

**THE <sup>1</sup>[Khyber Pakhtunkhwa] TENANGY  
(Fixation of Compensation to  
the Landlord Rules, 1950**

**Notification No. 17391-Rev, dated 26th December, 1950.**-- Gazette, 28th December, 1950. In exercise of the powers conferred on him by Section 84 of the <sup>2</sup>[Khyber Pakhtunkhwa] Tenancy Act, 1950 (Act XXV of 1950), the Governor, <sup>3</sup>[Khyber Pakhtunkhwa], is pleased to make the following rules for the purpose of carrying out the provisions of clause (b) of sub-section (1) of section 4 of the said Act:

**1. Short title and commencement.**--(1) These rules may be called the <sup>4</sup>[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the Landlord) Rules, 1950.

(2) They shall come into force at once.

**2. Definitions.**--- In this Act, unless there is anything repugnant in the subject or context:-

(a) "Act" means the <sup>5</sup>[Khyber Pakhtunkhwa] Tenancy Act, 1950, (XXV of 1950),

(b) "Collector" means person appointed as Collector by the Provincial Government.

**3. Fixation of Compensation payable by tenant to his landlord.** ---In the case of an occupancy tenant paying cash rent to his landlord, ten times the amount of such rent exclusive of land revenue shall be the amount of compensation payable by the occupancy tenant to his landlord for the purpose of clause (b) of sub-section (1) of Section 4 of the Act.

**4. Occupancy tenant to become owner on payment of compensation.**-- Any person, who, at the commencement of this Act, is entered as an occupancy tenant in the revenue record paying cash-rent, shall become absolute owner of the land on payment of compensation fixed in Rule 3.

**5. Manner of payment of compensation.**-- The compensation shall be payable either--

(a) in lump sum, or

(b) in three six-monthly instalments, but the total amount shall be payable within 18 (eighteen) months,

<sup>1</sup> Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>2</sup> Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>3</sup> Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>4</sup> Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>5</sup> Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

**6. Extinguishment of landlord's rights in land.--**When compensation is full has been paid by the occupancy tenant as provided in rule 5 *ibid*, the right of the landlord in the holding shall be extinguished forthwith.

**7. Entries in revenue records to be rectified.--**The Collector shall, on extinguishment of the right of the landlord, order that necessary entries should be made in the revenue records.

**8.** The Collector shall maintain a common register giving the following particulars of all the lands covered by the Act--

1. Serial No.
2. Khata No. (if any),
3. Khatuni No. (if any),
4. Khasra No.
5. Name of the landlord.
6. Name of the occupancy tenant.
7. Conditions of the tenancy,
8. Area.
9. Culturable, or not.
10. If culturable, quality of the land.
11. Changes in the ownership with special reference to mutation or order or prescribed authority by which the change took place.
12. Amount of the equal instalments fixed.
13. Date of payment of the instalment by the occupancy tenants.
14. Signature of the Revenue of Officer.
15. Date of payment of the amount to landlord.
16. Signature of the Revenue Officer.

**9.** The procedure followed in respect of payment of the compensation money by the occupancy tenant will be as follows--

- (a) The Village Officer will collect the amount of compensation alongwith the land revenue, etc., and deposit the same into the Government Treasury under head "Fixed Revenue Deposits". The Village Officer is bound to issue a receipt for the amount in question to the occupancy tenant.
- (b) The amount will be deposited on the regular challan Form (to be provided by for the Tehsil Accountant) a duplicate copy of which will be passed on to the Tehsil Authorities by the Treasury or Sub-Treasure Officer, for making the necessary entries in the Register Mentioned in Section 8.
- (c) The Village Officer will not be entitled to receive any *Punjotra* on this account.

**10.** The procedure with regard to the payment of the compensation money to the landlord will be as follows--

- (a) As soon as an instalment is credit under the head "Fixed Revenue Deposit", and entries made in the Register prescribed in Section 8, the Revenue Officer will issue a written notice to the landlord to come and draw the amount in question on a Refund Voucher.
- (b) Any entry to this effect will be made in the Register.

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