

**GOVERNMENT OF THE PUNJAB
REVENUE DEPARTMENT**

Lahore Dated the 26th August, 2010.

NOTIFICATION

No. 2648-2010/1793 LR-II. In exercise of the powers conferred by sections 55 and 182 of the Punjab Land Revenue Act, 1967 (XVII of 1967), the following draft amendments are proposed to be made in the West Pakistan Land Revenue Rules, 1968, in their application to the Province of the Punjab and are hereby published under section 183 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the draft amendments shall be taken into consideration after thirty days of its publication in the official Gazette.

2. Any objection or suggestion which may be received from any person, in respect of the said draft amendments, before the expiry of the aforesaid period, shall be considered by the Board of Revenue, Punjab.

DRAFT AMENDMENTS

In the West Pakistan Land Revenue Rules, 1968:

1. After rule 36, the following new rule 36-A shall be inserted:

“36-A. Grant of certified copies of record or extracts therefrom at the Service Centre of the estate.- (1) After the date specified by the Board of Revenue under section 41-A, sub-section (2) of the Act, any person interested to obtain certified copies of the records or extracts there from as mentioned in rule 37-B, sub-rule (2) shall approach the Service Centre concerned and Service Centre Official shall supply a certified copy of the record or extract therefrom.

(2) After expiry of the period notified by the Board of Revenue under section 42, sub-section (1-A) of the Act, the Patwari of the estate shall not issue a copy of any of the records or extracts therefrom as mentioned in rule 37-B, sub-rule (1) of the rules.

(3) The charges for certified copies at the Service Centre shall be Rs. 200 for the first page and Rs. 100 for every additional page of the copy.

2. After the existing PART IV, the following PART IV-A shall be inserted:

“PART IV-A PREPARATION AND MAINTENANCE OF COMPUTERIZED RECORDS.

37-B Preparation of computerized editions of record of rights and periodical records.-

(1) The record of rights or periodical record, as the case may be for a estate, under use currently, shall form the basis of the computerization work in a estate. The computerization work shall involve preparation of digital records of the following documents:

- (a) Register Haqdaran Zamin (Form XXXIV) of the estate currently under use including:
 - (i) Genealogical tree (Shajra Nasab) of owners (Form III);
 - (ii) Register haqdaran nakhlistan in estates where nakhlistan is maintained (Form VIII);
 - (iii) Statement of rights in wells and tube-wells (Form IX); and
 - (iv) Statement of distribution of water (where the lands are irrigated by means of *karez* or other similar source) (Form X);
- (b) Register of mutations (Form XXXV) pertaining to the mutations decided during the currency of the Register Haqdaran Zamin (Form XXXIV) mentioned under clause (a) above;
- (c) Crop Inspection Register (Register Girdawari) (Form XXIV) and Register Taghayurat-e-Kasht (Form XXIV-A) pertaining to the period of Register Haqdaran Zamin (Form XXXIV) mentioned under clause (a) above;
- (d) Field Book of the estate including all the supplementary field books (Form XII);
- (e) Register Fard Badar (Form XV) pertaining to the period of Register Haqdaran Zamin (Form XXXIV) mentioned under clause (a) above;
- (f) Map of the estate including supplementary maps;
- (g) Statement of customs respecting rights and liabilities in the estate (*Wajib-ul-Arz*) (Form XXXVI); and

(h) Any other Form/record to be notified by the Board of Revenue from time to time.

(2) As soon as the scanning and data entry operations start in a District, the Board of Revenue shall issue a notification under section 41-A, sub-section (3) of the Act prohibiting further preparation of periodical records prescribed under rule 31 of the rules. The new periodical records for all estates shall be prepared from the computerized records and copies of the same shall be provided to the Patwaris.

(3) During data entry of records, the Circle Revenue Officer shall be provided a list of errors in record of rights, periodical record and mutations in respect of the estates in his Circle. The Revenue Officer shall be responsible to get the errors corrected through Fard Badar (Form XV). If an error requires orders of the District Collector for correction, Revenue Officer shall obtain such orders.

(4) The District Collector shall cause to be maintained a list of all the mutations approved after the start of scanning operations in respect of each estate. After the digitization process has been completed, the list along with all such mutations (*part sarkar*) shall be provided to the Service Centre Official, who shall cause these mutations to be entered in the digital database. Upon completion of data entry of these mutations for an estate, the data entry process shall be completed.

(5) Upon completion of data entry process as provided in sub-rule (4), a printout of the latest edition of the periodical records shall be handed over to the Circle Revenue Officer concerned. This printout of periodical record shall be the periodical record of the estate from the date notified by the Board of Revenue under section 41-A, sub-section (2) of the Act.

(6) A copy of the record of each holding shall also be provided to the persons recorded as owners of that holding for general information. The record shall also be made available on the website of the Board of Revenue for general information.

(7) A printout of the computerized edition of the periodical records shall also be consigned in the District Record Room.

(8) The Patwari of the estate shall be required to go over each and every entry in the periodical record supplied to him under sub-rule (6) above. For each error discovered by him in the periodical record, he shall prepare a Fard Badar (Form XV) and submit all such Fard Badars (Form XV) to Field Kanungo within fifteen days of supply of the periodical record to him. The Field Kanungo shall verify the correction within one week and submit the Fard Badar (Form XV) to Circle Revenue Officer for his orders. Circle Revenue Officer shall record his order on the Fard Badar (Form XV) and shall deposit the Fard Badar (Form XV) against due receipt at the Service Centre of the estate not more than one month after supply of printout of periodical record to him. After one month, if no Fard Badar (Form XV) is deposited at the Service Centre, it shall be presumed that the record has been checked by the Patwari, Field Kanungo and Circle Revenue Officer and they have found the record to be in accordance with their own record.

37-C. Making of records at Service Centre after the date notified under section 42, sub-section (1-A) of the Act.- (1)

As soon as the period specified under section 42, sub-section (1-A) of the Act is over, the Circle Revenue Officer shall provide a certificate that all the foils of mutations decided by him or by his predecessors during the period specified in section 42-A, sub-section (1) of the Act have been provided to the Service Centre. The Circle Revenue Officer shall also supply list of all pending mutations along with all relevant registers of mutations to the Service Centre.

(2) After date notified by the Board of Revenue under section 42 (1-A), sub-section (1) of the Act, any person, acquiring a right in an estate by inheritance, purchase, mortgage, gift or otherwise as a landowner or a tenant for a term exceeding one year shall not have the option to report such acquisition to the Patwari of the estate. Such report shall have to be made only at

the Service Centre. Such report may be made either orally or in writing in Mutation Form (Dakhil Kharij Form) Form XXXV.

(3) In a case where a report about acquisition of a right is made under sub-rule (2) above, the Service Centre Official shall proceed as follows.

(4) If the report is made orally, the Service Centre Official shall obtain all the information in Mutation Form (Dakhil Kharij Form) (Form XXXV-A) and enter the same in the computerized system. A printout of the information entered in the system shall be taken out by the Service Centre Official and a thumb impression of the person making the report shall be obtained on the report by the Service Centre Official. This document shall be scanned in the computerized system to form a part of the permanent record of the Service Centre.

(5) If the report is made in writing using Mutation Form (Dakhil Kharij Form) (Form XXXV), the person making the report shall affix his thumb impression on the report in front of the Service Centre Official and the Service Centre Official shall enter the information contained therein, in the computerized system. The written report shall be scanned to form part of the permanent record of the Service Centre.

(6) If the information contained in the oral or written report about the right being acquired does not match the record in the computerized system, the Service Centre Official shall inform the person making the report about the discrepancy. In a case where the person making the report states that there is an error in the computerized record, he shall be provided a Fard Badar (Form XV) to be filled in and deposited by him at the Service Centre. In case, he wants to make an oral report that report shall be obtained immediately.

(7) In a case where the information provided by the person making the report matches the information available in the computerized system the Service Centre Official shall provide to the person making the report a receipt of the report in the form of mutation along with a bank challan form containing the amounts of

taxes/fees/cess to be deposited with heads of accounts. The bank challan form shall also contain the following information:

- (a) The date and time when the mutation shall be presented before the Revenue Officer for approval at the Service Centre;
- (b) The parties who have to appear on the date given at clause (a) shall include:
 - (i) the person(s) whose right is being acquired, except in cases of inheritance, transfer by a registered deed or by an order of the court or competent authority or when a power of attorney has been executed in favour of another person or persons who are present with the original power of attorney;
 - (ii) the person who is acquiring the right or when a power of attorney has been executed in favour of another person or persons who are present with the original power of attorney; and
 - (iii) in cases where the person acquiring the right is a minor, his guardian shall have to appear with the identity documents prescribed below in respect of him as well as the minor acquiring the right.
- (c) The documents required for proving the identity of the parties and witnesses shall include:
 - (i) in case of a citizen of Pakistan attaining the age of 18 years or above, original Computerized National Identity Card;
 - (ii) in case of citizen of Pakistan below the age of 18 years, original Computerized National Identity Card of the guardian and Form B of the minor if available;
 - (iii) in case of non-resident Pakistanis, original Computerized National Identity Card for Overseas Pakistanis,; and
 - (iv) in case of foreign citizens, original passport.
- (d) The parties shall produce the following documents:
 - (i) in case of mutation based on a court decree, a certified copy of the decree;
 - (ii) in case of mutation based on a registered deed, the original or certified copy of registered deed; and

(iii) in cases where the original parties have executed powers of attorney, the original and certified copy of registered powers of attorney.

(8) The basic facts of the report shall be published on the website of Board of Revenue immediately after the report under sub-rule (2) above has been made and a receipt of the same has been provided to the person making the report. The form of the report so published shall contain the name of the person whose right has been acquired, the extent of the right acquired and the name of the person acquiring the right. A report containing these facts shall also be printed out and delivered to the Patwari of the estate for publicity in the estate and another copy of the same shall be pasted at a prominent place / notice board of the Service Centre.

(9) If the requested mutation requires preparation of Supplementary Map (Tatima Shajra) /Tatima Field Book (Form XIV), a print out of the report shall be handed over to the Circle Revenue Officer along with the date on which such Supplementary Map/Supplementary Field Book (Form XIV), after due checking and attestation has to be deposited in the Service Centre. The Circle Revenue Officer shall cause the required Supplementary Map/Supplementary Field Book (Form XIV), to be prepared by Patwari concerned, checked on the spot by the Field Kanungo and attest it for accuracy himself. The Revenue Officer shall be responsible to submit to the Service Centre by the date given to him, checked and attested Supplementary Map/Supplementary Field Book (Form XIV).

(10) If the mutation requested pertains to inheritance, a print out of the report shall be supplied to the Circle Revenue Officer for summary enquiry by him regarding legal heirs of the deceased right holder, share of each heir in the property left by the deceased as per inheritance law by which the deceased was governed and preparation of Shajra Nasab (Form III). The Circle Revenue Officer shall be responsible to submit to the Service

Centre the result of the enquiry and Shajra Nasab (Form III) by the date given to him.

(11) While conducting inquiry under Section 42-A sub-section (7) of the Act, the Revenue Officer Service Centre shall use the following process:

- (a) no order shall be issued, unless the person whose right is being acquired is present before the Revenue Officer in the Service Centre, except in cases where:
 - (i) the mutation is an inheritance mutation;
 - (ii) the mutation is based on registered deed;
 - (iii) the mutation is based on decree/order of the court or other competent authority;
 - (iv) a certificate by the registered medical practitioner is produced saying that the person is unable to be present at the Service Centre for at least three months;
 - (v) the person is resident abroad;
 - (vi) the person is incarcerated; and
 - (vii) the person is a legal person.

Provided that in case of (iii) or (iv) or (v) or (vi) above, the order shall only be issued in the presence of the authorized agent of the person whose right is being acquired.

- (b) before issuing any order, the biometric identification and digital photograph of the person whose right is being acquired or his authorized representative (in cases mentioned in clause (a) shall be recorded in the computerized system in the presence of the Revenue Officer;
- (c) identity document prescribed in sub-rule (3) sub-clause (c), shall be presented by the person whose right is being acquired, the person who is acquiring the right or their authorized agents and the witnesses identifying the person whose right is being acquired. The numbers and scanned images of the identity documents shall be stored in the computerized system and these shall be verified to be correct;
- (d) except in case of inheritance or where acquisition of right is by a registered deed or by or under an order or decree of a court, the person whose right has been acquired or his authorized agent shall be identified by two persons from residents of the estate or members of

the Zila Council, Tehsil Council or Town Council or Union Council concerned whose Computerized National Identity Card, thumb impressions and digital photographs shall be recorded and stored in the computerized system and record of the mutation in the presence of the Revenue Officer;

- (e) paid Bank challan showing deposit of Fees/taxes/rates/cess shall be verified by the Revenue Officer to have been paid and shall be scanned in the computerized system;
- (f) if the mutation involves preparation of Supplementary Map/Supplementary Field Book (Form XIV); the Circle Revenue Officer shall have to deposit the Supplementary Map/Supplementary Field Book (Form XIV) before the date of this inquiry. The Revenue Officer shall confirm in all such cases before he proceeds with the inquiry that the Supplementary Map/Supplementary Field Book (Form XIV), if required to be prepared, has been prepared and its scanned image has been made a part of the mutation record;
- (g) in a case of inheritance mutation, the report of Circle Revenue Officer including Shajra Nasab (Form III) shall have to be deposited in the Service Centre before the date of this inquiry. The Revenue Officer shall confirm in all such cases, before he proceeds with the inquiry that the report of Circle Revenue Officer has been received, scanned and made a part of the mutation record;
- (h) during inquiry, the person whose right has been acquired, shall affirm before the Revenue Officer that he has transferred his right;
- (i) payment of consideration value and change of possession shall be affirmed by the parties;

(12) If the Revenue Officer is satisfied that the above conditions have been fulfilled, he shall record his order in the computerized system and shall approve the mutation, using his biometric identification and password.

(13) If the Revenue Officer is not satisfied so, he may either reject the mutation or give a fresh date for the inquiry, in either case giving reasons for postponement or rejection and recording these in the computerized system, using his biometric identification and password.

(14) The Revenue Officer shall provide, free of cost, a print out of the decided mutation and a print out of the updated record of rights/periodical record to the person who has acquired the right. A print out of the same shall also be provided, free of cost to the person whose right had been acquired. In case of rejection or postponement also a copy of the order of the Revenue Officer shall be provided to the parties.

3. In rule 39, after sub-rule (2), the following new sub-rules (3) and (4) shall be inserted:

“ (3) After the date specified by the Board of Revenue under section 41-A, sub-section (2) of the Act, the *Patwari* shall deposit with the Officer Incharge of the Service Centre of the estate the Register *Taghayyurat-e-Kasht* (Form XXIV-A) immediately after due checking and attestation thereof by the Field *Kanungo* and Circle Revenue Officer and obtain receipt. The checking and attestation of Register *Taghayyurat-e-Kasht* (Form XXIV-A) shall be done by the Field *Kanungo* and Circle Revenue Officer within thirty days of completion of Crop Inspection (*Girdawari*). The officer incharge of the Service Centre shall cause the Register *Taghayyurat-e-Kasht* (Form XXIV-A) to be immediately scanned and returned to the *Patwari* after obtaining acknowledgement receipt.

(4) The Service Centre Official shall make the entries in the computerized periodical record of the estate on the basis of the changes recorded in the Register *Taghayyurat-e-Kasht* (Form XXIV-A) and shall attach the scanned image of the Register to the entry. The entry shall be presented to the Revenue Officer at the Service Centre for approval of data entry electronically. After electronic approval of the data entry the change shall become a part of the periodical record.”

4. In rule 72, after item (xviii), the following new item (xviii-A) shall be inserted:

“(xviii-A). Register showing the amount of fee realized at the Service Centre for grant of certified copies of computerized record (Form LI-A).”

5. In Appendix A of these rules:

(i) for Form XV, the following shall be substituted:

FORM XV
(see rule 30)

FARD BADAR (FORM XV) (STATEMENT OF CORRECTION OF CLERICAL MISTAKES)

A statement for the correction of clerical mistakes, which:

- (a) has been made in copying the entries of the Register Haqdarar Zamin (Form XXXIV) into another; or
- (b) in incorporating a mutation in a Register Haqdarar Zamin (Form XXXIV) and the correction of which does not involve the alteration of any mutation order; or
- (c) in recording a mutation, without any impact on the rights of the parties; or
- (d) has been introduced in any of the records mentioned in rule 43-A, sub-rule (2) during computerization of records, shall be recorded in the form set forth below, to be known as Fard Badar (Form XV)

Fard Badar (Form XV)

No. _____ Estate _____ Tehsil _____ District _____

Sr. No	No. of Khewat /Khatuni/Khasra incurrent Register Haqdarar Zamin	Document or register in which correction is required	Incorrect Entry which is required to be corrected		Correct Entry which is required to be inserted	Patwaris report	Field Kanungo's report	Order of the Revenue Officer
			Kind of Entry, e.g. name of owner	Incorrect Entry				
1	2	3	4	5	6	7	8	9

Left Hand Thumb Impression of the applicant:

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(if initiated on application)

- (ii) for Form XXXV the following new Form XXXV shall be substituted:

Form XXXV
(see rule 72)

MUTATION FORM (DAKHIL KHARIJ FORM)

The mutation register referred to in section 41, sub-section (3) of the Act shall be maintained in the Form set forth below to be known as the Register *Dakhil Kharij*:

Estate_____ No.Hadbast_____ Tehsil/Sub-Tehsil_____ District_____ Dakhil Kharij No._____

Serial No.	Entry in Register <i>Haqdaran Zamin</i> or last entry in Register <i>Dakhil Kharij</i> which is proposed to be corrected								New entry which is proposed to be substituted							
	No. Khewat Register Haqdaran Zamin	Name of owner/ and mogagee if any., Father'/Husband's name, , address, CNIC number in case of mortgage name of morgagee	Ownership status (owner, mortgagor, mortgatee etc)	Specific share in the joint <u>Khewat</u>	Precise area according to the share	Name of cultivator, Father'/Husband's name, caste, address, CNIC number	Survey/Khasra No. and name (if any)	Area and kind of soil.	No. Khewat Register Haqdaran Zamin	Name of owner, Father'/Husband's name, caste, address, CNIC number	Ownership status (owner, mortgagor, mortgatee etc)	Specific share in the joint <u>Khewat</u>	Precise area according to the share	Name of cultivator, Father'/Husband's name, caste, address, CNIC number	Survey/Khasra No. and name (if any)	Area and kind of soil.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

18. Nature of Dakhil Kharij: -----

19. Price in case of sale, amount of mortgage debt, in case of mortgage_

20. Dakhil Kharij fee, Challan No. & Date of Challan: -----

21. Order of the Revenue Officer:

Left Hand Thumb Impression of Applicant: -----

(if initiated on application at the Service Centre)

SECRETARY
GOVERNMENT OF THE PUNJAB
REVENUE DEPARTMENT