

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF REVENUE, REHABILITATION AND
DISASTER MANAGEMENT

NOTIFICATION

The 19th August, 2021

No. G.S.R. 115/P.A.8/2021/S.29/2021.-In exercise of the powers conferred by section 29 of the Punjab Abadi deh (Record of Rights) Act, 2021 (Punjab Act No. 8 of 2021) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules for carrying out the purposes of the said Act, namely: -

RULES

- 1. Short title, commencement and application.**- (1) These rules may be called the Punjab Abadi deh (Record of Rights) Rules, 2021.
 - (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
 - (3) They shall apply to proceedings under the Act and all matters incidental thereto.
- 2. Definitions.** -In these rules, unless the context otherwise requires,-
 - (1) "Act" means the Punjab Abadi deh (Record of Rights) Act, 2021;
 - (2) "field book" means the book maintained in Form 'A' and shall form part of the standing record of rights;
 - (3) "form" means the Forms appended to these rules;
 - (4) "publish" means an order, proceedings or record under the Act or rules made available for the general public by way of proclamation, or placing of copies at prominent places in the abadi deh, or publication in newspaper, or display on the official website of the Government;
 - (5) "rules or rule" mean the Punjab Abadi deh (Record of Rights) Rules, 2021;
 - (6) "section" means the section of the Act;
 - (7) "sub-divided survey unit" means a part of a survey unit which forms a separate unit and has been numbered by a fraction of the principal number; and

- (8) words, expressions and phrases used in these rules and not defined, but defined in the Act shall carry the meanings respectively assigned to them in the Act.

Sections 6 and
29(b).

3. Appointment of Survey Officer.—(1) The Government may appoint or designate in a revenue estate or a municipal area any one or more of the following officials to perform the functions of Survey Officer under the Act, namely:—

- (a) serving or retired officials of the Department of Revenue, Rehabilitation and Disaster Management;
- (b) serving or retired officials of the Department of Rural Development and Panchayats;
- (c) serving or retired officials of the Department of Local Government or urban local bodies; and
- (d) persons possessing such qualifications and experience as may be notified.

(2) Where any of the acts and functions provided under sub-section (2) of section 6 of the Act are performed by a notified agency, such agency shall be deemed to be the Survey Officer for the acts and functions so performed.

Sections 2(s),
8(1) and 29(2)
(a).

4. Composition of village committee.—The village committee of not more than seven members for the purpose of identifying and demarcating the boundaries of the abadi deh and the survey units as also identifying the person best entitled to be recorded as proprietor of the survey unit shall be nominated by the Assistant Recording and Resolution Officer, which shall comprise of the following, namely:—

- (a) in case of a village, the Sarpanch of the Gram Panchayat or any member of the Panchayat as his nominee; and in case of a Municipal body, the Mayor or President of the Municipal body or any member of the Municipal body as his nominee;
- (b) the Lambardar of the village or the municipal area of which the standing record of rights is to be prepared;
- (c) a retired official of the Armed Forces or Central Armed Police Forces, if available, residing in the abadi deh;

- (d) any other respectable resident of the abadi deh of the village or municipal body considered proper; and
- (e) in case there is no woman or a member of the Scheduled Castes in the village committee from the categories (a) to (d), a person from each such category shall be nominated.

5. Assignment of Survey Officers.- (1) The Chief Recording and Resolution Officer on a notification being issued under section 5 of the Act and on the appointment or designation of a Survey Officer under rule 3 shall assign as many Survey Officers as may be required for each abadi deh in a revenue estate or a municipal body. Sections 6 (1) and 29 (2) (c).

(2) The Chief Recording and Resolution Officer in case there is more than one officer shall specify the area of the abadi deh for which the survey is to be conducted by each such Survey Officer.

6. Measurement.- The base unit of measurement for the purposes of the Act and the rules shall be in metre and centimetre, and the area of the survey unit shall also be mentioned in square yards. Sections 6 (2).

7. Entry upon land, dwelling and habitation areas of survey units for preparation of standing record of rights.- The Survey Officer, the Assistant Recording and Resolution Officer, and persons authorized for the purpose of demarcation and preparation of the standing record of rights may enter upon - Sections 27.

- (i) vacant un-inhabited land at any time;
- (ii) the dwelling or inhabited units between sunrise and sunset with prior intimation to the occupants.

8. Inquiry by Survey Officer.- (1) The Survey Officer by,- Sections 5, 6 (2), 29 (2) (b) and (j).

- (i) proclamation in the village;
- (ii) pasting a notice at conspicuous places in the abadi deh of a revenue estate or a municipal body; and
- (iii) informing the Sarpanch of the village panchayat or Chief Executive of the Municipal body,

give due intimation and publicity of the date of his visit to the abadi deh area for the purpose of identifying the boundaries, demarcation, taking measurements and numbering of the survey units.

- (2) The Survey Officer shall for the purpose of survey -
- (a) explain the procedure to be followed to the inhabitants in a general gathering;
 - (b) take measurements, demarcate the boundary and record the area of each survey unit on the map prepared under sub-section (2) of section 6 of the Act and record these in the field book in Form 'A';
 - (c) number consecutively in serial order the dwelling and habitable areas of the survey units in the abadi deh in Arabic numerals commencing from number 1;
 - (d) assign numbers to the common areas and building or area which houses an institution under the Central Government or the State Government in the manner as notified; and
 - (e) mention the type of the survey unit such as house, street, shop, institutional building, taur, open area, or common area.

(3) In determining the area, boundary and type of survey unit, the Survey Officer may take into consideration such document or writing submitted by a person interested, which shows or determines boundary, area or type of the survey unit, and take measurements and prepare the record on its basis.

(4) The Survey Officer shall compile and submit the record prepared under sub-rule (2) along with the field book in Form 'A' to the Assistant Recording and Resolution Officer for preparing the standing record of rights.

Sections 8, 9, 29
(2) (c) and (d).

9. Recording of rights of proprietors.-The Assistant Recording and Resolution Officer with the assistance of the village committee and after hearing the parties interested shall -

- (i) take into consideration such relevant and material document or writing, considered just and proper, submitted by a proprietor or person interested, in support of his claim in the survey unit;
- (ii) in case a survey unit is found to be sub-divided, mark the sub-divided part of the survey unit as 1/1, 1/2, 1/3, 1/4; 2/1, 2/2, 2/3, 2/4; or 1/1/1, 1/1/2, 1/1/3, 1/1/4 and so on as may be considered suitable and proper, and record the area of each sub-divided survey unit; and

- (iii) proceed to record in a summary manner and publish in Form 'B' the proposed entries of the proprietors and their proprietary rights in the survey units and sub-divided survey units as on the appointed day.

10. Resolution of disputes.— (1) The survey map with demarcation, boundary and area of the survey unit prepared under sub-rule (4) of rule 8, and the record of entries of proprietors in a survey unit prepared under rule 9 in Form 'B' shall for the purpose of inviting objections, if any, be displayed by the Assistant Recording and Resolution Officer at any one or more of the conspicuous places in the village like panchayat ghar, village co-operative society, patwar khana, dharamsala, community centre or common religious places in the village. Sections 10, 11 and 29 (2) (h).

(2) The copies of the record prepared under sub-rule (1) shall be given to the Sarpanch of the village panchayat or the Chief Executive of the Municipal body through an official functionary against receipt.

(3) The objections, if any, filed under section 11 of the Act shall be filed before the Assistant Recording and Resolution Officer in Form 'C'.

(4) The objections received or filed shall be numbered in serial order in a separate register with the date of its receipt.

(5) The Assistant Recording and Resolution Officer on the expiry of specified period for filing objections under sub-section (1) of section 11 of the Act shall certify the number of objections received or filed and shall send a report in this regard to the Recording and Resolution Officer.

(6) The Assistant Recording and Resolution Officer shall consider the objections, conduct such inquiry as he thinks fit and pass a speaking order under sub-section (2) of section 11 of the Act in respect of each objection.

(7) Any correction or amendment made in the area, boundary or dimension of a survey unit while passing an order under sub-rule (6) shall be incorporated by the Assistant Recording and Resolution Officer in red ink in the field book in Form 'A'.

11. Preparation of record of rights.—(1) In case there is no objection to the entries recorded under rule 9, the Assistant Recording and Resolution Officer shall incorporate them in the record of rights of the survey unit in Form 'D'. Sections 7 (i) and 11.

(2) In case of objections to the entries under rule 9, the Assistant Recording and Resolution Officer after hearing the affected parties and disposing the objections regarding recording of proprietary rights; area, boundary, dimensions or sub-division, if any, shall incorporate them in the record of rights of the survey unit in Form 'D' in accordance with the decision reached at.

(3) The heading of the standing record of rights shall contain the hadbast number of the revenue estate by suffixing to it the words, "abadi deh".

Sections 7, 11
(4), 16 and 29
(2)(i).

12. Transfer and Consignment of standing record of rights.—(1) The standing record of rights prepared under section 7 shall be published under sub-section (4) of section 11 of the Act.

(2) The record under sub-rule (1) shall be transferred to the District Collector under section 16 of the Act and shall be consigned to record in the district office.

(3) One set of the record of rights prepared under sub-section (i) of section 7 of the Act in Form 'D' shall be maintained with the Patwari.

Sections 29(2)
(j).

13. Form for mutation of rights.—The mutation of acquisition of rights in a survey unit by inheritance, succession, purchase, mortgage or otherwise on being reported to the revenue Patwari shall be entered in Form 'E'.

Sections 23, 29
(2)(j).

14. Correction of clerical errors and arithmetical mistakes.—The clerical or arithmetical mistakes, errors, accidental slips or omissions in orders or proceedings may, at any time be corrected by the Chief Recording and Resolution Officer, the Recording and Resolution Officer or the Assistant Recording and Resolution Officer who passed the order or by his successor either of his own motion or on the application of any party, and an intimation of such correction shall be made to the parties free of any charges and also to the officer concerned for its implementation.

Sections 29
(2)(i).

15. Supply of copies.— The procedure as applicable for inspection of record of cases, and issuance of copies of documents in respect of proceedings under the Punjab Land Revenue Act, 1887 (Punjab Act No.XVII of 1887) shall apply mutatis mutandis to proceedings in respect of the standing record of rights under the Act and these rules.

16. Validation.— The survey conducted and the mapping done by an agency of the Central or the State Government for identifying the boundary of an abadi deh and demarcating the units within the abadi deh in accordance with the instructions, directions or orders issued by the Government from time to time shall be, and shall be deemed always to have been, valid and no such act or proceeding shall be questioned merely on the ground that it had been carried out before the commencement of the Act or these rules.

Sections 29
(2)(i).

FORM 'A'
(Field Book)

[see rule 8(4)]

Name of village _____, H.B. No. _____, Abadi Deh, Tehsil _____, District _____.

1 Serial No.	2 Name of Locality wherever identifiable	3 Survey unit Number	4 Dimensions in meters <u>Boundaries</u> East: West: South: North:	5 Total Area in meters & square yards	6 Type of property.*	7 Remarks/Corrections and amendments, if any, made to columns 2 to 6 in appeal, revision etc. to be recorded in red ink.

Survey Officer

- Type—whether house, shop, taur, institution, common area, path etc.
- Note: The survey map of the abadi deh depicting the number of the survey unit shall be submitted with this Form.

FORM 'B'

(see rule 9)

Name of village _____ H.B. No. _____ Abadi Deh, Tehsil _____ District _____

1	2	3	4	5	6	7	8
Serial No.	Name of Locality wherever identifiable	Name of Proprietor/Owner with father/grand- father's/husband/husband's father's name and extent of share.	Survey unit/Sub Divided Survey Unit No.	Dimensions in meters. <u>Boundaries:</u> East: West: South: North:	Area in Square meters and square yards.	Type of property.	Remarks

FORM 'C'

[See rules 9 and 10 (1) and (3)]

Name of village _____, H.B. No. _____ (Abadi Deh), Tehsil _____
District _____.

To

The Assistant Recording the Resolution Officer

Tehsil _____, District _____.

Subject:- Objections with regard to Survey Unit No. _____.

Sir/Madam,

The applicant in terms of section 11 of the Punjab Abadi Deh (Record of Rights) Act, 2021 and rule 10 of the rules framed thereunder submits the following objection (s) relation to (tick one):-

- (i) Dimensions, measurement, boundary or area;
- (ii) Ownership/Proprietary rights; or
- (iii) Both the above.

Brief description of the objections:

Place:

(Signature of the applicant/objector)

Date:

Name (with ID proof):

Father's/Husband's Name:

Complete Address:

FORM 'D'

[Record of Rights]

[See rules 11(1) and 12(3)]

Name of village _____, H.B. No. _____ (Abadi Deh), Tehsil _____ District _____

1 Sr. No.	2 Name of Locality wherever identifiable.	3 Name of Proprietor/Owner with father/grand- father's/husband/husband's father's name and extent of share.	4 Survey unit/Sub Divided on Survey Unit No.	5 Dimensions in meters.	6 Area In Square meters and square yards.	7 Type of property.	8 Remarks.

It is certified that all necessary corrections have been made and entries
in the record of rights are complete and correct in all respects.

Assistant Recording and Resolution Officer

Place:

Date:

FORM 'E'
[Register of Mutations]
(See rule 13)

Register of mutations of Village _____					H.B. No. _____		(Muzafi Dahi)				
1	2	3	4	5	6	7	8	9	10	11	12
Serial No.	No. of holding as in last Jamabandi.	Owner's name, father's name, grandfather's name/husband's name, husband's father's name, extent of share.	Survey Unit No.	Area and type. [in sq. meters and sq. yards.]	New entry which is proposed to substitute	owner's name, father's name, grandfather's name/husband's name, husband's father's name extent of share.	Survey Unit No.	Area and type	Nature and date of transfer, with price in case of sale and amount of mortgage debt in case of mortgage.	Mutation fee.	Reports and orders.
	Entry in last Jamabandi which is proposed to be corrected										

RAVNEET KAUR,
Additional Chief Secretary (Revenue) to
Government of Punjab,
Department of Revenue, Rehabilitation and
Disaster Management.