

UTTAR PRADESH SHASAN

RAJSWA VIBHAG

ANUBHAG—1

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. 2(2)/75-Revenue-I, dated April 2, 1975 :

No. 2(2)/75-Revenue-I

April 2, 1975

In exercise of the powers under sub-section (1) of section 44 of the Uttar Pradesh Imposition of Ceiling on Land Holdings 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, after their previous publication under Government notification no. 2(2)/75-Revenue-I, dated February 26, 1975, with a view to amending the Uttar Pradesh Imposition of Ceiling on Land Holdings Rules, 1961 :

The Uttar Pradesh Imposition of Ceiling on Land Holdings (Second Amendment) Rules, 1975

1. **Short title and commencement.**—(i) These rules may be called the Uttar Pradesh Imposition of Ceiling on Land Holdings (Second Amendment) Rules, 1975.

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

2. **Omission of rule 3.**—Rule 3 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Rules, 1961 (hereinafter referred to as the said Rules), shall be omitted.

3. **Amendment of rule 4.**—In the said rules, for sub-rules (5) and (6) of rule 4, set out in column 1, the sub-rule as set out in column 2 shall be substituted :

COLUMN 1

Existing rule

COLUMN 2

Rule as hereby substituted

(5) Land held by a Goshala registered under the U. P. Goshala Adhiniyam, 1964, and utilised for grazing or growing fodder crop, shall be exempt under clause (g) of section 6 to the extent of one hectare of irrigated land for every ten heads of cattle including calves maintained by the Goshala concerned.

(5) Land held by a Goshala referred to in clause (g) of section 6 shall be exempt under that clause to the extent of one hectare of irrigated land for every ten heads of cattle including calves maintained by the Goshala concerned.

(6) Land let out after the enforcement of the Act to a Government lessee for reclamation and cultivation or for cultivation of jute shall be exempt under clause (h) of section 6.

4. **Amendment of rule 8.**—In the said rules, for rule 8, set out in column 1, the rules as set out in column 2 shall be substituted :

COLUMN 1

Existing rule

COLUMN 2

Rule as hereby substituted

8. As soon as may be after the expiry of 30 days from the date of publication of the general notice in C. L. H. Form 1 in the official *Gazette*, the Prescribed Authority shall cause to be served upon every tenure-holder, who has failed to submit the statement in C. L. H. Form 2, or has submitted an incomplete or incorrect statement, a notice in C. L. H. Form 4 together with a copy of the statement in C. L. H. Form 3, prepared under rule 6 calling upon him to show cause within a period of 15 days from the date of service of the notice why the aforesaid statement be not taken as correct :

8. As soon as may be, after the expiry of thirty days from the date of publication of the general notice in C. L. H. Form 1 in the official *Gazette*, the Prescribed Authority shall cause to be served upon every tenure-holder, who has failed to submit the statement in C. L. H. Form 2 or has submitted an incomplete or incorrect statement, a notice in C. L. H. Form 4 together with a copy of the statement in C. L. H. Form 3, prepared under rule 6 calling upon him to show cause within a period of fifteen days from the date of service of the notice why the aforesaid statement be not taken as correct :

Provided, however that in the case of a tenure-holder who is a member of the Armed Forces (Military, Naval or Air-Force) of the Union of India the period within which he will be called upon to show cause why the statement in C. L. H. Form 3 be not taken as correct, shall be ninety days from the date of service of the notice in C. L. H. Form 4.

Provided that where the statement in C. L. H. Form 3 also includes land ostensibly held in the name of any other person, the prescribed authority shall cause to be served upon such other person a notice in C. L. H. Form 4 together with a copy of the statement in C. L. H. Form 3 calling upon him to show cause within a period of fifteen days from the date of service

COLUMN 1

COLUMN 2

of the notice why the aforesaid statement be not taken as correct :

Provided further that in the case of a tenure-holder who is a member of the Armed Forces (Military, Naval or Air Force) of the Union of India, the period within which he will be called upon to show cause why the statement in C. L. H. Form 3 be not taken as correct, shall be ninety days from the date of service of the notice in C. L. H. Form 4.

5. Insertion of new rule 11-A.—In the said rules, after rule 11, the following rule shall be inserted, namely :

"11-A. The provisions of rules 10 and 11 shall *mutatis mutandis* apply in the case of holdings held by a firm, co-operative society or other society or association of persons other than a public company."

6. Amendment of C. L. H. Form 2.—In the said rules, for C. L. H. Form 2 including annexures, set out in column 1, the C. L. H. Form 2 including annexures set out in column 2 shall be substituted :

COLUMN 1

Existing C. L. H. Form

C. L. H. FORM 2

(See RULE 6)

To

THE PRESORIBED AUTHORITY,
..... SUB-DIVISION,
..... DISTRICT.

In pursuance of the notice under section 9 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960 (U. P. Act I of 1961), I submit the required information hereunder :

(1) Total area of holdings held in the State in my name and in the name of my family members as well as my share of land held by a co-operative society or an association of persons of which I am a member and land falling in my share in a private company in which I am a shareholder or a private trust of which I am a beneficiary, as detailed in Annexure A.

(2) Total area and plot numbers of land in respect of which exemption is claimed under section 6 as detailed in Annexure B.

(3) Area and plot numbers of land which is proposed to be retained as part of the ceiling area applicable, as detailed in Annexure C.

(4) The particulars in respect of my wife/husband/sons and daughters are as below :

Name	Age	Relationship	Whether married or judicially separated
(a)			
(b)			
(c)			

COLUMN 2

Form as hereby substituted

C. L. H. FORM 2

(See RULE 6)

To

THE PRESORIBED AUTHORITY,
..... SUB-DIVISION,
..... DISTRICT.

In pursuance of the notice under section 9 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960 (U. P. Act I of 1961), I submit the required information hereunder :

(1) Total area of holdings held in the State in my name and in the name of my family members as well as my share of land held by a co-operative society or an association of persons of which I am a member and land falling in my share in a private company in which I am a shareholder or a private trust of which I am a beneficiary, as detailed in Annexure A.

(2) Total area and plot numbers of land in respect of which exemption is claimed under section 6 as detailed in Annexure B.

(3) Area and plot numbers of land which is proposed to be retained as part of the ceiling area applicable, as detailed in Annexure C.

(4) The particulars in respect of my wife/husband/sons and daughters are as below :

Name	Age	Relationship	Whether married or judicially separated
(a)			
(b)			
(c)			

COLUMN 1

(5) The particulars in respect of my adult sons are as below :

Name of adult sons	Age	Whether themselves tenure-holders			
1	2	3			
Details of each plot held by adult sons					
District	Tahsil	Village	Plot no.	Area	Whether irrigated/ unirrigated, grove or usar
4(I)	(II)	(III)	(IV)	(V)	(VI)

I solemnly affirm and verify that to the best of my knowledge the information given by me in this Form and Annexures hereto attached is correct and complete and that I have included therein—

(A) all land holdings held by me in my own name or in the name of my family members on 8th June, 1973 within the State of Uttar Pradesh ;

(B) all land falling in my share out of the holdings of a registered firm or co-operative society or other association of persons in my capacity as member, partner, share-holder, etc. ;

(C) my interest in land, comprised in the holding of a private *waqf* or trust as a beneficiary thereof in proportion to my share in the benefits of the trust.

I also certify that the consent of my wife as required by section 9(3) is also being sent herewith.

Full signature of the tenure-holder

Address.....

Date.....

ANNEXURE A—O.L.H. FORM 2

Details of the holding held by Sri/Smt.....
son of/wife of Sri....., resident of.....
....., village....., pargana.....
....., tahsil....., district.....
and his family members in Uttar Pradesh ;

Details of total land held in Uttar Pradesh				
Serial no.	Name of recorded tenure-holder	District	Tahsil	Village
1	2	3	4	5

COLUMN 2

(6) The particulars in respect of my adult sons are as below :

Name of adult sons		Age	Whether themselves tenure-holders		
1		2	3		
Details of each plot held by adult sons					
District	Tahsil	Village	Plot no.	Area	Whether irrigated, single crop land in areas mentioned in section 4(ii) of the Act/unirrigated, grove or usar
4(I)	(II)	(III)	(IV)	(V)	(VI)

I solemnly affirm and verify that to the best of my knowledge the information given by me in this Form and Annexures hereto attached is correct and complete and that I have included therein—

(A) all land holdings held by me in my own name or in the name of my family members on 8th June, 1973 within the State of Uttar Pradesh ;

(B) all land falling in my share out of the holdings of a registered firm or co-operative society or other association of persons in my capacity as member, partner, share-holder, etc. ;

(C) my interest in land, comprised in the holding of a private *waqf* or trust as a beneficiary thereof in proportion to my share in the benefits of the trust.

I also certify that the consent of my wife as required by section 9(3) is also being sent herewith.

Full signature of the tenure-holder.

Address.....

Date.....

ANNEXURE A—O.L.H. FORM 2

Details of the holding held by Sri/Smt.....
son of/wife of Sri....., resident of.....
....., village....., pargana.....
....., tahsil....., district.....
and his family members in Uttar Pradesh ;

Details of total land held in Uttar Pradesh				
Serial no.	Name of recorded tenure-holder	District	Tahsil	Village
1	2	3	4	5

Khatauni khata no.	Class of tenure	Plot no.	Area	Details of sub- letting, if any	
				Name of sub- tenant or <i>asami</i> with parentage and residence	
6	7	8	9	10	

Khatauni khata no.	Class of tenure	Plot no.	Area	Details of sub- letting, if any	
				Name of sub- tenant or <i>asami</i> with parentage and residence	
6	7	8	9	10	

Period of sub-lease and date of commence- ment of sub-lease.	Plot no.	Area	Remark
11	12	13	14

Period of sub-lease and date of commence- ment of sub-lease	Plot no.	Area	Remarks
11	12	13	14

NOTES—(1) All land held in his own right by the tenure holder or any member of his family whether as a Government lessee or sub-lessee of a Government lessee, where period of sub-lease is co-extensive with the period of lease, whether as *bhumidhar*, *sirdar* or *asami* of Gaon Sabha in Zamindari Abolition area or otherwise than as a sub-tenant in non-Zamindari Abolition Area in the State of U. P. should be mentioned. In case of joint holdings, share of the tenure-holder should be mentioned in column 5 along with names of co-tenure-holders.

(2) The tenure-holder shall separately give details of land held by him/her, his/her/wife/husband, his/her minor sons/minor unmarried daughters and as a member or a shareholder in a firm/co-operative society/other society or association of persons (other than a public company) or as a beneficiary of a private trust.

(3) In the remarks column, the details of building (kachcha or pucca), masonry wells (in use or out of use), tube-wells in use, number of trees (fruit-bearing or timber or young fruit-bearing which have not yet borne fruit) and pucca guls (in use or out of use) should be indicated against each plot.

(4) Under columns 9—12 *asamis* and sub-lessees of a Government lessee, where the period of sub-lease is co-extensive with the period of lease, shall be mentioned and their status—significantly brought out in column 9 and the remarks column.

NOTES—(1) All land held in his own right by the tenure-holder or any member of his family whether as a Government lessee or sub-lessee of a Government lessee, where period of sub-lease is co-extensive with the period of lease, whether as *bhumidhar*, *sirdar* or *asami* of Gaon Sabha in Zamindari Abolition area or otherwise than as a sub-tenant in non-Zamindari Abolition Area in the State of U. P. should be mentioned. In case of joint holdings share of the tenure-holder should be mentioned in column 5 along with names of co-tenure-holders.

(2) The tenure-holder shall separately give details of land held by him/her, his/her/wife/husband, his/her minor sons/minor unmarried daughters and as a member or a shareholder in a firm/co-operative society/other society or association of persons (other than a public company) or as a beneficiary of a private trust.

(3) In the remarks column, the details of buildings (kachcha or pucca), masonry wells (in use or out of use), tube-well in use, number of tree (fruit-bearing or timber or young fruit-bearing which have not yet borne fruit) and pucca guls (in use or out of use), should be indicated against each plot.

(4) Under columns 9—12 *asamis* and sub-lessees of a Government lessee, where the period of sub-lease is co-extensive with the period of lease, shall be mentioned and their status—significantly brought out in column 9 and the remarks column.

ANNEXURE B—C. L. H. FORM 2

Details of land in respect of which exemption, if any is claimed by Sri/Smt..... son of/Wife of resident of village..... tahsil district.....

Serial no.	District	Tahsil	Village	Khatauni Khata no.	Nature of exemption
1	2	3	4	5	6

Exemption claimed under section 6 read with rule 4

Plot no.	Area	Justification for exemption
7	8	9

ANNEXURE B—C. L. H. FORM 2

Details of land in respect of which exemption, if any is claimed by Sri/Smt..... son of/wife of resident of village..... tahsil district.....

Serial no.	District	Tahsil	Village	Khatauni Khata no.	Nature of exemption
1	2	3	4	5	6

Exemption claimed under section 6 read with rule 4.

Plot no.	Area	Justification for exemption
7	8	9

COLUMN 1

ANNEXURE C—C. L. H. FORM 2

Details of land proposed to be retained by the tenure-holder Sri/Smt....., son of/wife of....., resident of village....., tahsil....., district..... as part of his/her ceiling area:

Serial no.	District	Tahsil	Village
1	2	3	4

Class of tenure	Khata Khatauni no.	Plot no.	Area in ordinary acres	Source of irrigation
5	6	7	8	9

Irrigated area		Unirrigated area		Usar land	
Plot no.	Area	Plot no.	Area	Plot no.	Area
10	11	12	13	14	15

Grove land		Total area in terms of irrigated area in hectares calculated in accordance with section 4		Remarks
Plot no.	Area			
16	17	18	19	

1. Signature of the tenure-holder.....
2. Signature of wife of tenure-holder in token of her consent as required by section 9(3) in cases where the land held by the wife has been aggregated under section 5 of the Act.

7. Amendment of C. L. H. Form 3.—In the said rules, for C. L. H. Form 3 including Annexures set out in column 1, C. L. H. Form 3 including Annexures set out in column 2, shall be substituted :

COLUMN 1

Existing C. L. H. Form 3

C. L. H. FORM 3

(See RULE 7)

PART A

Statement of total area of land held by the tenure-holder Sri/Smt....., son of/wife of....., resident of village....., tahsil....., district..... and the members of his family in the State of Uttar Pradesh on June 3, 1973:

COLUMN 2

ANNEXURE C—C. L. H. FORM 2

Details of land proposed to be retained by the tenure-holder Sri/Smt....., son of/wife of....., resident of village....., tahsil....., district..... as part of his/her ceiling area:

Serial no.	District	Tahsil	Village
1	2	3	4

Class of tenure	Khata Khatauni no.	Plot no.	Area in ordinary acres	Source of irrigation
5	6	7	8	9

Irrigated area		Single crop land in areas mentioned in section 4 (ii) of the Act		Unirrigated area		Usar land	
Plot no.	Area	Plot no.	Area	Plot no.	Area	Plot no.	Area
10	11	11-A	11-B	12	13	14	15

Grove land		Total area in terms of irrigated area in hectares calculated in accordance with section 4		Remarks
Plot no.	Area			
16	17	18	19	

1. Signature of the tenure-holder.....
2. Signature of wife of tenure-holder in token of her consent as required by section 9(3) in cases where the land held by the wife has been aggregated under section 5 of the Act.

COLUMN 2

Form as hereby substituted

C. L. H. FORM 3

(See RULE 7)

PART A

Statement of total area of land held by the tenure-holder Sri/Smt....., son of/wife of....., resident of village....., tahsil....., district..... and the members of his family in the State of Uttar Pradesh on June 3, 1973:

COLUMN 1

Number of family members in excess of five	Number of adult sons not holding any land	Number of adult sons holding less than 2 hectares of irrigated land		
		Name	District/ Tahsil/ Village where land is situated	Area in terms of irrigated area
1	2	3	4	5

Ceiling area applicable to tenure-holder under section 5 in terms of irrigated areas	Total area of land held by tenure-holders and his family in ordinary hectares	Area exempted under section 6 read with rule 4 in ordinary hectares
6	7	8

Net area in ordinary hectares to be taken into account for determining ceiling area		Grove land	Usar land	Total area in terms of irrigated area calculated according to section 4
Irrigated land	Un- irrigated land			
9	10	11	12	13

COLUMN 2

Number of family members in excess of five	Number of adult sons not holding any land	Number of adult sons holding less than 2 hectares of irrigated land		
		Name	District/ Tahsil/ Village where land is situated	Area in terms of irrigated area
1	2	3	4	5

6	7	8
<p> Ceiling area applicable to tenure-holder under section 5 in terms of irrigated areas </p>	<p> Total area of land held by tenure-holders and his family in ordinary hectares, </p>	<p> Area exempted under section 6 read with rule 4 in ordinary hectares </p>

Net area in ordinary hectares to be taken into account for determining ceiling area					
Irrigat- ed land	Single crop land in area men- tioned in section 4 (ii) of the Act	Un- irrigat- ed land	Grove land	Usar land	Total area in terms of irrigated area calcu- lated according to section 4
9	9A	10	11	12	13

PART AA

Statement of holdings held by Sri.....
son of.....resident of
in his own right ostensibly in
 the name of any other person;

Name, parentage and residence of the person in whose name the holding is recorded ostensibly	District/ Tahsil/ Pargana	Village	Khatauni Khata no.
1	2	3	4

Area				
Irrigated	Single crop land in areas mentioned in section 4(2) of the Act	Unirrigated	Grove	Usar
5	6	7	8	9

Total area in ordinary acres	Total area in terms of irrigated area	Remarks
10	11	12

COLUMN 1

PART B

Statement of land held by tenure-holder
Sri/Smt....., son of/wife of
....., resident of village
tahsil....., district..... and
members of his family which is proposed to
be exempted under section 5 read with rule 4 :

Serial no.	District	Tahsil	Village	Khata Khatauni no.
1	2	3	4	5

Nature of exemption	Exempted under section 6 read with rule 4		Remarks
	Plot no.	Area	
6	7	8	9

PART C

Statement of the area held by the tenure-
holder Sri/Smt....., son of/wife
of....., resident of
tahsil....., district..... and
members of his family which is proposed as
ceiling area applicable to him and the proposed
surplus land :

Serial no.	Details of land proposed as ceiling area			
	District	Tahsil	Village	Class of tenure
1	2	3	4	5

Khata Khatauni no.	Irrigated land	
	Plot no.	Area
6	7	8

COLUMN 2

C. L. H. FORM 3

(See RULE 7)

PART B

Statement of land held by tenure-holder
Sri/Smt....., son of/wife of
....., resident of village
tahsil....., district..... and
members of his family which is proposed to be
exempted under section 5 read with rule 4 :

Serial no.	District	Tahsil	Village	Khata Khatauni no.
1	2	3	4	5

Nature of exemption	Exempted under section 6 read with rule 4		Remarks
	Plot no.	Area	
6	7	8	9

C. L. H. FORM 3

(See RULE 7)

PART C

Statement of the area held by the tenure-
holder Sri/Smt....., son of/wife of
....., resident of
tahsil....., district..... and
members of his family which is proposed as
ceiling area applicable to him and the proposed
surplus land :

Serial no.	Details of land proposed as ceiling area			
	District	Tahsil	Village	Class of tenure
1	2	3	4	5

Khata Khatauni no.	Irrigated land		Single land in mentioned in section 4 (ii) of the Act	crop areas in section 4 (ii) of the Act
	Plot no.	Area		
6	7	8	8A	8B

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Ceiling applicable					
Unirrigated land		Grove land		Usar land	
Plot no.	Area	Plot no.	Area	Plot no.	Area
9	10	11	12	13	14

Ceiling applicable					
Unirrigated land		Grove land		User land	
Plot no.	Area	Plot no.	Area	Plot no.	Area
9	10	11	12	13	14

Equivalent of columns 8, 10 12 and 14 in terms of irrigated area	Details of proposed surplus land		Irrigated land	
	Class of tenure	Khata Khatauni no.	Plot no.	Area
15	16	17	18	19

Equivalent of columns 8, 8B, 10, 12 and 14 in terms of irrigated area	Details of proposed surplus land		irrigated land	
	Class of tenure	Khata Khatauni no.	Plot no.	Area
15	16	17	18	19

Unirrigated land		Grove land	
Plot no.	Area	Plot no.	Area
20	21	22	28

Single cropland in areas mentioned in section 4(ii) of the Act		Unirrigated land		Grove land	
Plot no.	Area	Plot no.	Area	Plot no.	Area
19A	19B	20	21	22	23

Usar land		Equivalent of columns 19, 21, 23 and 25 in terms of irrigated area	Remarks
Plot no.	Area		
24	25	26	27

User land		Equivalent of columns 19, 19B 21, 23 and 26 in terms of irrigated area	Remarks
Plot no.	Area		
24	25	26	27

NOTE—The U. P. Imposition of Ceiling on Land Holdings Rules, 1961 as modified and amended up to July 12, 1973 was amended subsequently under notification no. 11/11—3 (2)-73-Revenue-1, dated July 20, 1974.

By order,
G. C. CHATURVEDI,
Ayukt Evam Sachiv

Copy forwarded for information:
PBUP-1 Genl. (R.) 6-5-75-3405 (M).