

मध्यप्रदेश भू-राजस्व संहिता की धारा  
160 के अंतर्गत बनाए गए नियम  
अधिसूचना क्रमांक 193-6477-सात-एन  
(नियम) दिनांक 06 जनवरी, 1960

No. 193-6477-VII-N (Rules).—In exercise of the powers conferred by sub-section (1) and clause (xxxv) of sub-section (2) of section 258 read with sub-sections (2) and (3) of section 160 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959), and in supersession of all rules previously made on the subject, the State Government hereby makes the following rules, the same having been previously published, as required by sub-section (3) of section 258 of the said Code, namely :—

RULES

1. In these rules unless there is anything repugnant in the subject or context,—

- (a) "Code" means the Madhya Pradesh Land Revenue Code, 1959;
- (b) "Form" means a form appended to these rules;

(c) "institution" means a public, religious or charitable institution;

(d) "section" means a section of the Code.

2. An application for the grant of annuity under sub-section (2) of section 160 shall be in the Form I.

3. The application shall be presented <sup>⊗</sup> ~~within 90 days from the date of publication of these rules~~ to the Collector of the district in which the Muafi or Inam lands held by the institution is situate. Where, however, such land is situate in more than one district, the application shall be presented to the Collector of the district in which the institution itself is situate.

4. On receipt of the application, the Collector may enquire into it personally or may transfer it to a Revenue Officer not below the rank of a Tahsildar for enquiry and report.

5. The enquiry shall cover the following points, namely:—

- (a) the name of the institution to which the exemption from payment of Land Revenue was originally granted and the lands in respect of which it was granted;
- (b) the name of the institution which held the lands in question immediately before the date of coming into force of the Code;
- (c) description of the purpose and the conditions subject to which the exemption was granted;
- (d) details of land—
  - (i) name of village with tahsil and district where land is situated;
  - (ii) survey numbers or plot numbers and area thereof;
  - (iii) assessable land revenue of each survey number or plot number; and
  - (iv) amount of quit rent or land revenue which was payable before the date of coming into force of the Code;
- (e) the amount of land revenue in respect of which the institution enjoyed exemption immediately before the coming into force of the Code;
- (f) the annual income of the institution immediately before the coming into force of the Code;
- (g) present annual income of the institution from—
  - (i) land,
  - (ii) other sources;
- (h) (i) whether it is necessary in the interest of the community that such institution should be continued to be maintained;
- (ii) the minimum annual expenditure giving details that will be necessary for the continued fulfilment of the objects for which the grant was made in so far as they relate strictly to public, religious or charitable purposes;
- (iii) the amount of annuity recommended to be granted.

⊗ The words and figures " before the expiry of the period ending on the 22<sup>nd</sup> January 1963 " shall be substituted. **AG 1**

6. After the enquiry is completed in respect of all the points referred to in rule 5 and such additional points as may be considered necessary by the Collector, or the Revenue Officer to whom the application may have been transferred under rule 4, the Collector shall forward the application with his recommendation to the State Government, through the Commissioner, for orders.

7. The State Government may, subject to the maximum provided in subsection (2) of section 160 grant such annuity as it may consider reasonable.

8. The payment of the annuity shall, except as otherwise provided in these rules, be regulated as an annual recurring grant. The State Government shall sanction such grant and the bill for payment shall be countersigned by the Collector.

9. The annuity shall be payable with effect from the date of coming into force of the Code, the first payment falling due on 1st April 1960 and the subsequent payments on the first day of April each year. Any amount paid as an interim annuity shall be adjusted out of the annuity due.

10. On the basis of individual grant of annuity sanctioned by the State Government under rule 7, the Collector shall prepare a statement specifying therein particulars of each grant sanctioned and the total amount required for payment in his district and submit the same to the State Government in the Revenue Department, through the Commissioner, not later than the 15th September of each year.

11. The amount of the annuity shall be payable to the Chairman of the Managing Committee appointed under clause (iv) of rule 12 and if no such committee has been appointed, the grant shall be paid to such person as may be nominated by the Collector for the purpose. The Chairman of the Committee or the person so nominated by the Collector will present the Annuity Grant Bill in Form II, duly filled in and signed, to the Collector thereafter. The Collector shall scrutinise the Bill with the help of the records maintained in his office, fill in it the number and date of the Government memorandum originally sanctioning the amount of grant, and then countersign the Bill. The Chairman of the Committee or the person nominated by the Collector, as the case may be, shall then present it to the Treasury Officer or Sub-Treasury Officer to obtain payment and the payment shall be made to him.

12. (1) The Collector of the District in which the annuity is payable shall maintain a register of annuity in Form III showing—

- (i) origin and nature of annuity,
- (ii) the amount and period of payment,
- (iii) the orders of Government sanctioning its payment;
- (iv) the name of the Chairman of the Committee appointed for the management of the institution or the name of the person to whom the payment has to be made temporarily;

- (v) conditions as to the application of the money attached to the grant of annuity; and  
 (vi) any other matters worthy of note in connection with the annuity.

(2) Sufficient space shall be set apart in the register for each institution and entries therein shall be made from time to time under the signature of the Collector or such of his assistants as may be authorised by the Collector in this behalf.

13. Correspondence, applications, orders, etc., concerning each institution to which annuity is payable shall, so far as convenient, be kept in a separate compilation so that the history and circumstances of each item may be readily ascertainable.

14. Every year in the month of April, the Collector shall submit a statement to the State Government through the Commissioner and to the Accountant-General, Madhya Pradesh, showing the names of the institutions and the amounts of annuity not drawn by them during the previous year.

15. The grant of annuity shall be subject to the following conditions, namely:—

- (i) the total income accruing to the institution from annuity and other sources shall be spent strictly on public, religious or charitable purposes, as the case may be;
- (ii) regular accounts shall be maintained of the income and expenditure, which shall at all times be open for inspection by such agency as the State Government may appoint for the purpose;
- (iii) the institution shall be managed by a committee consisting of five persons appointed by the Collector:

Provided that this condition shall not apply in the case of an institution run by a society registered under the Societies Registration Act, 1860;

- (iv) the grant shall be made subject to annual verification that it is being utilised only for the specific purpose or purposes for which it was made. It shall be continued so long as the institution is maintained in an efficient manner consistent with the object of the grant;

(v) the grant shall not be alienated.

16. The grant shall be liable to be terminated in case it is found that it is no longer required for the purpose for which it was made.

17. The State Government may cause to be made a special review of each grant at an interval of every five years to see whether further continuance of the grant is justified.

18. The State Government, may, upon breach of any of the conditions of the grant, resume it at any time after giving a reasonable opportunity to the institution to show cause against the proposed resumption.

FORM I  
(See rule 2)  
APPLICATION

To

The Collector, \_\_\_\_\_

Under sub-section (2) of section 160 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959), I \_\_\_\_\_, son of \_\_\_\_\_ the trustee/manager of \_\_\_\_\_, a public/religious/charitable institution situated at \_\_\_\_\_, tahsil \_\_\_\_\_, district \_\_\_\_\_ beg to apply for the grant of annuity for fulfilling the object of the institution.

2. I declare that no such application ~~was or~~ has been previously made and that no annuity has so far been granted under the provisions of the Code.

3. The statement of all the lands held by the institution is as follows:—

| S.No. | Name of village (tahsil and district) | Holding number | Area of the holding | Assessable land revenue on the holding | Quit rent or land revenue that was payable for the holding |
|-------|---------------------------------------|----------------|---------------------|--|--|
| (1)   | (2)                                   | (3)            | (4)                 | (5)                                    | (6)  |

4. The annual income during the last two years immediately preceding the year in which the Code came into force was as under:—

| Year | Income from various sources |                                 | Total |
|------|-----------------------------|---------------------------------|-------|
|      | Exemption of land revenue   | Other sources, with particulars |       |
| (1)  | (2)                         | (3)                             | (4)   |

Source—Income  
Rs.

(a)  
(b)  
(c)  
etc.

5. The estimated annual income from the various sources after the date of coming into force of the Code, is as follows:—

| S.No. | Description of source of income | Annual estimated income |
|-------|---------------------------------|-------------------------|
| 1     | Land .. .. .                    | Rs. .. .. .             |
| 2     | Other sources .. .. .           | .. .. .                 |
|       | (a)                             |                         |
|       | (b)                             |                         |
|       | (c)                             |                         |
|       | (d)                             |                         |
|       | etc.                            |                         |
|       | Total .. .. .                   |                         |

173  
174

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6. The details of the estimated annual expenditure necessary for the continuance of the institution are given below:—

| S. No. | Description of purpose | Annual estimated expenditure |
|--------|------------------------|------------------------------|
| (1)    | (2)                    | (3)                          |
|        |                        | Rs.                          |

7. A copy of the order under which the muafi was originally granted is enclosed.

Dated 19 . Signature of the Trustee/Manager.

Verified that the contents of paragraphs of the application are true upon the personal knowledge and those in paragraphs upon information received and believed to be true by the undersigned.

Declared at on 19 .

Signature of the Trustee/Manager.

FORM II

[See rule 11]

Annuity Grant Bill No. of 19  
Voucher No. of  
List of payment for Head of Account 19

Received the sum of Rs. (Rupees ) being the annuity grant for the period sanctioned by the State Government in their Memorandum No. Dated

Certified that the conditions for the annuity grant have been fulfilled. Dated 19 . (Signature)

Countersigned for Rs.

Dated 19 . Signature Designation.

(For use in Treasury)

Pay Rupees (Rs. )  
Examined

Treasury Accountant Treasury Officer.  
Dated 19 .

(For use in the Accountant-General's Office)

Admitted Rs.  
Objected Rs.  
Reason of objection

Auditor

Superintendent

Gazetted Officer.

655

## FORM III

[See rule 12 (1)]

Register of annuities sanctioned by Government in the District.

| Origin and nature of annuity | Amount of annuity | Period of payment | Orders of Government sanctioning payment |
|------------------------------|-------------------|-------------------|--|
| (1)                          | (2)               | (3)               | (4)                                      |
| Rs. nP.                      |                   |                   |  |

| Name of Chairman of the Committee or the institution or the name of the person to whom payment is to be made temporarily | Condition of the grant of annuity | Any other matter worthy of note concerning the annuity |
|--|-----------------------------------|--|
| (5)  | (6)                               | (7)  |

By order and in the name of the Governor of Madhya Pradesh,  
N. D. GUPTA, Secy.