

APPENDIX I

COPY OF NOTES BY SIR FRANCIS WYLIE, POLITICAL ADVISER, DATED THE 10TH AUGUST 1941.

During the last few days I have had a number of discussions with Mr. Ramadhyani about his forthcoming enquiry into land revenue conditions in the Eastern States. I think that Mr. Ramadhyani now knows my mind on this subject in a general way and that is all that is possible without real local knowledge. It is for this reason that I have suggested that Mr. Ramadhyani's terms of reference be drawn out in Calcutta where Col. Barton's local knowledge will be available. The draft terms can then be sent here for the Crown Representative's approval before they are finally conveyed to the Officer on Special Duty. The Resident has agreed to this and will take action accordingly when Mr. Ramadhyani reaches Calcutta.

2. Put very generally my own feeling in this whole matter is :—

(a) that there can be neither contentment nor prosperity in an agricultural community unless rights in the soil are both granted and effectively guaranteed. The expression 'rights in the soil' includes of course the fixation of the Land Revenue demand.

(b) that in the Eastern States, while in the soil may in some cases have been granted, practically nowhere are they really guaranteed ;

(c) that by the terms of their Sanads the Rules of these States are bound to accept the Crown Representative's advice ;

(d) that the necessity of both granting and guaranteeing rights in the soil is so urgent that the Crown Representative would be justified in tendering formal advice to all Rulers to put their Land Revenue administration in order forthwith including the grant of rights in the soil with the necessary concomitant of setting up the administrative machinery required to protect these rights.

3. There is no use however in tendering advice on the lines mentioned in (d) above unless we understand the technical aspect of the problem thoroughly. It is to provide us with a technical background that Mr. Ramadhyani has been placed on special duty. I may note a few of the questions to which I would personally expect him to provide an answer in his report :—

(a) What is the past revenue history of the cultivators in this part of India ?

(b) What rights in the soil if any subsist at present ?

(c) What administrative machinery if any exists to ensure the protection of these rights ?

(d) Assuming that a real proprietary title in the soil is to be granted by the Ruler what system is most appropriate in these particular States ? By system I mean 'malguzari', 'ryotwari' and so on.

(e) In what way if any does the system proposed differ from that obtaining in the adjoining Provinces ?

(f) What system of *village* revenue management is best suited to these areas ? Should "Thekedars" "Gaontias", etc., be abolished or retained ? If these functionaries are to be retained can rules be framed to ensure that opportunity for tyrannising over the cultivators shall be restricted ?

(g) What sample of administrative machinery requires to be set up which the limited resources of these small States will be able to support and which will yet be effective in protecting the cultivators in the enjoyment of their newly granted rights in the soil ?

(h) Is a Land Acquisition law necessary or feasible ?

(i) How can the villagers be most effectively protected in the enjoyment of their rights in village forests ?

The above list is by no means intended to be exhaustive but it may be of use to the Resident and to Mr. Ramadhyani in framing formal terms of revenue for the enquiry.

4. I have drawn Mr. Ramadhyani's attention to the advisability of suggesting a Land Revenue reform approximating as closely as may be to the system obtaining in the adjoining Provinces. One principal reason for this is that the day may quite clearly come when these small States will disappear altogether and be merged in the neighbouring Provinces. If that time should come the more closely administrative conditions in this whole area approximate to those obtaining in adjoining Provinces the easier will the transition become.

5. Mr. Ramadhyani should I think accompany his report with draft laws. If we fund ourselves in a position to put across his proposals in the way of formal advice to the Rulers of these States it would be an immense advantage if the new laws which the States will be required to promulgate were ; if not identic, at least comparatively uniform. I realise that one law, e.g., a Land Revenue Act will hardly do for all the States. In fact there may have to be three model Land Revenue Acts ; one for the C. P. States ; one for the Orissa States and one for the States which lie next to Bihar.

6. I very much regret that I shall not be here when Mr. Ramadhyani's report comes up for consideration but I shall be grateful if, when the report is in print, I can have a complimentary copy which I promise to read with acute interest.

7. A copy of this note should be handed to Mr. Ramadhyani and a copy should also be sent to the Resident.

APPENDIX II.

Cesses.						
State.	Educa- tion.	Dispen- sary.	Road.	Forest.	Others	Remarks.
1. Athgarh ...	0-3-3	0-1-3	0-1-0	0-0-6	...	
2. Athmallik ...	0-1-6	...	...	0-1-0	...	
3. Bamra ...	0-0-4½	...	...	0-1-0	0-1-0 (Kar & Kartali) 0-0-1 (Chowkidari)	
4. Baramba ...	0-1-0	...	...	0-0-9	...	
5. Bastar ...	...	...	...	...	0-1-0 (Patwari)	
6. Baudh ...	0-0-9	...	...	0-1-0	(per acre of wet land)	
7. Bonai ...	0-1-0	...	...	0-0-6	(per acre of dry land)	
8. Changbhakar ...	0-1-0	...	...	0-1-6	(per acre of wet land)	
9. Chhuikhadan ...	0-0-6	...	...	0-8-0	0-0-3 (Kotwar cess)	
10. Dhenkanal ...	(includes dispensary cess also)	(Cess is called Education and Medical cess)	...	...	...
11. Daspalla ...	0-1-6	...	...	0-1-3	0-2-0 (Miscellaneous cess)	
12. Gangpur ...	0-2-0	(School and dispensary cess)	...	0-1-6	0-2-0	Ditto
13. Hindol ...	0-1-0	0-2-0	...	0-1-3	(per acre of wet land)	
14. Jashpur ...	0-0-9	0-0-9	...	1-0-0	(per acre of dry land)	
15. Kalahandi ...	0-0-6	0-0-6	...	0-4-0*	0-1-0 (per acre of wet land)	
16. Kanker ...	A portion of the land revenue is appropriated for school, dispensary and patwari.	...	...	0-8-0 to 2-0-0	0-2-0 for road (patwari) 0-2-0 for bethi	
17. Kawardha ...	...	...	...	0-8-0 to 2-0-0	A cess of 0-2-0 is levied on muafiholders.	
18. Kharsawan ...	...	...	...	...	...
19. Keunjar ...	0-0-6	0-0-6	...	0-2-0	(per acre of dry land)	
20. Khairagarh ...	...	...	...	0-1-0	(per acre other lands)	
21. Khandpara ...	0-1-0	0-1-0	...	1-4-0	(per plough)	
22. Korap ...	...	...	...	0-1-0	0-3-0 (Miscellaneous)	
23. Nandgaon ...	...	...	...	1-0-0	2-0-0	
24. Narsingpur ...	0-1-0	...	...	...	0-1-0 (patwari)	
25. Nayagarh ...	0-1-0	...	0-2-0	0-1-0	0-12-0 Hide cess per plough	
26. Nilgiri ...	...	...	...	0-1-6	(The gaontia pays read, school and dispensary cess)	
27. Pal-Lahara ...	0-1-0	...	0-2-0	0-1-0	(per acre of wet land)	
28. Patna ...	0-1-0	0-1-0	...	0-0-6	(per acre other lands)	
29. Raigarh ...	...	...	...	0-0-6 to 0-2-0	1-0-0 Water cess per acre	
30. Raipur ...	0-1-0	0-1-0	...	0-1-6	0-0-3 Parbani cess	
31. Sakti ...	0-1-0	...	0-1-0	0-1-0	(per acre of wet land)	
32. Saragarh ...	0-1-0	...	0-1-0	0-0-6	(per acre other lands)	
33. Seraikela ...	...	...	...	0-0-6 to 0-2-0	0-1-0 Patwari	
34. Senapur ...	0-1-6	...	0-1-6	0-2-0	0-1-0 Rasad	
35. Surguja ...	...	...	...	per acre according to the distance from the forest	0-1-0 Parbaparbani	
36. Taleher ...	0-1-0	...	...	1-0-0 to 1-8-0	A cess of 0-2-0 is levied from muafi villages only	
37. Tigiria ...	0-1-0	0-0-9	...	0-1-0	...	
38. Udaipur ...	...	...	...	0-1-0	...	
39. Udaipur ...	...	...	...	0-1-0	...	

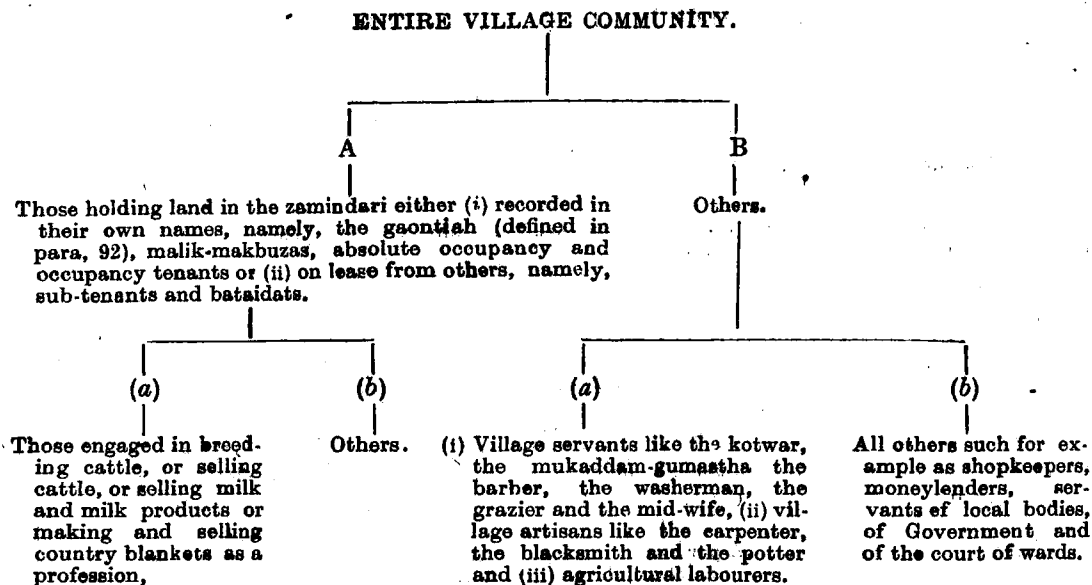
Note.—All rates are per rupee of land revenue unless otherwise stated.

APPENDIX III.

EXTRACT FROM THE REPORT OF AN ENQUIRY ON GRAZING AND NISTAR IN THE CENTRAL PROVINCES ESTATES BY MR. H. S. KAMATH, I.C.S.

231. *Skeleton Proposals.*—(1) The entire village community will be divided broadly into two classes (i) agricultural and (ii) non-agricultural.

(2) The following table will show how this division can best be done :—



Note.—Village servants and village artisans, placed under this sub-class will naturally be these not holding the land ; for if they do hold land, they come under class A.

Classes A(b) and B(a) will be considered agricultural and classes A(a) and B(b) will be considered non-agricultural.

(3) Grazing will be free for all cattle belonging to the agricultural classes.

(4) A member of the non-agricultural classes will be allowed to graze free of charge a certain definite number and for extra animals the zamindar may require him to pay at such rates as he may fix.

(5) The basis for the free allowance will be the working plough in the case of class A(a) and the house in the case of class B(b).

(6) The free allowance per working plough will be something like four plough animals, two milch animals, all calves at foot, two goats and one pony.

(7) Calculations regarding the grazing concession and grazing dues will be based on the patwari's titamma which the zamindar will be expected to consult and a copy of which will, therefore, be made available to him on moderate payment.

(8) The free allowance per house will be two milch animals, all calves at foot, two goats and one pony or two bullocks.

(9) Hired bullocks, if used by a member of the agricultural classes, will be considered 'his own for the time being and will not be liable to pay grazing dues.

(10) A zamindar charging grazing dues *mala fide* to a member of the agricultural classes, for example to a person selling milk and milk products casually or buying and selling cattle at the commencement of each season for his own use or in respect of cattle hired for his own cultivation, will be liable to pay a penalty of Rs. 50 or five times the fees charged, whichever be the greater.

(11) Grazing, whether when free or when on payment, will be available, in the banjar of the village where the owner of the cattle lives or holds land and also in its neighbourhood, except that in regard to the latter, the occupied area will not be available when crops are standing, nor closed baris nor threshing floors.

(12) The banjar will be defined as all unoccupied area except what is set apart for specific communal purposes.

(13) The neighbourhood of a village will be defined as that area round about the village, but within the zamindari—not being part of the waste land mahal nor of an authorized reserve worked and closed to grazing—which the cattle can cover during the day, in order to be back home before dusk.

Note.—Reserves like that of Khujji regarding which grave defects have been pointed out will not be considered 'authorized' for the purpose of this proposal.

(14) Daihan grazing will be liable to be paid for at such rates as the zamindar may fix.

(15) Ordinarily daihan grazing will be confined to the waste land mahal. If, however, a zamindar wishes to have a daihan outside the waste land Mahal, he will be required to take the Deputy Commissioner's permission to open it. He will be entitled to have the permission in case the daihan has been in existence in that village for a period of five years continuously preceding the 1st January 1940. Otherwise, his application will be decided on merits.

(16) Scrub and grass which are jointly recorded in the patwari papers today as scrub jungle and grass except in Bhandara will be separately recorded.

(17) The zamindar will be required to obtain the permission of a revenue officer not below the rank of a tahsildar if he wishes to alienate land recorded as grass or wishes to convert it to home-farm.

(18) A zamindar will be required to obtain the Deputy Commissioner's permission before reserving grass birs in the banjar during the currency of the settlement.

(19) An outsider setting up an establishment in a zamindari, in addition to the one he already has outside it, will be considered as belonging to class A(a).

(20) Cattle belonging to a resident of the zamindari, but to an establishment he has outside the zamindari, will be liable to be charged grazing dues.

232. *Proposals summed up.*—Briefly, the proposals contemplate—

(a) the division of the whole village community into (i) the 'agricultural' and (ii) the 'non-agricultural' classes ;

(b) free grazing for all cattle owned by the agricultural classes ;

(c) limits to the number of cattle that may be grazed free by the non-agricultural classes ;

(d) extension of the area available for grazing—whether when free or when on payment—from the village waste to the entire neighbourhood ; and

(e) measures to combat restrictions on grazing rights,—existing or extended.

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APPENDIX IV.

FEES PAYABLE ON TRANSFERS OF LANDS.

Athgarh	...	Stamp duty	...	About 1 per cent.
		Registration	...	Re. 1 for Rs. 25, Rs. 2 for Rs. 50, Rs. 2½ for Rs. 100 and Rs. 3½ upto Rs. 500.
Athmallick	...	Salami	...	Nothing on transfers.
		Mutation	...	Re. 0-4-0 per rupee, Re. 0-2-0 per rupee for inheritance. 10 times the rental on sale. 0-8-0 per rupee of rental on other transfers. (Fees are doubled if mutation not applied for within six months)
		Amin Fees	...	0-10-0 per day.
		Proclamation	...	Re. 1
Bamra	...	Stamp duties and registration fees are charged at about one-half per cent. and three-fourths per cent. <i>ad valorem</i> respectively.		
Baramba	...	Salami	...	10 per cent. of the consideration.
		Mutation fee	...	Re. 1 per acre for transfers. Re. 0-4-0 per rupee for inheritance.
		Stamp Duty	...	About 1 per cent. (Graded scale).
		Registration fee	...	About ½ per cent. (Graded scale).
		Amin fee	...	0-8-0 per day.*
		Proclamation fee	...	Re. 1.
Bastar	...	No transfer fees	...	(Transfer not permitted).
		Mutation fee	...	0-8-0 in cases where ryots apply for mutation.
		Exchange	...	0-8-0 per rupee as court fee stamps.
		Stamp and registration fees according to Indian Acts.		
Baudh	...	Salami	...	No rigid rules,
		Mutation	...	Re. 1 in all cases.
		Stamp and Registration.	...	(Indian Acts are followed).
		Amin fee	...	Re. 0-12-0 for every 10 miles.
		Proclamation fee	...	Re. 1.
Bonai	...	Salami	...	25 per cent. of the consideration or 4 years rental whichever is higher.
		Mutation	...	2 to 8 annas on ordinary succession according as mutation is applied within six-months to over one year. Four times the annual rental if the transferee is a Bonai subject otherwise six times. 10 per cent. of the land revenue if succeeded by direct male heirs in gaontiahi succession cases. 25 per cent. by any other relation. 80 per cent. by a distant relative on an outsider.
		Amin fee	...	Re. 1 per day.
		Proclamation and process fees.	...	0-4-0 to Re. 1 according to its nature.
		Stamp and Registration.	...	Indian Acts are followed.
Chang Bhakar	...	Transfer not permitted.		
Chhuikhadan	...	No fee is charged. (Transfer not permitted.)		
Daspalla	...	Mutation	...	10 per cent. of the consideration in sale or gift Rs. 2 only on exchange.
		Stamp Duty comes to roughly one per cent. of the value.		
		Registration fee varies from 0-4-0 for bonds of Rs. 10 value to Rs. 3 for bonds with Rs. 100 and Rs. 2-8-0 for every extra Rs. 100.		

			Amin fee for the services of the amin is Rs. 1-8-0 to Rs. 3. Process fee 0-8-0.
Dhenkanal	...	Salami	is charged according to the class of land transferred from Rs. 2 to Rs. 17. Mutation fee 0-4-0 per acre to a maximum of Rs. 20. The Stamp duty on documents of sale and mortgage comes to one-half per cent. Registration comes to one-half per cent. Amin fee 0-10-0 per diem. No proclamation fee is charged.
Gangpur	...	Salami	on transfer by sale 2 annas per rupee of consideration. About 10 per cent. on transfer of nazul lands. Mutation 0-4-0 per acre or part of an acre subject to a limit of Rs. 5 with a minimum of Re. 1. Stamp Duty and Registration according to Indian Acts. Amin fee of 0-6-0 per diem is charged. Proclamation fee 0-8-0.
Hindol	...	Mutation	12½ per cent. of the consideration or six times the annual rental whichever is greater in cases of sale. Re. 1 for each tauzi in case of inheritance. 0-3-0 per rupee of rent in all other cases.
		Stamp Duty	Indian Stamp Act is followed.
		Registration	About ½ per cent.
		Amin fee	Re. 1 onwards according to area and distance.
		Proclamation fee	Re. 1
Jashpur	...	Salami	One year's rental and a suit [private nazarana to the Ruler on succession of the zamindars.
		Mutation	Nil.
		Stamp	Nil.
		Registration	0-2-0 per surrender deed.
		Proclamation	1-8-0 per proclamation.
			Other fee on applications 0-8-0.
Kalahandi	...	No. rights of transfer.	
		Mutation	Re. 0-4-0 for every Rs. 50 in gaonti villages (payable by the new gaentia), Re. 6-2-0 for every Rs. 50 in muafi villages by muafidar, Re. 0-2-0 for every Rs. 50 in hilly villages payable by gaentia and Re. 0-1-0 for every Rs. 50 in hilly villages payable by muafidars.
			Homestead lands at the nazul towns can be transferred on payment of 0-8-0 for every Rs. 50 value subject to the maximum of Rs. 15.
Kanker	...	Salami	Nothing is levied by the State. But the Thekedrr is entitled to a nazarana from the transferee of 25 per cent. and 12½ per cent. in the case of transfer by sale of gairmaurusi and maurusi respectively.
		Mutation	Rs. 3 uniform.
		Stamp duty	Re. 1 per cent. on the value of land.
		Registration	Re. 1 registration fee, Rs. 2 Attestation fee and 0-4-0 extra fee and copying fee 0-2-6 for hundred words.
			Court fee on application Rs. 2. Proclamation fee Rs. 2.
Kawardha	...	Nazarana	12½ per cent. for the tenants ; aboriginals 5 per cent.
		Registration fee	Re. 1 up to Rs. 100 and 0-8-0 for every Rs. 100.
		Attestation	Rs. 2.
		Endorsement	Rs. 1.
		Copying	0-12-0.
Keonjhar	...	Salami	Rs. 2 to Rs. 3 in cases of allotment of nayabadi lands, homestead gora and pal lands.
		Mutation	Nothing in case of inheritance. On transfer by sale 12½ per cent. from non-aboriginals ; 6½ per cent. from aboriginals. By gift Rs. 32 per acre to Rs. 6 according to the class of land. In case of unauthorised transfer 12½ per cent. mutation is charged over and above salami.
		Stamp	Indian Stamp Act is followed.
			Registration charge is about ½ per cent. Amin and proclamation fees Re. 1 each except in nayabadi cases where 0-8-0 each is charged.
Khairagarh	...	Stamp and Registration.	Indian Acts are followed.
		Registration fee	Re. 1.
		Endorsement	0-4-0.
			and a copying fee of 0-2-6 per 100 words.
Khandpara	...	Salami	10 per cent. of the consideration in the case of non-aboriginals aboriginals and 5 per cent. in the case of aboriginals.
		Mutation	0-4-0 per rupee of rental—minimum Re. 1. (If the mutation is not applied for in time, penalty is double fee till 12 months 0-2-0 daily afterwards.)
		Stamp duty	About ½ per cent.
		Registration	About 2 per cent.
		Proclamation fee	Re. 1

Kharsawan	...	Salami	...	Varies from Rs. 2 to Rs. 200 per bigha for different kinds of lands in Sadant Pir and Kolhan Pir.
		Mutation	...	0-2-0 per bigha—minimum Re. 1 : Maximum Rs. 5, payable in court fees.
		Stamp duty comes to about 1 per cent.		
		Registration fee	...	0-12-0 per deed.
		Amin's fee	...	Re. 1 per diem.
		Proclamation fee	...	Re. 1 plus 0-6-0 for the price of printed forms, drummer's fee, etc.
Korea	...	Transfer not permitted.		•
Nandgaon	...	Salami	...	Gaontia gets 25 per cent. (generally not fixed on all transfers and pays to the State 25 per cent. of what he gets.
		Mutation	...	No mutation on tenancy lands but on gaontia succession 0-2-0 for Rs. 50 mutation has to be paid.
		Stamp Duty	...	Re. 1 for each deed.
		Registration	...	Rs. 2 plus 0-2-6 writing fees for 100 words and 0-4-0 endorsement fee.
Narsinghpur	...	Salami	...	10 per cent. for sales, 5 per cent. for exchanges and 20 per cent. for gift.
		Mutation	...	0-2-0 per rupee of rental on bhogra or ryoti lands for direct succession, otherwise 0-4-0.
		Stamp duty about 1 per cent.		
		Registration fees comes to about $\frac{1}{2}$ per cent.		
		Amin fee	...	0-8-0 within 5 miles and for 5 acres and 0-4-0 for every additional 5 acres.
		Proclamation fee	...	Re. 1.
		On every application 0-8-0 court fee should be affixed.		
Nayagarh	...	Salami : Sale : Ryoti lands.	...	10 times the rental or 20 per cent. of the consideration whichever is higher.
		Brahmottar tanki	...	20 times the rental of 37 $\frac{1}{2}$ per cent. of the consideration whichever is greater.
		Anugruhi jagir	...	20 times the rental or 40 per cent. of the consideration whichever is greater.
		Gift	...	3 times the rental.
		Exchange	...	Rs. 2 per acre is taken.
		Mutation	...	0-4-0 per rupee of the rental—minimum Re. 1 (If mutation is not applied for in time penalty rate is charged).
		Stamp duty about 1 per cent.		
		Registration	...	About 2 per cent.
		Amin fee	...	Re. 1 per day.
		Proclamation fee	...	Re. 1.
		0-2-0 for every kind of application.		
Nilgiri	...	No Salami.		
		Mutation	...	3 times the rental.
		Stamp Duty	...	About $\frac{1}{2}$ per cent.
		Registration fee about $\frac{1}{2}$ per cent.		
		Proclamation fee	...	0-8-0.
		Mutation applications 0-12-0.		
Pal-Lahara	...	Nazarana	...	10 per cent. of the consideration.
		Mutation	...	0-12-0 per holding irrespective of the area.
		Stamp Duty	...	1 per cent.
		Registration fees	...	About $\frac{1}{2}$ per cent.
		Amin fees	...	0-8-0 per each enquiry.
		Proclamation fees	...	Re. 1 for each case.
Patna	...	Nazarana	...	25 per cent. of the consideration or 12 $\frac{1}{2}$ times the rental, Rs. 10 per acre for jacher lands. Rs. 5 per acre for settlement of forest and waste lands.
		Mutation : Thekedari	...	0-4-0 for Rs. 100.
		Ryoti	...	25 per cent. of the value of the land.
		Stamp and Registration fee.	...	According to Indian Acts.
		Amin fee	...	Rs. 1 onwards according to the distance.
		Proclamation fee	...	Rs. 2.
Raigarh	...	Nazarana	...	25 per cent. of the sale proceeds taken by gaontia.
		Mutation	...	0-4-0 for Rs. 50 gaontiahi mutation only.
		Stamp Duty	...	Indian Act rates.
		Registration	...	For surrender and transfer deeds Rs. 5. For mortgage Rs. 2-8-0 (Rest Indian Act rates).
		Patwari	...	0-2-0 per mile.
Rirakhel	...	Nazarana	...	Not fixed but generally offered.
		Mutation	...	0-2-0 per rupee of bhogra or ryoti rent for direct succession; otherwise 0-4-0.
		Stamp Duty	...	Indian rates.
		Amin fees	...	0-10-0 per diem.
		Proclamation fee	...	Re. 1 per proclamation.
Ranpur	...	Nazarana	...	25 per cent. by Brahmottar holders only. 5 per cent. of the immovable property in adoption cases.

	Mutation	...	Re. 1 per acre with proclamation fee 0-4-0.
	Stamp Duty and Registration fees	as per Indian Acts.	
Sarangarh	Salami	...	10 per cent. allowed to village gaontias on sales.
	Mutation	...	Nil.
	Stamp Duty	...	1 to 1½ per cent.
	Registration fee	1 per cent.	
	Endorsement fee	0-8-0.	
	Registrar's fee	Re. 1 per document.	
	Moharrir's fee	0-8-0.	
Sakti	Consent money	at 15 per cent. on the consideration.	
	Mutation	nil.	
	Stamp duty	one per cent.	
	Registration fee	Rs. 3.	
Seraikela	Salami	...	Re. 1 to Rs. 200 per bigha according to the class of land.
	Mutation	...	Re. 0-2-0 per bigha subject to a minimum of Re. 1.
	Stamp Duty	...	About ½ per cent.
	Registration	about ½ per cent.	
	Amin's	Rs. 1-8-0 to 5-0-0 according to the distance.	
Sonepur	Salami	...	10 per cent. to the village holder. 15 per cent. to the Ruler from the purchaser.
	Stamp, etc.	...	According to Indian Acts.
Surguja	Consent money	...	12½ per cent. or 2½ times the rent whichever is great. One year's rent for exchange.
	Mutation fee	...	0-4-0 for every Rs. 10 of rent.
	Stamp and Registration fee.	...	Central Provinces rates.
	Amin fees	...	0-12-0 per day.
Tilcher	Salami	is 12½ per cent. on sales.	
	Stamp duty	about ½ per cent.	
	Registration fee	is also levied.	
Tigiria	Salami	1/8 and 1/16 of the consideration on the sale of the State land and sikmi lands.	
		Re. 1 per gunth on allotment of waste land.	
	Mutation	Re. 1 for Rs. 5 rental.	
	Stamp duty	...	1 per cent.
	Registration fee	...	About 2 per cent.
	Amin fee	Re. 1.	
Udaipur	Salami	—25 per cent.	

APPENDIX V.

SECTION 40 OF THE CENTRAL PROVINCES TENANCY ACT.

40. (1) Subject to rules made under section 109, a Revenue Officer may, either of his own motion or on an application made by a subtenant holding land from a tenant, declare such sub-tenant to be an occupancy tenant of such land on the ground that the land is habitually sublet and fix the rent payable by him for the land to the landlord of the village, mahal or patti in which the land is situate, and thereupon the right of the original tenant in the land shall be extinguished ;

Provided that no such declaration shall be made in the case of a sub-tenant holding land from a charitable or religious endowment :

Provided further that no such declaration shall be made in the case of a sub-tenant holding land under a lease made before the first day of November 1939 :

Provided also no land shall be deemed to be habitually sublet by reason of a lease made before the first day of November 1939.

(2) A declaration made under sub-section (1) shall take effect from the commencement of the agricultural year next following the date of such declaration.

Explanation.—For the purpose of this section land may be presumed to be habitually sublet, if it is sublet for a total period exceeding seven years during any consecutive period of ten years, but no such presumption shall necessarily be made in the case of land of a minor or any other person subject to a legal disability or physical infirmity or a woman.

SECTION 62 OF THE PROPOSED REVENUE LAW.

62 (1) Any person in cultivating possession of land belonging to a ryot or tenant may apply to a revenue officer to be declared the ryot or tenant of the land, as the case may be, on the ground that the land is habitually sublet, and the revenue officer may make such a declaration on deposit by the applicant of a sum equal to five times the assessment for payment to the original ryot or tenant, whose right in the land shall thereupon be extinguished.

(2) A declaration made under sub-section (1) shall take effect from the commencement of the agricultural year next following the date of such declaration.

(3) For the purpose of this section land may be presumed to be habitually sublet, if it is sublet for a total period exceeding seven years during any consecutive period of ten years after the commencement of this Law, but such a presumption shall not necessarily be made in the case of land of a minor or any other person subject to a legal disability or physical infirmity or a woman.

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