-holder was taken on different dates, it shall become due on the first day of April following the last of such dates.

(iii) The second or subsequent instalments of the amount referred to in clause (b) of rule 28 shall become due each year on the expiry of one year from the date on which the previous instalment fell due.

30. Where the amount or any instalment thereof is not paid within one month from the date of its falling due, the person concerned shall become entitled to interest at the rate of three and a half per cent per annum on the amount or instalment outstanding for the period commencing from the date of its falling due and ending with the last day of the month preceding the date of payment.

COLUMN II
Rule as hereby substituted

33. (1) The amount and the annual instalments (referred to in rule 28) shall be payable at the sub-treasury of the Tahsil where the amount was assessed on the production of a voucher in C. L. H. Form 21 issued by the Prescribed Authority under rule 43.

(2) In case the person entitled to amount desires payment at the Sub-Treasury other than the sub-treasury referred to in sub-rule (1), he shall apply to the Prescribed Authority in writing and the Prescribed Authority shall pass such orders thereon as it may consider necessary.

5. In the said rules, rules 35 to 40 and 42 shall be omitted.

6. In the said rules, for the rule as set out in Column I, the rule as set out in Column II, shall be substituted, namely—

Omission of
rules 35 to 40
and 42.
Substitution of
rule 43.

COLUMN I

Existing rule

43. (1) The Prescribed Authority shall issue a notice in C. L. H. Form 20 to the person entitled to amount directing him to take delivery of bonds and/or receive payment in cash on a specified date. On the date so specified the Prescribed Authority shall deliver the bonds and/or make payment in cash through voucher in C. L. H. Form 21 to the person concerned or his duly authorised agent and take signature of the recipient in token of receipt on the voucher and/or C. L. H. Form 22, as the case may be. The receipt in C. L. H. Form 22 shall be filed alongwith the file of the tenure-holder.

(2) If the notice has been duly served and the person concerned does not appear either in person or through a duly authorised agent to receive the bonds until three years have elapsed from the date for which the notice was served, the bonds shall be returned to the Public Debt Office by the Treasury or Sub-Treasury Officer along with Schedule in C. L. H. Form 23, on the receipt of advice from the Prescribed Authority.

(3) In case any bond remains unclaimed for three years from the date fixed for delivery, the schedule in C. L. H. Form 23 shall be prepared in triplicate and two copies along with the unclaimed bonds shall be transmitted to the Public Debt Office, which shall after verification return one copy duly acknowledged to the Treasury or Sub-Treasury Officer.

(4) When bonds are returned to the Public Debt Office under sub-rule (2) above an entry in respect of the same shall be made in the register in C. L. H. Form 15 in the remarks column and the serial number of the bonds shall be entered in the register in C. L. H. Form 14 and entries made also in Column 26 of the said register. On receipt of acknowledgement from the Public Debt Office entries shall also be made in Column 27 of the register in C. L. H. Form 14.

COLUMN II

Rule as hereby substituted

43. (1) The Prescribed Authority shall issue a notice in C. L. H. Form 20 to the person entitled under section 17 directing him to receive payment of the instalments on any working day or working days as the case may be. On the date when the person entitled to the amount appears before him, the Prescribed Authority shall make payment in cash through voucher in C. L. H. Form 21 to the person concerned or his duly authorised agent and take signature of the recipient on the counterfoil of the voucher in token of receipt of the voucher. The counterfoil of the voucher shall be filed alongwith the file of the tenure-holder

(2) Whenever the person concerned comes to receive the first instalment or any subsequent instalments of the amount payable to him under section 17, he shall produce every time the notice in C. L. H. Form 20 before the Prescribed Authority who shall record a note regarding payment of an instalment under his dated signature on C. L. H. Form 20 after the delivery of the voucher in C. L. H. Form 21 to the person concerned.

(3) Where the date due for payment of the amount under section 17 has expired and the Assessment Roll has become final but the notice in C. L. H. Form 20 has not been received by the person entitled to the said amount, he may apply to the Prescribed Authority for payment of the amount and thereupon the Prescribed Authority shall serve the notice in C. L. H. Form 20 on the person entitled thereto and shall make the payment accordingly.

(4) The Prescribed Authority may on being satisfied that the original C. L. H. Form 20 has been lost, or destroyed, issue duplicate copy thereof on an application accompanied with an affidavit being filed for the purpose.

Amount determined in respect of things mentioned in Part IV of the Schedule under section 17

Arrears of land revenue or other dues as in Columns 5 and 8 of C. L. H. Form 10 or remarks column thereof

Name of the item	Amount determined (as in Column 9 of C. L. H. Form 9)	Nature of arrears	Amount outstanding on the date of dis- possession)
11	12	13	14

Aggregate of the net amount payable to Details of instalments in which the amount is payable

the tenure-holder mentioned above	the <i>asam</i> /sub-tenant	Number of instalment	Amount of instalment	Date of falling due of instalment	Remarks
15	16	17(a)	17(b)	17(c)	18

NOTES—(i) As many extra copies of this draft roll shall be prepared as there are *Asamis* under section 11 of the Zamindari Abolition and Land Reforms Act, but in the extra copy of each such person only such of the entries shall be taken from this draft roll as relate to the surplus land which was in his possession:

(ii) In the remarks column, the total amount payable shall be written in words."

Substitution of 12. In the said rules, for C.L.H. Form 14, the following C. L. H. Form C.L.H. Form 14. shall be substituted, namely:

"C. L. H. FORM 14

[See RULE 52(i)]

Register of Tenure-holders and other persons and the Amount payable to them under section 17

Tahsil.....

District.....

Serial no.	Village	Name, parentage and address of the person entitled to amount	Final amount as determined under section 20 or 21 as the case may be	Date of determination
1	2	3	Amount	Rs. P.
5				

Arrears recoverable from final amount		Net amount payable		Interest if any, payable on the instalment due calculated vide rule 30	
Amount Rs.	Transfer credit A/c no. and date P.	Number of instalment 8(a)	Date of falling due 8(b)	Amount of instalment 8(c)	9
6	7	8(a)	8(b)	8(c)	9

Total amount due for payment	Date and number of voucher for payment of each instalment	Date of encashment of voucher in Treasury/Sub-treasury	Remarks
Number of instalment	Amount		
Rs.	P.		
10 (a)	10 (b)	11	12
			13

NOTES—(i) In Columns 8 to 11, entry of each instalment shall be made in separate line.

(ii) The calculation of interest in Column 9 and the entry in Column 10 shall be made on the day of payment of instalment."

13. In the said rules, C. L. H. Forms 15, 16, 17, 18 and 19 shall be omitted. Omission of C. L. H. Forms 15, 16, 17, 18 and 19.

14. In the said rules, for C. L. H. Forms 20 and 21, the following C. L. H. Forms shall be substituted, namely: Substitution of C. L. H. Forms 20 and 21.

"C. L H. FORM 20

[See RULES 43 AND 48(2)]

BEFORE THE PRESCRIBED AUTHORITY TAHSIL....., DISTRICT.....

To

.....(Name, parentage and residence)

WHEREAS the net amount payable to you under section 17 of the U. P. Imposition of Ceiling on Land Holdings Act, 1960 in respect of all the surplus land situated in the areas to which the said Act, applies has been determined to be Rs.(in words.....) and the said amount is payable to you as per details given below, notice is hereby given to you to appear personally or through an agent duly authorised to receive the same on any working day or working days as the case may be.

Details of amount payable under section 17

Number of instalment	Due date	Amount of instalments	Total amount payable
		Rs.	P.

Given under my hand and seal this....., day of....., 19.....
Prescribed Authority.

NOTE—This notice shall be produced by the person concerned every time when he comes to receive instalments of the amount.

C. L. H. FORM 21

[See RULES 43(1) AND 48]

Voucher for payment of amount payable under section 17

Book No.	Voucher No.	Book No.	Voucher No.
Name, parentage and residence of the claimant.....	Head of services chargeable.....	Voucher no.	of lists of payment.....
Amount paid in respect of surplus land in talsil....., district Rs..... Serial no..... in register in C. L. H. Form 14.	Received this day of 19....., the sum of Rs..... (in words) being the first/second/third/fourth/fifth instalments (as the case may be) out of the total amount of Rs..... (in words) due to me as amount payable under section 17 in respect of the lands in talsil district.....		
Amount of Rs..... payable in cash being the first/second/third/fourth/fifth instalment (as the case may be) out of the total amount of Rs.....	Name, parentage and address of claimant		
Signature of Prescribed Authority	Claimant's signature and address serial no. in register in C. L. H. Form 14.		
Dated....., 19.....	Approved for Rs..... (in words.....)		
	Signature of Prescribed Authority.....		
	Dated....., 19.....		

(ON REVERSE)

Received voucher.
 Signature of recipient.....
 Dated , 19.....

(ON REVERSE)

Pay in cash Rs.....
 (in words only)
 Signature of the siashanavis

Dated....., 19.....

Signature of the Tahsildar.....
 Dated....., 19.....

Signature of Treasury or Sub-Treasury Officer.
 Dated , 19.....

NOTE—This voucher shall be prepared only after the person concerned has produced the notice issued to him in C. L. H. Form 20. After the voucher is passed the notice issued in C. L. H. Form 20 shall be returned to the person concerned after recording a note relating to the issue of voucher for the instalment concerned."

Omission of 15. In the said rules, C. L. H. Forms 22, 23, 24, 25 and 26 shall be C. L. H. Forms omitted.
 22, 23, 24, 25
 and 26.

Omission of 16. In the said rules the Appendix occurring at the end shall be omitted.

आज्ञा से,
 अतहर हुसेन,
 आयुक्त एवं सचिव।

NOTE—The Uttar Pradesh Imposition of Ceiling on Land Holdings Rules, 1961, as modified and amended up to July, 1973 have already been published. These rules were subsequently amended by the following notification :—

First amendment—Issued with notification no. 11/11/3(2)-73—Rev.-1, dated July 20, 1974.

Second Amendment—Issued with notification no. 2(2)/75—Rev.-1, dated April 2, 1975.

Third Amendment—Issued with notification no. 1127/Rev.-1-2(3)-75, dated June 18, 1975.

Fourth Amendment—Issued with notification no. 1(67)/75—Rev.-1, dated September 18, 1975.

Fifth Amendment—Notification no. 4411-2(9)/75—Rev.-1, dated January 6, 1976.

Sixth Amendment—Notification no. 43/2-5(1)/76—Rev.-1, dated April 3, 1976.