

CHAPTER XI.—VILLAGE SERVANTS.

154. A person in authorised possession of a service grant for the time being for the purpose of rendering service to villagers or the State or its officers or both, is a village servant :

Provided that the village chowkidar or watchman shall be deemed to be a village servant whether he holds a service grant or not.

155. (1) For each village or group of villages there shall be appointed, in manner prescribed, one or more village chowkidars or watchmen.

(2) There shall be such other village servants as may be prescribed.

(3) The village servants existing before the commencement of this Law shall be deemed to have been appointed under this Law.

156. Where the services of any village servant, other than the village watchman, are not considered necessary, or where the services are not being rendered without separate payment, and the continuance of the service grant does not appear necessary, the Darbar may direct that any grant or any class of grants shall be dealt with under the provisions of section 45.

157. (1) The appointment, duties and punishment or removal of village watchmen and other servants shall be as prescribed by rules under this section.

(2) Village watchmen shall continue to receive under this Law such customary remuneration as they were receiving at the commencement of this Law :

Provided that

(a) any ryot or tenant may apply for the commutation of the payment made by him in kind, or partly in cash and partly in kind, to a payment in cash not exceeding one anna per rupee of the land revenue or rent payable by him ;

(b) any payment in cash exceeding the rate of one anna per rupee of land revenue or rent shall cease to be recoverable from the commencement of this Law.

(c) No payment shall be made to any village watchmen who holds a service grant of six acres or more in area.

158. (1) The remuneration of village watchmen shall be payable by all residents of the village, other than village servants or indigent persons who may be exempted, including the village headmen and tenure holders or holders of grants.

(2) The amount payable by residents who are in receipt of incomes from non-agricultural services shall be as prescribed.

159. The Dewan may reduce the amount payable by ryots or tenants on other residents if, in his opinion, the watchman is getting more than an adequate payment.

160. (1) If the amount payable by a ryot or tenant to a village watchman under section 157 is equal or equivalent to one anna per rupee of land revenue the ryot or tenant shall not be liable to pay the remuneration of any other village servant under this Law ; neither shall he be liable to make any contribution towards the cost of the uniform or dress of any village servant.

(2) The payments made by residents of a village to such village servants as graziers or blacksmiths for services rendered to them shall not be deemed to be a payment made under this Law.

(3) No payment which is not being made at the time of the commencement of this Law shall be levied under this section.

161. The remuneration of village watchmen and such other servants as may be prescribed may be recovered on application by a revenue officer as an arrear of land revenue from the person from whom the payment is due.

CHAPTER XII.—ADMINISTRATIVE DIVISIONS AND OFFICERS.

162. The Durbar may divide the State into administrative divisions to facilitate the revenue administration and may alter the limits of any such division or may create new or abolish existing divisions,

163. (1) The Durbar may appoint such revenue officers as may be found necessary for the administration of this Law, who shall exercise such powers as the Durbar may, by notification, direct.

(2) The Durbar may appoint such other officials as may be necessary for the maintenance of land records and invest them with such powers as may be necessary to give effect to the provisions of this Law.

164. (1) The Dewan shall have all the powers of a revenue officer under this Law.

(2) The Durbar may by notification invest any revenue officer, either personally or by designation, with any of the powers of the Dewan under this Law.

165. (1) All revenue officers shall be subordinate to the Durbar.

(2) All revenue officers and officials appointed for the administration of this Law other than the Dewan shall be subordinate to the Dewan.

(3) Rules may be made under this section regarding the designation of officials and the officers to whom they are subordinate.

CHAPTER XIII.—PROCEDURE OF REVENUE OFFICERS.

166. All revenue officers and such other staff appointed for the purpose of land records and their servants and workmen when authorised, either verbally or in writing by them, may enter upon and survey land, demarcate boundaries and do other acts connected with their duties under this or any enactment for the time being in force; provided that no person shall enter into any building or upon any enclosure, court or garden attached to a dwelling house, unless with the consent of the occupier thereof, without giving such occupier at least 24 hours notice, and in making such entry due regard shall be paid to the social and religious sentiments of the occupier.

167. The Durbar or the Dewan may for reasons to be recorded transfer any case or classes of cases from any subordinate revenue officer to any other such officer competent to deal therewith.

168. The Dewan, or such revenue officer as may be empowered in this behalf, may make over any case or classes of cases arising under the provisions of this Law or otherwise for enquiry or decision from his own file to any revenue officer subordinate to him competent to deal with such case or class of cases, or he may, for reasons to be recorded, withdraw any case or class of cases from any such revenue officer and may deal with such case or class of cases himself, or refer the same for disposal to any other such revenue officer competent to deal therewith;

Provided that if after enquiry in a case, a report is submitted by a revenue officer to a superior revenue officer for final orders the latter shall, if the parties so desire, before passing the final order, give them an opportunity to be heard.

162. (1) Subject to the provisions of Sections 132 and 133 of the Code of Civil Procedure and to rules made under this Law, every revenue officer shall have powers to summon any person whose attendance he considers necessary, either to be examined as a party, or to give evidence as a witness, or to produce any document for the purpose of any enquiry or case arising under this Law or any other enactment for the time being in force.

(2) A summons to produce documents may be for the production of a certain specified document or for the production of all documents of a certain description in the possession or power of the persons summoned.

(3) If any person on whom a summons has been served fails to comply with the summons, the officer by whom the summons has been issued may issue a bailable warrant for the arrest of such person.

(4) No person shall be ordered to attend in person if his presence can be dispensed with and no person shall be ordered to attend at a place more than twenty-five miles from his residence unless there is railway communication or other established public conveyance.

(5) Any person present may be required by any revenue officer to give evidence or to produce any document then and there in his possession or power.