

[ACT XII, 1882.]

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PEALED.

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Land Act,	Section 39, clause (b), and in clause (c) of the same section the words and letter "under clause (b)." under
877	The whole.

	Extent of repeal.
Re-	Sections 36 and 37.

OF BENGAL IN COUNCIL.

	Extent of repeal.
64	Section nine.

18-3-82.-3,000.

## ACT No. XIII OF 1882.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 10th March, 1882.)

An Act to amend the law relating to Kánúngos and Patwáris in the North-Western Provinces and Oudh.

**WHEREAS** it is expedient to amend, in manner hereinafter appearing, the law relating to Kánúngos and Patwáris in the North-Western Provinces; It is hereby enacted as follows:—

Preamble.

1. This Act may be called "The Kánúngos and Patwáris Act, 1882"; and shall come into force at once.

Short title.  
Commencement.

2. Sections 29, 30 and 31 of the North-Western Provinces Land-Revenue Act, 1873, and sections 4 and 5 of the North-Western Provinces Land-Revenue Act, 1879, are hereby repealed.

Repeal of sections of Act No. XIX of 1873 and Act No. VIII of 1879.

Notwithstanding such repeal any landlord may recover from a tenant any rate, or any portion of a rate, accruing due before the thirtieth day of June, 1882, and which he is entitled to recover, under any rule made under section 29 of the said North-Western Provinces Land-Revenue Act, 1873, from such tenant.

3. The existing balance of the provincial fund constituted by section 29 of the said North-Western Provinces Land-Revenue Act, 1873, shall be disposed of in such manner as the Local Government, with the previous sanction of the Governor General in Council, may from time to time direct.

Disposal of balance of provincial fund constituted by Act No. XIX of 1873.

4. For the purpose of preparing the registers or accounts prescribed by the said North-Western Provinces Land-Revenue Act, 1873, or by any rule made thereunder,

Information to be furnished by owner or occupier of land.

[Price one anna and six pies.]

thereunder, every owner or occupier of land in any patwáris' circle, and the agent of every such owner or occupier, shall furnish to the patwáris of such circle, the kánúngo or such person as the Collector of the district may appoint in this behalf, such information, at such times, as the Local Government may from time to time by rule prescribe.

*Explanation.*—"Owner" in this section includes also a superior and an inferior proprietor, and a lessee, mortgagee or conditional vendee, in possession.

And whereas it is also expedient to amend the law relating to Kánúngos and Patwáris in Oudh; It is hereby further enacted as follows:—

Repeal of sections 203 to 215 (both inclusive) of Act No. XVII of 1876.

5. Sections 203 to 215 (both inclusive) of the Oudh Land-Revenue Act, 1876, are hereby repealed; but all appointments and rules made under any of the said sections and now in force shall, so far as they are consistent herewith, be deemed to have been made hereunder.

Power to fix number and limits of patwáris' circles.

6. With the previous sanction of the Chief Commissioner, the Deputy Commissioner shall fix the number of patwáris' circles in his district and the respective limits of such circles, and may, with the like sanction, from time to time alter the number and limits so fixed.

Patwáris to be appointed for each circle.

For each such circle the Deputy Commissioner shall appoint a patwáris.

Power to make rules for selection, &c., of patwáris.

7. The Chief Commissioner may, from time to time, make rules consistent with this Act—

(a) regulating the selection, appointment, suspension, dismissal, duties and supervision of patwáris;

(b) prescribing the fines which may be imposed on patwáris, and on persons appointed temporarily to perform their duties, for neglect of their duty.

Kánúngos and patwáris to be public servants, and their records public records.

8. Every kánúngo and patwáris, and every person appointed temporarily to perform the duties of any such officer, shall be deemed to be a public servant within the meaning of the Indian Penal Code,

and

every owner or occupier of land in any circle, and the agent of every such owner or all furnish to the patwári of such circle, or such person as the Collector of the district appoint in this behalf, such information, as the Local Government may from time to time by rule prescribe.

Explanation.—“Owner” in this section includes a superior proprietor, and a lessee, and a conditional vendee, in possession.

It is also expedient to amend the provisions of the Kánúngos and Patwáris in Oudh; It is hereby enacted as follows:—

Sections 203 to 215 (both inclusive) of the Land Revenue Act, 1876, are hereby repealed; and all provisions and rules made under any of the said Acts and now in force shall, so far as they are inconsistent herewith, be deemed to have been made null and void.

It is the previous sanction of the Chief Commissioner that the Deputy Commissioner shall fix the number of patwáris' circles in his district and the number of such circles, and may, with the sanction of the Local Government, from time to time alter the number and

in each circle the Deputy Commissioner may appoint a patwári.

The Chief Commissioner may, from time to time, by rule consistent with this Act—

1. Regulate the selection, appointment, suspensions and supervision of patwáris;

2. Regulate the fines which may be imposed on persons appointed temporarily to the office of patwári, for neglect of their duty.

3. Regulate the duties of the kánúngo and patwári, and every person appointed to perform the duties of any of the said offices shall be deemed to be a public servant within the meaning of the Indian Penal Code,

and

and all official records and papers kept by any such officer or person shall be deemed to be public records and the property of Government.

9. For the purpose of preparing the registers or accounts prescribed by the said Oudh Land-Revenue Act, 1876, or by any rule made thereunder, every owner or occupier of land in any patwári's circle, and the agent of every such owner or occupier, shall furnish to the patwári of such circle, the kánúngo or such person as the Deputy Commissioner may appoint in this behalf, such information, at such times, as the Chief Commissioner may from time to time by rule prescribe.

Explanation.—“Owner” in this section includes also a superior and an inferior proprietor, and a lessee, a mortgagee or conditional vendee, in possession.

10. No suit shall be brought by a landlord against a tenant for the recovery of any cess or rate accruing due after the thirtieth day of June, 1882, and payable, in money or in kind, by such tenant on account of the remuneration of a patwári.

11. Sections one and ten and this section extend to the territories respectively administered by the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh. Sections two, three and four extend to the territories administered by the said Lieutenant-Governor, and sections five to nine (both inclusive) extend to the territories administered by the said Chief Commissioner.

Information to be furnished by owner or occupier of land.

Suits for recovery of patwári-cess barred.

Local extent.